

1

From: [REDACTED]
Sent on: Sunday, August 20, 2023 4:40:06 PM
To: Licensing [REDACTED]
Subject: (no subject)

[REDACTED] Royal Oak Pub.

I'm not happy to Liston the very ,very loud music playing every Sunday and has been a week days playing very loud music til 9 30pm. I would be very grateful if u could put a ban on this Pub for playing this so very loud as this is not far for me and resendents as well .

2

From: [REDACTED]
Sent: Monday, August 21, 2023 2:15 PM
To: Licensing [REDACTED]
Subject: Music Noise From Royal Oak P.H.

Good afternoon,

Following receipt of the attached letter, can I please confirm that I am in full support of the proposed review of license.

[REDACTED]

[REDACTED]

Music Noise from the Royal Oak Public House

Copy of the notice of application for a review of a premises licence

Notice is given that Kevin Miles has applied to Dorset Council for a review of a premises licence in respect of The Royal Oak, 52-54 Dorchester Road, Weymouth, DT4 7JZ on the grounds of the impact on nearby households of excessive noise from outdoor music events held in the beer garden and disparity between licensing controls on indoor and outdoor music events at the premises.

Any interested party or responsible authority may make representations by e-mailing: licensing@dorsetcouncil.gov.uk or writing to, Licensing, Dorset Council, County Hall, Dorchester, Dorset, DT1 1XJ within 28 days from the date of this notice.

The licensing register and details of this application may be inspected by contacting the Licensing Section to arrange during normal office hours at the above address.

It is an offence under Section 158 of the Licensing Act 2003 to knowingly or recklessly make a false statement in connection with an application, the maximum fine on summary conviction is unlimited.

DATE: 16 August 2023

Background information

As a local resident you will no doubt be familiar with the loud weekend music from the Royal Oak public house but I thought I'd provide some extra information about why I applied for a Licence Review.

There are two main reasons; the increasing number / duration of these music events and the disparity between the relatively tight noise conditions set by the Licensing Magistrates on indoor music events and the absence of any noise conditions for those held outside in the beer garden.

The Royal Oak now organises live outdoor music events in their rear beer garden every Sunday afternoon from the middle of April to the middle of October – a total of 27 events. Normally, the bands start tuning their instruments around 1-30pm and the live performances start at 2pm, ending at 4pm. However, in recent months there have been breaks during the performance and the end time has often extended to 5pm or even 6pm.

These Sunday performances are supplemented by occasional Friday evening and/or Saturday afternoon and evening events that, from the pronouncements of the DJ, seem to be birthdays or other family celebrations. These events can start around 2pm and continue until 10pm. The evening events are normally a loud, shouting DJ and recorded music but can be a live band.

The weekend of Friday 21st, Saturday 22nd and Sunday 23rd July 2023, was the worst we have experienced with live and/or recorded outdoor music:

- Friday 7pm to 10pm
- Saturday 2pm to 9-30pm
- Sunday 2pm to 10pm (live music until 5pm, then recorded music to 10pm)

Proximity to homes

Although the Royal Oak is located on a major road it is bordered by shops and businesses with accommodation in the upper floors and surrounded by residential property. The rear unmade access road gives the impression of isolation but in reality there are many residential properties close by. Using the Google World app with its distance measuring tool, the closest properties are:

- Apartments above the Dorchester Road shops and businesses - 100 to 150 feet
- The Compass Point apartments - 150 feet
- Properties at 1, 3, 5, 5a, 7, 9 and 11 Fernhill Avenue - between 130 and 240 feet
- Accommodation in The Lawns Residential Care Home, Fernhill Avenue - 180 feet
- Properties in Lodmoor Hill - 300 feet

Impact

The volume is such that we are unable to sit comfortably in our garden or hold a quiet family gathering. The noise can be heard indoors over the sound of a television even with windows closed tight, which is doubly unbearable on hot summer days when houses need ventilation.

Some bands, especially the Punk and Heavy Rock tribute acts, are so loud that they can still be heard when beside the Sea-life Centre on the other side of Lodmoor Park.

Permanent Stage

The pub management has now constructed a permanent stage in the rear beer garden. I am concerned that they will expand their schedule to make use of this investment and become a regular music venue.

Licensing Conditions regarding noise

The current licence permits live and recorded amplified music events at the premises in accordance with the Music Act 2012 and the Licensing Act 2003 but imposed further noise limiting conditions whenever the music event is held indoors. These include:

- Each external door opening from the area covered by the Licence to the outside must be kept closed whilst music or any amplified sound is being played / produced.
- There must be a lobby to prevent breakout of noise with at least one set of internal doors and at no time shall both the external and internal doors be open at the same time.
- All external windows are kept closed at all times whilst music or any amplified sound is being played/produced
- All amplified music (either recorded or live) played on the premises must be subject to the control of a sound limiting device.

However, outdoor music events are not mentioned on their licence, hence there are no noise limiting conditions to be applied whenever the amplified music event is held outside in the beer garden.

It therefore seems likely that, when granting the licence, outdoor music events were not a consideration and hence were not included on the licence. As that is no longer the case, I've asked the Licensing Authorities to consider whether or not outdoor music events can be held at the Royal Oak and if they are held, what noise limiting measures should be applied.

I urge you to submit your views, even if they support outdoor music events, to the Licensing Department as set out in their notice on the first page.

Kevin Miles

3

From: [REDACTED]
Sent on: Sunday, August 20, 2023 3:40:17 PM
To: Licensing [REDACTED]
Subject: The Royal Oak, Dorchester Road, Weymouth

In response to the notice in the window of The Royal Oak.
I live in [REDACTED]. I have no objection to the live music from 2-4pm on a Sunday afternoon. However, the sound level is sometimes extremely high, so much so that I have to close my windows, depending on the wind direction. I would greatly appreciate the level being turned down somewhat.
I would also add that we have no disturbance from people leaving the pub late at night.
Thank you for your consideration.

[REDACTED]
DT4 [REDACTED]

4

From: [REDACTED]
Sent on: Tuesday, August 29, 2023 9:42:07 AM
To: Licensing [REDACTED]
Subject: The Royal Oak 52-54 Dorchester Road, Weymouth

Dear Licensing Team,

I have been made aware the above premises licence is currently under review.
I would like to submit my concern about the level of the live bands who play outside on Sunday afternoons, and more recently on a Friday evening.
I live in [REDACTED] so I am not close to the premises but the level of the music is having an impact on me when I am trying to spend time in my garden with my family.

The pub has bands playing every Sunday afternoon between 2-4pm for months (they started it last year) the bands play in the back outside area of the pub, they are so loud we can hear the music when we are in our garden. We live a fair distance away from the pub and I have lived in my house for over 25 years, i have never experienced this type of noise before the new landlords started putting on bands. I live in a residential area and find this level of intrusive noise annoying and it impacts on my ability to relax and enjoy my own garden. It impacts on my mental well-being and I don't think it is acceptable that I have had to start avoiding being in my own garden every Sunday afternoon. I expect the normal level of noise from neighbours but not this type. I can only imagine how loud and intrusive it is for people living closer. I would please ask that you investigate this matter.
Many thanks
[REDACTED]

5

From: [REDACTED]
Sent on: Thursday, August 31, 2023 5:46:16 AM
To: Licensing [REDACTED]
Subject: The Royal Oak premises licence review

To whom it may concern

We live at the [REDACTED], a good mile and a half from the premises in question. Yet over the past two years we have learned to dread Sunday afternoons.

It took several weeks of walking around the area of Lodmoor to track down the source of the loud music towards the end of last summer, such is the effect of the wind direction and echoing. I myself struggled to believe that the sound could carry so well over such a large area that on a bad day we could hear every word of every song. It would not be an exaggeration to say that, when the wind is in the right/wrong direction, the whole area of Lodmoor reverberates with the music.

In desperation, on 13 August this year I went to speak to the manager of the Royal Oak to ask if the music could be turned down. He politely assured me that he did have a licence for outdoor music from the Council and that the volume was well within the permitted limits. He showed me a decibel measurement app on his phone and suggested that I download it to mine. The conversation was not satisfactorily concluded, since he needed to attend to an in-house emergency.

I have been delighted that the music has not been played on either of the intervening Sundays. We have been able to enjoy the sun in our own garden once again.

Please review the permissions given to this hostelry so that these newly- quietened Sunday afternoons may continue for the neighbourhood when next summer starts.

[REDACTED]

[REDACTED]

DT3 [REDACTED]

6

From: [REDACTED]
Sent on: Thursday, August 31, 2023 11:26:23 AM
To: Licensing [REDACTED]
Subject: Music noise Royal Oak Public House Weymouth

Dear Sir/Madam

With regard about the music from Royal Oak public house, it really is far to loud and not surprised about the complaints.

I didn't realise it affected such a large area. Totally agree about weekend of 21st 22nd 23rd July it was so bad. We face the garden and even with the door closed you hear everything.

Sorry to be a party pooper, it may be slightly better if a microphone was not used. We don't know as never been tried.

I have to say we try and go out between those 2 hours for a Sunday lunch but we still come back to it as it's often longer. You can't tell now this last Sunday it was 5 till 7pm.

Regards

[REDACTED]

7

Noise pollution!!!^a Royal Oak, Dorchester Rd, DT4 7JZ

Review of Licence

I feel like other residents that I need to raise the matter of very loud music every Sunday and these events have increased to include Fridays and Saturdays too. These are between mid April till mid October which equates to 27 events, 1.30pm (tuning instruments/sound checks) 2pm start till 4pm often finishing 5/6 pm.

There are also some Friday and Saturday afternoons normally family celebrations which will start at 2pm until 10pm with a DJ. These evenings are VERY LOUD with the DJ shouting or there's a live band.

On the weekend 21st through to 23rd inclusive was the worst experience ever which had live/DJ music. Friday and Saturday (21/22 July 2023) 7pm until 10pm. On the Sunday 2pm until 10pm (live up until 5pm then it was recorded music).

The public House is situated near the roadside but it has residential properties all around it. These properties are within 100/150 feet from them.

The music is so loud that I have to have my windows firmly closed and I can still here to music above my TV. I'd really like to be able to have air flowing through my property especially in the summer heat as it becomes unbearable.

Punk and heavy rock can be heard as far away as the Sea Life Centre which is the other side of Lodmoor Park.

I have noticed that the Royal Oak has put a permanent stage which makes me feel that this noise is only going to get worse.

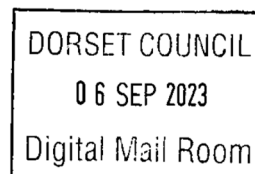
I work long hours on night shift and this has become unbearable and exhausting. There appears to be little or no thought for the local residents.

Should outdoor event be better managed? The licensing laws don't appear to include out door events (noise control).

Yours faithfully



DT4 



PS. couldn't email this because email was blocked

8

From: [REDACTED]
Sent on: Thursday, September 7, 2023 4:49:14 PM
To: Licensing [REDACTED]
Subject: [REDACTED] Royal Oak pub, 52-54 Dorchester Road, licensing review

To whom it may concern.

My name is [REDACTED] DT4 [REDACTED]. I am grateful for the opportunity to contribute to the review of premises licence for the Royal Oak pub because the frequency and volume of the live bands in the pub garden is having a deleterious impact on my life and on the lives of everyone who lives in the vicinity.

We moved to Dorchester Road in 2017. Obviously, we were not looking to live in a silent area - if we were we wouldn't have moved to Dorchester Road. We love living close to town and to the shops and were looking forward to making the pub our local.

When we first moved here, there was often live music inside the pub and this posed no problem at all. The problem only started in late spring 2021, when the current landlord took advantage of Covid restrictions to start having live bands in the pub garden rather than inside the pub.

From my perspective, there are four main causes for concern: volume, frequency, quality and the way the landlord and his team deal with complaints..

Volume: from the very first spring Sunday afternoon, the noise has been excessively loud with no consideration given to people living in the vicinity. We cannot hold a normal conversation in our own garden and have to either leave our home or go indoors, but even then the noise is generally audible despite doors and windows being closed (which is not pleasant in warm summer weather). My husband, who has a background in acoustics, has written separately to comment on the landlord's failure to control source sound levels. If I made that much noise in my own garden, my neighbours would rightly complain and I would receive a visit from Environmental Health - why is it so different for a pub?

Frequency : when I first complained, I was assured that the licence was for the first Sunday of every month from 2pm to 4pm. I immediately made plans to be away from my home on those occasions. However, when I was in my garden on the afternoon of Sunday 20 June 2021, I heard a band start to tune up. I rang to complain because this was not, as I had been previously told, the first Sunday of the month but was advised that the licence also extended to '*special occasions*'. These special occasions have become more and more frequent and less and less 'special' and now include every summer Sunday afternoon plus countless other afternoons and evenings. Surely we cannot be expected to leave our homes or wall ourselves up on all of these 'occasions', even if we were given advance warning, which we are not? Just this last bank holiday weekend, there was an '*open stage jam night*' on Saturday evening from 6-9 and then a five-hour '*bank holiday extravaganza*' from 2-7 on the Sunday (see attachments). Our garden and those of our neighbours become effectively unusable during this time: how can we confidently plan meals outside or invite guests over if we might at any moment have to shut ourselves indoors?

Complaints: I complained on the very first afternoon because the noise was excessive and was told that the pub had no control over the volume, I pointed out that this was clearly not the case as there was such a thing as an off-switch. My second complaint was on the afternoon of Father's Day 2021, as detailed above. I complained again on 11 August 2023

when the noise was so loud I could hear it and feel its vibrations, despite being indoors with my TV turned up. The landlord was not available and, before she put the phone down on me, the person I was speaking to told me that she couldn't hear what I was saying, which rather makes my point. Despite these complaints, the landlord has made no attempt to find out why I am unhappy or to hear what the bands sound like in my garden. He told my husband that he wants to be a good neighbour but his (in)actions belie his words.

Quality: firstly, because the bands crank their sound systems up to the max, the sound that reaches us is generally very distorted, which makes the entire experience even more distressing. Secondly, and I realise that this is not entirely germane, the bands are in general repetitive and poor quality (especially the vocalists). Endless covers of The Clash, The Buzzcocks, REM: frankly, if I wanted to listen to TOTP 1980s on repeat, even at a much reduced volume, I would switch on Greatest Hits Radio or whatever they call Wessex Radio nowadays.

Thank you for reading my contribution to the review. Please, please make a decision that will enable us and our neighbours to once again have 'quiet enjoyment' of our own homes and gardens.

Yours faithfully

██████████



TODAY FROM 14:00-19:00

Bank Holiday Bonanza - with Circus of Thieves AND The Undecided!

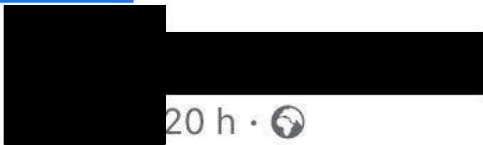
Public · Event by The 'Award Winning' Royal Oak

5 hr

Event by The 'Award Winning' Royal

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All Posts People Groups Photos Vid



20 h · 🌐

Weymouth people! Come and join me for my 30th birthday at the Royal Oak on Lodmoor Hill tonight, starting at 6pm!

It'll be an open-stage jam night - all styles and skill levels welcome, instruments provided but please feel free to bring your own! All I want to... See more



👍❤️ 54

20 comments 1 share



From: [REDACTED]
Sent on: Thursday, September 7, 2023 5:05:17 PM
To: Licensing [REDACTED]
Subject: The Royal Oak 52-54 Dorchester Rd Weymouth DT4 7JZ Licensing Review

My name is [REDACTED]. I have a first class BEng in Acoustics and previously ran a mobile disco.

I welcome the review of the premises licence because the uncontrolled and excessive sound levels of the live 'music' in the pub garden is having a seriously detrimental impact on the neighbourhood and the lives of the people who live there.

Let me start by saying that there was never any problem when the live music took place inside the pub. The problem started in 2021, when live bands started to play in the pub garden.

The main problem is that the landlord is leaving the bands to do their own sound checks and isn't imposing any obvious restrictions. The sound level is hugely variable and sometimes verges on the unbearable.

The landlord:

- isn't measuring the sound level correctly and therefore
- doesn't know what the sound level is at any point in time and
- doesn't appear to have considered the impact of the noise on the many neighbouring properties.

At lunchtime on Sunday 26 August 2023, having been alerted to the forthcoming licensing review. I went to speak to the landlord as I didn't want to contribute to the review without having given him chance to state his case.

There had been very loud music the night before and we were facing the unattractive prospect of an advertised five-hour '*bank holiday extravaganza*'. I did not say to the landlord that I thought the live outdoor music should be stopped but I did complain about the excessive sound level and suggested that he might want to ensure that this should be kept to a more reasonable level.

The landlord told me that he is within his rights to play live music outside with no restrictions. Indeed, he added that he thought he was '*being reasonable*' by doing it for only 2 hours per week plus '*occasional days*' though I would query his interpretation of the word 'occasional', particularly since we were originally told that it would be for just two hours per month.

We went into the garden and I asked him how he measured the sound level, He showed me that he was using an iPhone app. I pointed out that, if I complained to the EHO using a reading from my mobile phone, my complaint would not be taken seriously as it is not a calibrated measurement device. When I asked the landlord about the source sound level he was requiring bands to stick to, he couldn't give me a clear answer (e.g. a dBA level). Also the sound levels seem to increase during the performance.

The landlord says he wants to be a good neighbour but he has never come to our house or that of our own neighbours to find out how loud the music is for us, despite the fact that my wife has rung on several occasions to complain. The music is on some if not most occasions unacceptably - unbearably - loud. For example, on 11 August, the music was so loud that we couldn't sit in our own garden and could hear the noise clearly from inside our house, over the TV, despite the doors and windows being closed. In contrast, on 3 September, it was just about bearable (except the band both started and therefore finished late).

In short, if the landlord is to be given permission to continue having live bands playing in the pub garden, this should be restricted to a maximum of two hours per week and the sound level needs to be properly measured and controlled

Yours faithfully

[REDACTED]

DT4 [REDACTED]