

REPRESENTATIONS LIST

Application No: 024321 **Application Date:** 12 June 2009
Licence Type: Premises Licence WITH Alcohol **Licence No:** N/A
Application Type: New Application

Premises: Redwing Inn (The)
Church Road, LYMPSTONE, Exmouth, Devon, EX8 5JT.

Applicant: Redwing In Ltd
2 Barnfield Crescent, Exeter, Devon, EX1 1QT.

Person making Representation: A J Robertson
3 Underhill Crescent, LYMPSTONE, exmouth, Devon, EX8 5JF.

Representation Accepted: Representation has been accepted

Reason:

Details: The premises are situated within narrow roads making noise echo at a late hour.
Car parking is not sufficient putting cars onto the public car park and then into neighbouring streets. Driveways will be blocked and noise will be caused by people leaving the premises. All this occurred when the Inn was opened previously.
It seems to me that the applicant is trying to create a nightclub within the village and not just a village pub. This is totally unacceptable.
Where I live noise comes across the field and can be heard very clearly again as in the past.

Evidence:

Suggestion: I would be happy with the following - Monday to Thursday and Sunday no later than 11:30pm. Friday and Saturday no later than midnight. Christmas and New Year no objections. These hours for the sale of alcohol and music and dancing.

Person making Representation: Thomas Walter
24 Underhill Crescent, LYMPSTONE, exmouth, Devon, EX8 5JF.

Representation Accepted: Representation has been accepted

Reason:

Details: Main objection - opening hours and noise from live music

Evidence:

Suggestion: Reduced opening hours. There should be no music in the beer garden.

Application No: 024321

Premises: Redwing Inn (The)
Church Road, LYMPSTONE, Exmouth, Devon, EX8 5JT.

Person making Representation: Phyllis Turner
DINGLES, 3 Church Road, LYMPSTONE, EXMOUTH, Devon, EX8 5JU.

Representation Accepted: Representation has been accepted

Reason:

Details: When you are considering this licence, I do hope that you will bear in mind that the Redwing Inn is situated in a residential area.
When there is music outdoors at the Redwing the sound carries to my house, which is 8 houses away from the Inn, just as if it is being played on my premises.
This is barely tolerable during the daytime, let alone the hours requested in the application.
The hours requested for consumption of alcohol, with the inevitable noisy departure of clients, are also rather long in my opinion.

Evidence:

Suggestion:

Person making Representation: P J Finney
VARNES EAST WING, Church Road, LYMPSTONE, EXMOUTH, Devon, EX8 5JT.

Representation Accepted: Representation has been accepted

Reason:

Details: We live at Varnes, right opposite the Redwing pub, and have done so happily for the last ten years. We are writing with respect to the Application for a Premises Licence.
In the past the live music performances at the pub, which normally took place on Tuesdays and Fridays, were held at the end of the pub away from us (the 'downhill' end) and the music stopped at just gone 11.00pm. Though we heard the noise to some extent, the fact that the music was at the other end of the pub meant that the level of noise was acceptable, and we never had reason to complain.
Since the new owners have taken over the pub and the building has been revamped, the situation will be very different for us and will be much worse from the noise viewpoint. This is because, as far as I understand, the location of the live music is to be changed to the 'uphill' end of the pub, to the room right opposite our sitting room and bedroom. If this was not bad enough, we see from the licence application that, if granted, live music will be able to be played every day of the week: from 10:00am to midnight on five of the seven days and from 10:00 am to 12.30am on Fridays and Saturdays.
We run a small B&B business, which I am afraid is not compatible with live music any time after 11.00pm, the time that the music stopped under the Redwing's previous management. This is a residential area in a small village: surely it is not too much to ask that live music is not played after 11pm?
We have no wish to be unreasonable, and have no objection to the opening hours: it is just the live music that we are objecting to, in order that we and our B&B guests are not disturbed during the early part of the night.

Evidence:

Suggestion:

Application No: 024321
Premises: Redwing Inn (The)
Church Road, LYMPSTONE, Exmouth, Devon, EX8 5JT.

Person making Representation: Environmental Health Officer
East Devon District Council, Knowle, Sidmouth.

Representation Accepted: Representation has been accepted

Reason:

Details: I have considered the proposal along with the proposed operating schedule. At present I do not feel that there are adequate safeguards in place to prevent public nuisance so accordingly I would like to make a REPRESENTATION.

- 1.The proposed outdoor musical entertainment is likely to result in public nuisance. Any music outside is likely to cause noise disturbance at nearby noise sensitive locations in a residential area.
- 2.The use of the outdoor licensed area until the proposed terminal hour is likely to result in public nuisance.

Evidence:

Suggestion: It is possible that following further discussions with the applicant, amendments can be made to the operating schedule to introduce the safeguards I would like to see and this would enable me to then withdraw this representation. However, for the time being I recommend that if the Licensing and Enforcement Committee is minded to grant this licence, the following conditions ought to be imposed in order to prevent public nuisance .

1. No live music shall be played in the garden at any time.
2. Customers must be asked not to stand around talking in the street outside the premises or car park and will be asked to leave the vicinity quickly and quietly.
3. The licence holder, or persons authorised by them, must control the volume of regulated entertainment taking place at the premises.
- 4.The use of the beer garden shall cease at 2100hrs.
5. An announcement will be made prior to closing requesting patrons co-operation in leaving the premises and vicinity as quietly and quickly as possible.

Person making Representation: Tim Gibson
FUCHSIA COTTAGE, Church Road, LYMPSTONE, exmouth, Devon, EX8 5JT.

Representation Accepted: Representation has been accepted

Reason: N/A

Details: In common with many residents of Lymptone I welcome the return of The Redwing but I am very concerned about the terms of the license application - namely, the issue of open hours. It would appear, with the 30 mins added to the ending of a licensed activity (music, dance, eating indoors and outdoors) that the actual closing times applied for are 12.30am Mon to Thurs and Sun and 01.00am Fri and Sat with a further extension for bank holiday weekends, Christmas etc. I believe these hours are inappropriate for a densely populated residential street in a normally peaceful village setting. Church Road is home to elderly residents and working families with children alike. Many properties are situated within yards of the pub and car park and, beyond that, there is the issue of traffic movements and noise. Many dwellings front almost directly onto the street. The prospect of clients leaving, notwithstanding signs urging respect for local residents, finishing conversations, closing car doors, starting engines and driving away at 12.30+ midweek and 1am+ weekends is deeply troubling. Not only that but I understand that clients will be able to ARRIVE as late as 12.30am for takeaway food. I reiterate, I welcome the return of the pub and if the licensing/closing hours were to be an hour to 90 mins shorter (eg - midweek 11pm and weekend 11.30pm) than those applied for they would be far better suited to this particular environment.

Evidence:

Suggestion: I reiterate, I welcome the return of the pub and if the licensing/closing hours were to be an hour to 90 mins shorter (eg - midweek 11pm and weekend 11.30pm) than those applied for they would be far better suited to this particular environment.

Application No: 024321

Premises: Redwing Inn (The)
Church Road, LYMPSTONE, Exmouth, Devon, EX8 5JT.

Person making Representation: Winifred Martin
4 Underhill Crescent, LYMPSTONE, exmouth, Devon, EX8 5JF.

Representation Accepted: Representation has been accepted

Reason:

Details: The Redwing Inn, in the main street of Lymptstone, lies in the centre of a residential area. It is situated on the lower south-facing slope of a narrow valley, approximately 100 yards wide, which runs from the River Exe up through the village, widening out before it reaches the A376 and beyond. The valley immediately below the Inn is of grassland and trees, bordered to the North by a tidal brook and to the South by a small stream.

On the North facing slope opposite is a residential area containing approximately 50 houses, Underhill, Underhill Crescent and Close and Church Path. Because of the enclosing hills and railway bank to the West, sound is intensified in this narrow part of the valley, and for many years residents, myself included, have suffered, particularly in summer time, from outdoor music and loud conversations coming from the Redwing Inn under previous licensees.

For many years we endured all- night music from Powderham Castle across the River Exe. This nuisance was only removed after persistent petitioning from villagers nearer the waterfront and in other parts of the of the village. We do not wish to be subjected to further nuisance of this nature.

Indoor music/dancing at the Redwing will not present quite such a nuisance as music outdoors which is mainly during the summer months. The licensing hours outlined in Application 024321, on some occasions extends to 1.30 a.m, This constitutes a nuisance unacceptable to me and many others living in the area.

Parking is also a cause for concern. The parking area adjacent to the Redwing Inn is very limited, while evening/night-time parking in the village street is practically non-existent. The Village car park in Underhill is full during the evening and most nights, particularly during the summer season. The most direct pedestrian access from the Redwing Inn to this car park is via the village street and through a narrow alleyway between cottages opening directly on to the footpath. This leads to a bridge over the tidal brook which runs alongside the carpark. All three exit roads from the village are hills, two of which rise very steeply. The noise at midnight and beyond, of loud chatter and singing as visitors return to their vehicles in the car park followed by the revving up of numerous cars as they approach the steep hills presents an unacceptable nuisance to an even greater number of residents of the lower end of the village.

While accepting that visitors from outside the village are necessary for the viability of the Redwing Inn, I feel it should not be at the expense of the quality of life of so many people in this village.

My complaint is therefore against the licensing of music and outdoor activity beyond the hours of 11,30 p.m. with exception of Bank Holidays, Christmas Eve and New Years Eve.

Evidence:

Suggestion: Reduction in permitted hours for outdoor music to 11.30pm with an extension to midnight on Bank Holidays , Christmas Eve and New Years Eve.

Person making Representation: J Martin
8 Meadow Close, LYMPSTONE, exmouth, Devon, EX8 5LQ.

Representation Accepted: Representation has been accepted

Reason:

Details: Many of the residents of Lymptstone are not feeling very happy regarding the opening hours of the Redwing. It is quite near to residential property where people should have a right to not have disturbed nights, even inclusion of Sunday late night refreshment indoor and outdoor, live music indoor and outdoor. This is going to change the village like so many places now. People come from outside and do what ever they like. May be this will not be everyone's opinion.

We are constantly reminded we need to change with the times but it depends on one's life style. Not possible to please everyone I guess.

But people who live here over the years are happy the way things are.

We all have a right to our opinion and this is mine.

Why spoil the peace of such a lovely village and the views, a rather special place to enjoy the nature around us.

Please dont let late night drinking, noise and loud music spoil the peace of such a peaceful place which at the moment it is a pleasure to be part of.

Evidence:

Suggestion:

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Premises: Redwing Inn (The)
Church Road, LYMPSTONE, Exmouth, Devon, EX8 5JT.

Person making Representation: J E Denison
14 Underhill Crescent, LYMPSTONE, exmouth, Devon, EX8 5JF.

Representation Accepted: Representation has been accepted

Reason:

Details: I am writing to object to the proposed licensing hours for The Redwing Inn, Lymptstone.
Other than Christmas and New Years Eve, I would think that 11.30 is a reasonable closing time. We live immediately behind the premises and the noise carries up the hill.
As we are mostly retired in this area I dont think it is unreasonable to expect some peace and quiet.
Closing times of 12.30am and 1.30am are most unacceptable and I hope you will think very carefully before allowing outside music in what is a now a quiet village.

Evidence:

Suggestion:

Person making Representation: Sandra Buckle
12 Underhill Crescent, LYMPSTONE, exmouth, Devon, EX8 5JF.

Representation Accepted: Representation has been accepted

Reason:

Details: I write with regard to the recent application made by the owners of the above establishment.
As a Lymptstone resident, living near the centre of the village, I wish to raise my objections to some but not all of the application.
I object strongley to all extensions beyond 12.00am and also to all and any music/dancing on the outside of the premises.
Live music outside in this village where the acoustics do not lend thenselves to such is entirely inappropriate. The village is East Devon and as such a retirement village with many elderly residents who retire early.
The social problems relating to alcohol abuse would increase simply because as a village we are accessible by rail from both Exmouth and Exeter.
I would urge all concened to consider that this request was made purely on the grounds of commercial opportunity and not to improve the facilities of the village for the residents.
I look forward to hearing the final decision on the application.

Evidence:

Suggestion:

Application No: 024321

Premises: Redwing Inn (The)
Church Road, LYMPSTONE, Exmouth, Devon, EX8 5JT.

Person making Representation: Ursula Perry
1 Underhill Crescent, LYMPSTONE, exmouth, Devon, EX8 5JF.

Representation Accepted: Representation has been accepted

Reason:

Details:

1. The Redwing lies towards the bottom of a southern slope; this estate rises steeply to the south, towards Underhill and Church Path. There is another estate of houses that rise up to the north towards Greenhill Avenue and beyond towards the North East. There are houses to the east and further houses to the West. This leaves the position of the Redwing near the bottom of a valley, and with a field in the immediate vicinity, therefore any noise becomes considerably amplified. This can be confirmed by the noise from previous events. There is further proof of this, whilst the building works are taking place now the noise is clearly heard by me and others.

2. We have experienced in the past live music that has become amplified. Whilst there is a willingness to accept a certain amount of noise; any noise after 22.30 would step over the bounds of acceptability. The noise from the Redwing will interfere with the peacefulness of the village; in particular the elderly, families trying to encourage children to settle and sleep, families that need to rise early for work, even at the weekends.

3. The late night and early mornings closing will bring its own policing problems:-

Car parking -

a. It is unlikely the Redwing car park will accommodate all the cars.

b. There is no parking on the street.

c. Where else is there to park? The village car park will be used, or misused as it often is now.

d. Considerably noise nuisance from the people walking to transport or whilst waiting for transport.

e. The most likely places people will park will be in the streets of surrounding areas without restrictions; therefore disturbing the residents at all hours of the night and early morning.

f. As mentioned there are steep hilly areas around the Redwing, the noise of cars parking and then rewing up in the early hours as they arrive and leave.

g. Taxis arriving and leaving in the early hours

Who is going to police the inebriated clientele as they leave the Redwing and make their way home by whatever means?

The car park toilets will be closed so..... ? We have experienced problems with people relieving themselves in other areas and the aftermath of too much to drink or eat that comes up, rather than go down.

4. Can E.D.D.C enforce a restricted licence on the number of days the Redwing can hold late night/early morning functions?

5. What other generally quiet village would allow this sort of facility to open in the ways and times being suggested? This type of facility with the proposed opening times etc is more in line with a facility found in a City or Town centre not a growing family orientated village.

Evidence:

Suggestion:

Application No: 024321

Premises: Redwing Inn (The)
Church Road, LYMPSTONE, Exmouth, Devon, EX8 5JT.

Person making Representation: Elizabeth Tooke
ORCHARD DENE, Church Road, LYMPSTONE, exmouth, Devon, EX8 5HL.

Representation Accepted: Representation has been accepted

Reason:

Details:

I am writing to object to the above application as I believe it will cause public nuisance to neighbours. The licensing hours proposed are entirely inappropriate for a pub abutting and surrounded by private residential properties in a small rural village. Our property, Orchard Dene, is very close (only 6ft away on one of our boundaries). We are affected by noise from the Beer Garden and Car Park and I wish to object to the application for the following reasons.

1 Premises Open Hours Requested.

I object to the very late and inappropriate open hours as proposed due to the residential nature of the area in which the Redwing is located.. Closing times of 12.30 am weekdays & Sunday, 1.00am weekends, and 1.30 am Bank Holidays are too late and are unacceptable in terms of the noise that will be made when people leave especially in the Car Park which is only 8ft away from two of our bedrooms. All the hours referred hitherto will cause a public nuisance.

I note the applicant in the Conditions Offered in Prevention of Public Nuisance intends to display "suitable signs. These will be ineffectual and not 'policed'. People will have been drinking alcohol, their behaviour becoming loud and disinhibited. People living in neighbouring properties have to get up to go to work the next day and should not have their sleep disturbed by noise and alcohol fuelled behaviour. Such disturbance would have an adverse impact on neighbours' health. If the Redwing was situated in London the hours proposed by the applicant would be more appropriate but not the residential area in which the Redwing is situated.

2 E. Performance of live music (Indoors & Outdoors)

I strongly object to the application for live music to be played outdoors and this indeed will cause gross public nuisance. I also strongly object to the hours that the applicant has applied for. Finishing times for music outside of midnight, 12.30 and 1.00 am are not acceptable to me as a near neighbour. It is unacceptably late. As previously mentioned our house has two bedroom windows 8ft away from the car park and our property is extremely close as a neighbour to the Redwing's Beer Garden. The previous incumbent of the Redwing played live music in the garden. It was an unacceptable and intolerable noise intrusion and we along with our neighbours complained to Environmental Health. The music was a gross intrusion, we did not seek to listen to this music - indeed we were given no choice. The music was played at weekends during the summer when we wanted to enjoy our gardens, going indoors gave no relief, as it could be heard inside as well. Remember that neighbours will want to open their windows on warm summer days.

The Swan public house does not have a licence to play music outside and neither should the Redwing's. The Redwing is surrounded by private gardens, and neighbours. The applicant offers the condition that "amplified music will not be played in the garden" but even unamplified, the design of the new building to the rear of the Redwing will cause amplification and disturbance. There is going to be enough noise in the garden from people talking, laughing etc all of which becomes louder when they drink and neighbours will have to endure this all the time. Unamplified music should not be played in the garden. There should be no music in the garden

With regard to amplified music I have concerns despite the applicants condition that it will only be generated in rooms that have noise filling etc. Open doors and windows will allow the sound to escape especially in hot weather etc. In view of this very low noise limits should be set.

3 Section L. Late night refreshment

I strongly object to late night refreshment being served outdoors. I cannot stress enough how totally inappropriate this is for a pub which is surrounded by residential properties and again this would cause public nuisance. This would cause noise pollution, and disturbance to people who will be trying to sleep. The area designated for drinking and smoking would need to be lit, this would cause disturbance to neighbours. There would be noise from talking, shouting, talking into telephones etc which is always louder at night. There would be noise in the car park which could last until 1.30 am.

Neither the Swan (completed application 023816 from the 24/11/05) or the Globe Inn (completed applicaton 013979 from the 24/11/05) have licences that permitted late night refreshment being sold outdoors and neither should the Redwing for the reasons I have outlined.

In conclusion licensing hours as proposed by the applicant in all the above Sections are too late, will promote public nuisance and are detrimental to the health and wellbeing of neighbours to the Redwing. I have no objection to the hours proposed for Christmas Eve and New Year's Eve in the Section:-
Premises Open Hours requested.

Evidence:

Suggestion:

Application No: 024321
Premises: Redwing Inn (The)
Church Road, LYMPSTONE, Exmouth, Devon, EX8 5JT.

Person making Representation: A V Snell
32 Underhill Crescent, LYMPSTONE, exmouth, Devon, EX8 5JF.

Representation Accepted: Representation has been accepted

Reason:

Details: I wish to object to the above licence being granted for music 7 nights a week on the grounds of:
1. It will be a public nuisance as the noise will echo across the valley and disturb sleep and general peace and quiet if it goes on till 12.30am.
2. There is no resident police presence in the village so when the pub closes there could be increased vandalism, noise and possible break-ins with no-one to control it.
3. It could bring a lot more people to the village instead of going to Exmouth on a Friday and Saturday evening.

Evidence:

Suggestion:

Person making Representation: Peter Reid
RAINBOWS END, CHURCH PATH TERRACE, LYMPSTONE, exmouth, Devon, EX8 5HJ.

Representation Accepted: Representation has been accepted

Reason:

Details: It would seem that most of the points on the application for a licence at the Redwing Inn are best suited to an urban premises, not a rural one with residential housing surrounding on all sides.
1. I see no need to open the premises as early as 8am. Who is this for? There is a small cafe that does breakfasts in the village already - The Globe Starts breakfasts, teas/coffees from 10am and I think the Swan commences this kind of trade a little later.
2. The suggested closing - 12.30am/1.00am etc - Far too late for the situation the pub is in. In spite of requests by landlords people seldom leave quietly.
3. Live music - the suggested times of 10-12 midnight (Friday/Saturday 10am-12.30am are totally inappropriate - again because of noise at the wrong time.
n.b. Previously music at the Redwing would aim to finish at 11pm (Fridays extended a little 11.30 but no later, as I recall).
There would also be occasional outdoor music (Sat/Sun). In my view this was all right, and tended to be afternoons only. Some of this music was amplified and the sound did carry (even to my own address, the hill behind the pub) but was not that often.

Your application cites as amplification outside, but I would add that amplified music indoors can carry and boom across quite a wide area.
I realise here that environmental health have a part to play (viz - the Grove in Exmouth where local complained about music indoors carrying and this was quickly monitored.

My wish would be for a public house with normal facilities of drink and food, occasional mu

Evidence:

Suggestion: My wish would be for a public house with normal facilities of drink and food, occasional music but kept within traditional pub hours, late morning opening/11pm closing with the licences applying for extension to this when appropriate.

Application No: 024321
Premises: Redwing Inn (The)
Church Road, LYMPSTONE, Exmouth, Devon, EX8 5JT.

Person making Representation: Pat Belshaw
7 Underhill Crescent, LYMPSTONE, exmouth, Devon, EX8 5JF.

Representation Accepted: Representation has been accepted

Reason:

Details: My objections are as follows
1. Sound from the garden of the pub echos across the valley making any conversations inaudible. What constitutes "amplified music" - does this include the use of microphones. How is "unreasonably disturbed" defined?
2. The Redwing Inn car parks is small therefore it is quite likely that additional noise will occur in the Underhill sometime after closing time.

Evidence:

Suggestion: Could the closing time on week days and Sundays be amended to 11pm or 11.30 and that start time for Sunday music in the garden be amended to start at 6pm. There are already two summer Sundays when charity events, including music take place

Person making Representation: Ann Gosney
WYNDHAM, Burgmanns Hill, LYMPSTONE, exmouth, Devon, EX8 5HN.

Representation Accepted: Representation has been accepted

Reason:

Details: People get on a 'high' through loud raucous music and drink. Behavioural problems ensue - drunken brawling & fighting, arguments over parking, over revving of engines, dangerous driving, no regard for speed limits or other road users

Public at risk from increase of traffic in very narrow street. Serious danger to pedestrians. Narrow pavement (outside pub) used by cars trying to pass each other. Children on bikes, mothers with prams and elderly people all particularly vulnerable.

Pub situated right in the middle of quiet residential area. All people will be disturbed until past midnight every night of their lives. We all need peace and quiet and do not want loud raucous music of this kind imposed upon us.

Children at risk - sleep deprivation. How can they possibly go to sleep in what would be a relentless noise? Risk of serious accident due to increase in traffic. Risk of hearing loss (serious in young children) from loud noise through open windows.

Evidence:

Suggestion:

Person making Representation: Ann Crisp
17 Birch Road, LYMPSTONE, exmouth, Devon, EX8 5LB.

Representation Accepted: Representation has been accepted

Reason:

Details: I gather that the Redwing is applying for a licence to have outdoor music at the weekends. I would like to object most strongly to any licence being granted other than perhaps for a single evening per weekend up to 11 pm. The Redwing is surrounded by homes which would suffer by the intrusive noise as indeed would all the village as previous experience has proved. I feel the owners of the Redwing are just trying it on and should not be allowed to disturb the peace of the village.

Evidence:

Suggestion:

Application No: 024321

Premises: Redwing Inn (The)
Church Road, LYMPSTONE, Exmouth, Devon, EX8 5JT.

Person making Representation: FM & PM Cole
BRIAR COTTAGE, Church Road, LYMPSTONE, exmouth, Devon, EX8 5JT.

Representation Accepted: Representation has been accepted

Reason:

Details:

We wish to object in the strongest terms to the application being made for a seven day premises licence for the Redwing Inn on the following points.
Since the closure of the Redwing Inn, the residents of Church Road have enjoyed a period of peace and tranquillity free from the stress and anxieties caused by the improper management of a public house. Planning permission has now been granted by East Devon District Council for a totally unsuitable business premises in the centre of a quiet, residential, conservation area which has a number of domestic dwellings in extremely close proximity to it.
The first problem that will arise will be the noise from taxis and other vehicles leaving the premises at late and unsociable hours which will disturb the local residents in close proximity to the premises. Noise from the banging and slamming of taxi and car doors and lights from the vehicles leaving the Redwing Inn will inevitably disturb all residents in Church Road and surrounding areas. This constitutes a public nuisance. A license for performing live music indoors and outdoors has been applied for and this is considered to be totally unacceptable.
During the periods of Bank Holidays, Saturdays and Sundays when residents wish to enjoy the comfort of their own homes and outdoor spaces as the perfect opportunity to relax as other citizens are allowed to do, the residents of Lympstone will have to bear the brunt of the excessive noise with the assault of unsolicited music delivered by the Redwing Inn. Surely, everyone has a right to ask for the opportunity for quiet leisure on their own premises. Noise pollution in the form of unsolicited outdoor music constitutes a public nuisance.

2.
Lessons should have been learned from the unfortunate live music noise fiasco from a venue at Powderham Castle over which you, as a council had no control whatsoever. If such a volume of noise can travel across the estuary, just imagine how it will travel over Lympstone. The granting of a live outdoor music license for the Redwing Inn will I fear bring about a further decline in the standards of the Licensing Authority when issuing a license against the wishes of local residents. Once again we fear the interests of residents will be put aside and their concerns and comments ignored.
When the Redwing Inn was previously in use after being granted a license by you, living in Church Road became a nightmare. There was a constant round of inebriate persons urinating in drives or wherever else they felt they would, damage was caused to several properties, fighting and brawling in the road outside of our homes became a frequent event, obscenities and foul language from persons with excessive alcoholic intake was common practice especially during the early hours of a Saturday and Sunday morning. After evenings spent with live music at the Redwing venue, the customers proceeded throughout the village singing, shouting, swearing and causing public alarm and disorder. The publican ignored all requests for a more orderly house. Serving alcohol in excess was a common practice as was the practice of allowing customers to leave the premises still holding glasses of alcohol which would then be thrown into resident's gardens or left on the tops of parked cars and walls. This constituted a very dangerous situation when young children on the following day were riding their cycles or running as children do through Church Road. Broken glass is a hazard.
Further drunken disruptive behaviour takes the form of the destruction of hanging baskets, tubs, flowers in front gardens, the removal of "For Sale" boards, the wanton damage of notice boards throughout the village as they make their way home leaving the village and their vandalism and destruction behind them. Christmas Eve, New Years Eve and Furry Dance Night leave the residents in fear; these occasions are not an enjoyable experience anymore, so late night refreshments, music and alcohol on and off the premises will add to more fear and anxiety. If you are in any doubt that these incidents will all happen again, try living in the village after you have granted the license for the Redwing Inn.
Further acts of criminal damage are in the form of the breaking into, and vandalism of, parked vehicles throughout the village. Who will be available to deal with the crime and public disorder?
There are numerous children in the village who will be put to bed with the intention of them gaining rest at nights, unfortunately, as in the past, this will not be the case due to them being roused by late night drunken revellers.

3.
The inconvenience of air pollution from the cooking of food will permeate throughout the surrounding area; this is not acceptable as once again we raise the point that this would, as in the past infringe on residents enjoyment of their own gardens and of course windows will have to remain closed to prevent the smell from permeating into homes in Church Road. There is a right to freedom from pollution which we will be taking up with you. This must be resolved before any license is considered.
Finally we would bring to your attention that the lives of the residents of Lympstone and of Church Road in particular will be greatly impaired should you make the wrong decision.

Evidence:

Suggestion:

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Premises: Redwing Inn (The)
Church Road, LYMPSTONE, Exmouth, Devon, EX8 5JT.

Person making Representation: RH Golding
FAIRWAYS, Burgmanns Hill, LYMPSTONE, exmouth, Devon, EX8 5HN.

Representation Accepted: Representation has been accepted

Reason:

Details: The comments made by the applicant do nothing to reassure local residents on this issue in view of the long (16.5-17.0 hours) daily opening hours. This is issue is of particular concern in relation to the applicant's request for 'retail sale of alcohol off the premises' under section M.

Increased traffic associated with the opening for 16.5-17.5 hours every day of the week will create a considerable hazard and inconvenience to all road users in a narrow lane without a pavement, which serves as one of the only two effective routes out of the village. This issue does appear to have been considered by the applicant.

Previous experience with comparatively limited performance of outdoor live music has proved extremely intrusive in this neighbourhood, both during the day and at night. An application which includes live outside performances until midnight or 1.00am every day shows a total disregard for the lives of local inhabitants

Evidence:

Suggestion:

Application No: 024321

Premises: Redwing Inn (The)
Church Road, LYMPSTONE, Exmouth, Devon, EX8 5JT.

Person making Representation: Karen Reid
RAINBOWS END, CHURCH PATH TERRACE, LYMPSTONE, exmouth, Devon, EX8 5HJ.

Representation Accepted: Representation has been accepted

Reason:

Details:

With reference to the above application I would like to make the following objections:-

1. Opening hours

8.00 am opening is for whom? Traffic through the village between 7.45am and 9.30 am is already horrendous as people leave for work, the school run and various deliveries. Early opening has the potential to add to this. Breakfasts are already well catered for by cafe (early) and other pubs.

12.30am closing weeknights (Sun - Thurs) and 1.00am Fri Sat has the potential to cause a lot of unnecessary noise in what is essentially a rural residential area. People standing outside to smoke and chat, whilst not necessarily antisocial, has the potential to generate a lot of extra noise.

Customers leaving at whatever time the pub closes often do so noisily with little regard to the sleep requirements of those living nearby even when asked to do so by landlords, Surely an earlier time would be adequate once extra time added for dispersal is factored in if the licensees do not wish to alienate their neighbours.

Extending hours over bank holidays is a valid request but what is wrong with 1.00am and an occasional late opening? Again, those of us who live in the village also have a right to expect some consideration and a modicum of peace and quiet in our own gardens during bank holiday weekends. No matter how good a publican is, they have no control over the possible mayhem caused by late leavers, particularly with no police presence here.

2. Provision of alcohol

8.00am start. One wonders why a pub seeks provision for serving alcohol from 8.00am. Again I wonder who may be the target customer for this. In an age where we are encouraged to limit intake of alcohol I can see no valid reason for this application.

12.00 am /12.30 am finish. Since the ban on smoking in public places, for some reason totally beyond my comprehension, smokers are often accompanied outside by all of their friends plus glasses of preferred tipple. This generates a lot of noise outside that does disturb those living nearby.

3. Live Music

10.00am -12.00am Sun -Thurs. 10.00am -12.30am Fri Sat.

Again I wonder why the licensees wish such an early start both in the pub and in the beer garden. I am aware that the proposal is for non-amplified music outside but sound carries incredibly well in this village (ref Waveform festival at Powderham when many of us were kept awake all night.) Late finishes are obviously to cater for balmy summer evenings but there are still some of us left who prefer to spend time in our own gardens without the intrusion of someone else's music.

Noise limiting equipment inside is only effective when sound is unable to drift out through other means eg Open windows and doors. There is a history of problems here with previous licensees. What guarantees are there that this will not happen? Again we are back to the question of what is acceptable noise pollution.

4. Late Food

I wonder what the reasoning is behind providing hot food after 11.00pm unless it is for possible consumption off the premises. If so, then there is little doubt in my mind that we will see an increase in litter in the area.

5. General points

I feel that the proposed terms of the license show very little consideration of the fact that The Redwing is situated in a rural residential area. Proposed opening times are reminiscent of town/city hours and 24hour living. 'It almost appears that the licensees have adopted an attitude of 'Let's put in for it all and see what we end up with.' If The Redwing is to provide the village with another good option for food and drink and turn over reasonable profits at a time when many people are counting their pennies and cutting back, they would do well to remember that it is the villagers, family and friends who will be their bread and butter during the lean months of winter.

Evidence:

Suggestion:

Application No: 024321

Premises: Redwing Inn (The)
Church Road, LYMPSTONE, Exmouth, Devon, EX8 5JT.

Person making Representation: R & J Telfer
ELLENTHORPE, Church Road, LYMPSTONE, exmouth, Devon, EX8 5JT.

Representation Accepted: Representation has been accepted

Reason:

Details:

As neighbours, we wish to make representations on the above licence application.

We have two main areas of concern:

1. the intended closing hours

2. the intention to provide live music outdoors.

1. We consider that it is unreasonable to close at midnight on a weekday, as the people leaving at this time of night would cause noise and public nuisance in what is a residential area. We do not consider that the same hours granted to the Swan create a precedent, as that is in a more commercial area, with the presence of shops and the station. We would think it more appropriate if the pub were to close at 11pm on Sunday to Thursday. We have been in agreement with the verbal statements of intent made to us by the owners in regard to opening hours, which were similar to this, but cannot agree with the written terms of this licence application which are significantly different.

2. Whilst we appreciate the steps being taken by the new owners to reduce sound emissions from inside the pub, we are unhappy at the prospect of having the peaceful enjoyment of our garden disturbed any day of the year by music played in the beer garden. We suggest that it would be reasonable to limit the playing of live music (without amplification of speech or music) outside to one day per month. Alternatively; such events could be subject to a special temporary licence as the occasion required.

We recognise that it is not the present intention of the owners to implement the licence to the full. We support their plans to create a higher quality restaurant and pub and hope they are successful.

Evidence:

Suggestion:

We suggest that it would be reasonable to limit the playing of live music (without amplification of speech or music) outside to one day per month. Alternatively; such events could be subject to a special temporary licence as the occasion required

Person making Representation: A & S Wadhams

FIGGINS, Church Road, LYMPSTONE, exmouth, Devon, EX8 5JT.

Representation Accepted: Representation has been accepted

Reason:

Details:

We have recently purchased "Figgins" Church Road Lympstone EX8 5JT and are in the process of renovating our future home but will definitely not be in residence by the time the Red Wing Inn will start to trade in the near future. Even so, we feel that we need to voice our opinion with regard to the application with respect to the hours of opening at the Red Wing as it will definitely affect us when we do move in. We feel that it is rather excessive to have closing times so late in such a residential location. The main concern is that even post closing time there will always be noise generated when people are leaving the premises which will be impossible for the Red Wing management to control and we therefore would prefer to see early closing times for normal week days and weekends e.g. 11 00 pm week days and 12 00 for weekends.

In the instance of special occasions we would consider it to be more reasonable that particular applications are sought/granted on a one off basis to allow greater control for later openings. Obviously special holidays such as Xmas/New Year etc are understandably acceptable as applied for.

As to the application for the performance and the provision of making live music to be played outdoors we feel that this is totally inappropriate in such a "closed" residential area and that noise will reverberate considerably thus disturbing everybody nearby and probably further afield. As above, such requirements should be sought/gained for specific occasions, not a "blanket" permission.

The proprietors have provided written assurance to local residents in the form of a newsletter to put their case and outline their understanding of noise control etc. However, that may well be the case for immediate opening but any future owners could easily revert to other approaches which may be not so accommodating/considerate to local residents.

Evidence:

Suggestion:

Application No: 024321
Premises: Redwing Inn (The)
Church Road, LYMPSTONE, Exmouth, Devon, EX8 5JT.

Person making Representation: J & S Ingham
WISTARIA COTTAGE, Church Road, LYMPSTONE, exmouth, Devon, EX8 5JT.

Representation Accepted: Representation has been accepted

Reason:

Details: We live opposite the entrance to the car park of the Redwing Pub which our bedrooms over look. We are very concerned at the late closing times that have been applied for as people and vehicles leaving will effect our ability to have an undisturbed nights sleep. Under the last tenant we had customers regularly drinking and smoking in the street and car park until late at night. We are a working family and our day starts at 6.30 am, this is a residential area and when we bought our house the pub was closed and emptied by 10.30pm on a week day.

Evidence:

Suggestion:

Person making Representation: J Tooke
ORCHARD DENE, Church Road, LYMPSTONE, exmouth, Devon, EX8 5HL.

Representation Accepted: Representation has been accepted

Reason:

Details: I am writing to object to the above application on the grounds of the public nuisance caused to near neighbours of the Redwing resulting from noise impinging on normal hours of sleep. Our own house and two bedrooms are only 2 metres from the Redwing Boundary. It would be totally unacceptable to permit the playing of music outside until well gone midnight in such a quiet residential area and cause public nuisance during the daytime. Furthermore car park activity by pub users, disinhibited by alcohol after 11 pm, will create a regular and unacceptable public nuisance. In conclusion the licensing hours as proposed are far too late other than very special occasions such as Christmas and New Year's Eve and the playing of music outside inappropriate in this environment and totally unacceptable as regards the lateness of the hour proposed. Approval would be condoning a real public nuisance to near neighbours and be detrimental to their wellbeing.

Evidence:

Suggestion:

Person making Representation: JD & EJ Goss-Custard
HAVERING, Church Road, LYMPSTONE, Exmouth, Devon, EX8 5JT.

Representation Accepted: Representation has been accepted

Reason:

Details: We are writing in connection to the application from the Redwing Inn for new licensing hours. We live 75m from the Redwing. This is well within earshot as we know from when the previous licensee of the pub held outdoor and indoor music events. We are really horrified by the application to have live and recorded music playing until 12.30am or even later in this quiet residential road. In effect, the Redwing would become a nightclub, with all the associated problems for those who live nearby. The Redwing is the only commercial premises on this road and we are certain that the noise from live music so close to us would be extremely intrusive, often unbearable, at such late hours. People leaving the premises, or coming to buy food outside the pub, will often cause much noise, and sometimes add to the driving hazards along a narrow village road, late at night. We object most strongly to this proposal and urge you to insist on more restricted licensing arrangements. While we very much welcome the re-opening of the Redwing, having been long-time customers there, we are appalled at the prospect of the pub re-opening with such licensing arrangements.

Evidence:

Suggestion:

Application No: 024321

Premises: Redwing Inn (The)
Church Road, LYMPSTONE, Exmouth, Devon, EX8 5JT.

Person making Representation: Chris Finney
VARNES EAST WING, Church Road, LYMPSTONE, EXMOUTH, Devon, EX8 5JT.

Representation Accepted: Representation has been accepted

Reason:

Details:

I am writing with respect to the above Application for a Premises Licence. Since we live at Varnes, directly opposite the Redwing, the re-opening of the pub could have a major impact on us if the pub is not run in a reasonable way which takes due account of the welfare of the people living near it. Obviously the Licence conditions which you grant will be a key factor in this respect.

My main concern is the proposed live music - what time it finishes, and the level of noise outside the pub. We have lived at Varnes for 10 years. In the past the live music performances at the pub, which normally took place on Tuesdays and Fridays (i.e. only two days per week), did not trouble us to any major degree. The music stopped at 11.00 pm or soon after and the level of noise was acceptable, especially because the music was at the other end of the pub from us. We never had reason to complain.

Under the new arrangements the situation could well be much worse from the noise viewpoint, for two reasons. First, the location of the live music is reportedly to be changed to the 'uphill' end of the pub, to the room right opposite our sitting room and bedroom; thus the potential level of noise reaching us will be greater. Second, the Licence which has been applied for, if granted, will allow live music will be able to be played every day of the week, and till relatively late; from 10.00am to midnight on five of the seven days and from 10.00 am to 12.30 am on Fridays and Saturdays.

As regards the potential noise problem, in discussion with one of the Redwing owners several months ago I was assured that the windows and door(s) of the music area will be kept shut when music is being played and that special sound-proofing boards to cover each window will be put up. It is essential that these measures or other similarly effective sound limitation measures are applied in practice; they should be a condition of the Licence.

As regards the second point, the frequency and duration of the live music, the problem is that, under the proposed Licence conditions, the music would go on too late. Based on our experience under the Redwing's previous management (see above), music up to 11 pm would be acceptable to us. But, in a residential area such as this, I do not think it is reasonable to allow it to continue much beyond this time. It is interesting to note that, on grounds of good neighbourliness, the Globe Inn, further down the village, now finishes its music around this time, even though its Licence allows the music to continue till midnight. I therefore propose that the Redwing's Licence stipulates that the music finishes at 11 pm.

I would be grateful if, in your deliberations, you would give due consideration to these two suggestions concerning the licensing of the performance of music at the pub.

Evidence:

Suggestion:

Application No: 024321

Premises: Redwing Inn (The)
Church Road, LYMPSTONE, Exmouth, Devon, EX8 5JT.

Person making Representation: Arthur John Hennessy
SOUTHERLEIGH, Church Road, LYMPSTONE, Exmouth, Devon, EX8 5JT.

Representation Accepted: Representation has been accepted

Reason:

Details:

When we came here the Redwing was a quiet village pub. In latter years it became noisy, particularly outside, attracting customers from as far as Exmouth and Exeter. Never again!
Furthermore the application also shows apparent disregard for official recommendations (2, 3 below):

It is a public nuisance for reasons 1,2,3 below

1. The well-being of neighbours.

Opening Hours: Oppose - we need some sleep. This is the middle of a village!

Alcohol off premises: Oppose - I want no more cans and bottles thrown on my premises.

Live music outdoors: Oppose - there is no possibility of compliance with sections 2, 3 (below). I know of no other pub around (whether Globe, Swan, Puffing Billy, Diggers, Nutwell, Sadlers) where this is permitted

Late night refreshment outdoors: Oppose - we need some sleep. Five of the above six pubs have none and Diggers is not in the centre of the community as we are

No amplified speech or music or entertainment, live or otherwise, outdoors

2. DEFRA: "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems" not observed, particularly pages 10, 16,25,28,31,60,61,90,91 (see below) .

3. "Good Practice Guide on the Control of Noise from Pubs and Clubs" (Institute of Acoustics) not observed, particularly pages 2, 4,5,10,11,132,15 (see below).

I give, below, extracts relating to the above pages

Our position is relevant. The Redwing abuts our property; we are downwind of it; there are surrounding high buildings (except to the southwest); this causes courtyard effect. The prevailing wind will bring smells and noise towards our garden and towards our 3 storey house.

The ridge height of the 3-storey Redwing is 10.8 m - the same as our 3-storey house. Yet the top of the flue of the main kitchen is not the DEFRA recommended 11.8 m but only 4.1 m above datum (my datum being the car park immediately west; dimensions are taken from available plans submitted by Applicant).

This flue is only 8 m from our property and 13.6 m from our house. We can look down on it from the openable windows on our second and third floor. We wrote to the Applicant asking that the discharge be from above the ridge - we received no suggestion of any insuperable difficulty; in fact, no reply at all.

The top of the flue of the ancillary kitchen (formerly to be a takeaway and garden sales until intervention by Councillor Ingham, following protests to him about noise and smells) is only 4m above datum, 16m from our property and 26m from our house. Again, we can look straight down on to it, and also on to the large open hatch that faces us.

I do not dispute that the quality of the cooking range and filters themselves comply with the DEFRA recommendations that these be of high quality; but, even apart from other considerations, the smell and noise from these low-level flues will seriously affect neighbours and most seriously affect us.

Relevant extracts from the above documents, 2,3, are as below .

Evidence:

EXTRACTS

DEFRA: "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems", (January 2005)

"Discharge stack (P1 0)

The discharge stack shall Discharge the extracted air not less than 1 m above the roof ridge of any building within 20 m of the building housing the commercial kitchen."

(N.B. Our house is 5.6 metres from the main building housing the commercial kitchen and 23 m from the ancillary kitchen. The ridge of our three-storey house and the ridge of the main three-storey Redwing are both 10.8m high.)

4.7.8 Stack (P60/61)

"The discharge to be outside the wake of nearby buildings. Discharging ventilation air below a roof ridge may result in excessive entrainment within building down wash.

A stack discharging into a semi-enclosed area such as a courtyard or the area between back additions should be avoided.

The prevailing wind direction should also be considered in the ducting positioning."

(N.B. The kitchens are surrounded by high level buildings, except from the southwest, producing a courtyard effect; we are also downwind.)

3 Regulation of kitchen ventilation systems (P28)

"The EHO may recommend refusal of planning permission if in their opinion the development will cause significant loss of amenity or statutory nuisance that cannot be mitigated with conditions."

2.1.4 Effects of odour (P16)

"Effects that have been reported by people include nausea, headaches, retching, difficulty breathing, ... "(11 listed).

2.3 Typical Problems Encountered With Commercial Kitchen Ventilation Systems (P25)

"Mixed experience with carbon filters. Concerns about effect on back pressure leading to noise; effect on fan size leading to noise."

"Application of stack height: main concern occurred where:

CIPremises on rising ground where effective stack height is reduced;" (The ground rises to the north.)

Application No: 024321

Premises: Redwing Inn (The)
Church Road, LYMPSTONE, Exmouth, Devon, EX8 5JT.

"Building housing premises is shorter than surrounding buildings; (as is the ancillary building and West End of the main building.)

1. Information required (P90/91)

"Proposed hours of operation of any ventilation plant."

"Please note that any reference to minimum standards within this document is for guidance only and more stringent controls may be deemed appropriate."

"The Environmental Protection Act 1990 (P31)

This Act places a duty on the Local Authority to investigate the likely occurrence of statutory nuisance. Statutory nuisance is defined ... in relation to noise and odour:

- a) any fumes or gases emitted from premises so as to be prejudicial to health or cause a nuisance;
- c) noise emitted from premises so as to be prejudicial to health or a nuisance."

.....
"Good Practice Guide on the Control of Noise from Pubs and Clubs" (Institute of Acoustics, March 2003)

The Working Party included Councillors (including Mike Squires of Exeter City Council) and those connected with Environment, Planning, Transport and Acoustics.

General Measurement Advice

1. The sound level meter should comply with British Standards.

Many sound level meters currently available cannot measure below 20 db(A).

2. The most appropriate measurement position is where the complainant experiences the disturbance, e.g. near a bed or by a desk.

3. British standards 4142(6) should be complied with, particularly for outdoor measurements.

Control Measures

1. Inadvisable to hold regular outdoor events close to noise sensitive properties.

2. Nominate a specific taxi operator, advertising it to customers and ensuring that the taxis do not sound vehicle horns as a signal of arrival etc.

3. Consider the erection of purpose-built noise barriers

4. Acoustically treated air conditioning systems.

5. Automatic door closures with sufficient space between inner and outer doors of a lobby to ensure that one of the doors is always closed.

6. Well sealed acoustic doors on emergency exits, sound insulated windows.

7. Noise control issues should be considered prior application for planning consent or licence.

Suggestion:

Ancillary kitchen: even if the hatch were to be permanently sealed and the flue could be taken to 11.8 m this second effluent would render the Significance Score of the Redwing to be "Very High Risk" and I cannot see how it can be brought into compliance. If it can be used as a store (as Councillor Ingham envisaged) I do not object to its use for that.

Main kitchen: provided the flue can exhaust at 11.8 m I do not object to it being above the Significance Score of 20 (beyond "Low to Medium Risk") - provided it does not exhaust after Closing Time.

Pub Opening hours: no later than 11 :30 a.m. on any day of the year.

No amplified speech or music or entertainment, live or recorded, outdoors.

Application No: 024321

Premises: Redwing Inn (The)
Church Road, LYMPSTONE, Exmouth, Devon, EX8 5JT.

Person making Representation: Catharine Hennessy
SOUTHERLEIGH, Church Road, LYMPSTONE, exmouth, Devon, EX8 5JT.

Representation Accepted: Representation has been accepted

Reason:

Details: This representation follows the numbering as set out in the EDDC Statement of Licensing Policy - January 2008

Overall, I have no objection to the Redwing Inn having a license to function as a pub and restaurant

1.2 Provision of 'Regulated entertainment'

The application does not give details of what is included in entertainment facilities for making music Outdoors.

2.3.3

Nature of activities:

It is unclear whether this application would allow amplified speech Outdoors such as wedding speeches, Race nights and quiz nights. It would allow spontaneous singing such as football club celebrations and parties with games and singing. It would allow a marquee to be erected, and with the use of heaters and lighting, to be used throughout the year. It would allow all of these activities throughout the day, from 10am till midnight every day of the year. I object to all these outside entertainments especially amplified speech.

The location of premises and character of the surrounding area in relation to the proximity to residential and other noise sensitive premises:

The Redwing is in a very quiet residential road in a village setting among closely packed houses and cottages. It is on a narrow road - 10 ft from wall to wall - with close neighbours on all sides. With little traffic and no noise producing activities nearby there is no ambient noise. The Redwing is next door to our home, the beer garden is the other side of the wall. Our sitting room window, on the first floor, and the bedroom windows above look directly down into the beer garden. The beer garden is small with sound reflecting walls on all four sides; no attempt has been made to use sound absorbing materials. (Institute of Acoustics' Good practice Guide on the Control of Noise from Pubs and Clubs section 7.6)

When we bought our house in 1995 the Redwing was a quiet village pub closing at 10.30 or 11.00pm. There was no music license and no music indoors or out. When the previous landlord took over he obtained a music license for indoors and outdoors. Despite promises to reduce the noise levels it never happened and the noise became intolerable especially in the garden with amplified speech and music. Neighbours were frustrated and, looking back, far too tolerant. There is now a chance to attach tight conditions to the license to prevent this happening again so we can enjoy having next door a 'well run and managed premises with license holders displaying sensitivity to the impact of the premises on local residents'. (2.7)

Measures for the limitation of noise emissions from the premises:
Indoors.

Some thought and expense appears to have been given to reducing noise emissions from indoors; various suggestions discussed with the landlord included noise limitation devices set at an agreed level, sound insulation, acoustic lobbies or spring doors on all entrances, especially to the beer garden at the back, double glazing and air conditioning so windows can be kept closed. Providing these are included in the conditions and there is no noise breakout I have no objection to music indoors.

Outdoors. The conditions offered here by the applicant are in marked contrast to the care being taken to limit noise emissions from indoors.

I object to the playing of live music outdoors. I object to the provision of facilities for making music outdoors.

The window of our sitting room on the first floor looks directly down into the beer garden. I use the sitting room to listen to classical music, in particular chamber music and choirs, quartets and choral music. Any amplified speech, entertainment or live music in the beer garden ruins the music.

Our garden borders the wall to the beer garden. Live music, amplified speech or entertainment in the beer garden makes it impossible to enjoy being in our garden.

'It will have a direct impact ...on those living in the area. This will be the primary focus of the licensing authority' (4.2)

There is no need for outside music for a pub and restaurant to thrive. None of the 11 pubs, restaurants or village halls on the EDDC Licensing Register for the parish of Woodbury and Lymptone have permission for outside music or entertainment.

The peace and quiet of village life in Lymptone encourages visitors and tourists to stay, especially those looking for quietness and relaxation. It needs to be protected to continue to attract these visitors who are the basis of the local B&B economy. In recent years adverse comments on the increased noise in the evenings have been made to B&B owners by regular visitors. It could adversely affect their livelihood (2.8)

Use of Outdoor areas:

I object to the use of outdoor areas for any drinking, eating or any other use after 11pm.

All our bedrooms are at the back or side of the house and have windows overlooking the beer garden. It is very difficult to sleep when laughing and loud talking are carrying on under the window. The impact on our life of allowing any use of the beer garden, throughout the year, after 11pm is 'unreasonable'. (17.1)

I object to the use of the outdoor area for entertainment at any time. Entertainment with possibly large

Application No: 024321

Premises: Redwing Inn (The)
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numbers of excited people would be unreasonable. (see Nature of activities, above)

I object to the provision of late night refreshment Outdoors. The landlord explained it is in the application so that the restaurant can provide a cup of coffee indoors after a meal if it is late. I have no objection to the provision of late night refreshment indoors.

Odour Nuisance:

I object to the use of the former garage/outbuilding for preparing, heating or cooking hot food. When planning permission for work on the Redwing was granted (05.03.2009) condition 4 stated 'the outbuilding hereby permitted shall only serve food as an ancillary function to the use of the main building as a pub and restaurant'. This was further clarified by Kate Little, Head of Planning and Countryside Services when she wrote to Hugo Swire MP (18.03.2009) informing him that the "proposed take-away facility part of the application was withdrawn prior to the application being determined. Thus hot food will be prepared in the Redwing Inn to serve in the restaurant but not on the site of the separate garage". The garage/outbuilding situated in the beer garden has an open hatch, approx 6ft by 4ft, facing directly towards our house. The top of the flue for cooking fumes is about 4 m high being upwind of us and directly in line with our windows. The cooking and heating of food will cause smells from the open hatch and flue and noise from the flue ventilation fans.

I have no objections to the serving of food from here.

In conformity with the assurance given by Kate Little to Hugo Squire MP and with the planning condition 4 I ask the Licensing Authority to allow only the serving of food from the ancillary kitchen and not the heating or cooking thereof; I do not object to a closed electric warming cabinet. This measure overcomes the problems of smells and noise due to the low chimney and open serving hatch.

Evidence:

Suggestion:

Withdrawal of Performance of live music Outdoors

Withdrawal of Provision of facilities for making music Outdoors

Condition No amplified speech, entertainment or other sounds Outdoors.

Withdrawal of The provision of late night refreshments Outdoors

Condition The use of Outdoor areas by customers shall cease at 11pm.

Condition Use of the Outdoor Ancillary kitchen restricted to serving food, not preparing, heating or cooking food.