

Guy, Mandy

From:
Sent: 31 August 2018 15:57
To: Licensing
Subject: Ongoing Noise Nuisance at Churston Manor (Inn) Churston Ferrers

Dear Sir / Madam,

I'm emailing you in support of the recently served Review of Premises Licence notice posted against the licencees at Churston Court Hotel / Churston Manor (Inn).

I live in one of the properties that's part of the Churston Court Farm development, so very close to the Churston Manor inn. I've lived here for 4 years now, and in previous years and under previous management, have had no concerns about any nuisance noise from the inn, despite occasional outdoor events, wedding celebrations and private parties being held there.

This Spring/Summer of 2018, the current licence holders at the inn have embarked on a programme of (usually) pre-advertised outdoor events, mostly occurring on weekend afternoons / evenings. These usually take the form of either live music and / or a film showing.

Noise levels from those are loud and clearly audible both outside and within my property even with all the windows closed. I've been able to hear pretty much every word of the film speech tracks by standing outside. As they've tended to be of limited duration, I've adopted a policy of "live and let live", although I wonder if they have a licence for showing films in this manner?

What's brought everything to a head is the events of the weekend of Friday 17th to Sunday 19th August. This was advertised as a beer and strawberries festival with live music.

To my surprise, there was loud music for most of the late afternoon and evening on Friday 17th, possibly from a private party. The sound system used was clearly much more powerful than was desirable for such an event, meaning that the volume audible even within my property was extremely loud.

Requests to the licencees to turn the volume down and be considerate to their neighbours were greeted with derision and rudeness. While they may claim virtually no one has ever complained to them, this is simply not true.

The Main Event, the beer festival on Saturday and Sunday, was a total nightmare for me as a local resident. I'll bullet point my main comments on it:

- Arbitrary closure of local access roads by means of cones and security staff—presumably not cleared with Highways Dept.—unpleasant response from "staff" when challenged on the legality of this
- Hundreds of people in and around the inn—totally unsuitable for rural setting and more like a festival
- Parking within a field nearby and overnight camping there—legal?
- Ear-splitting levels of music volume all day, getting louder as we moved into the evening. If there was any decibel restriction with the council, I can't conceive it was agreed at that level
- I've heard of people who attended but left because the noise level was just so uncomfortable. It was very audible in streets at some distance from the inn, not just in the immediate locality

- When contacted by phone to complain, licencees again just ignored complaints and basically said stop moaning
- Repeat of same on Sunday, with clearly no notice having been taken of complaints made about Saturday's events

In essence, the licencees clearly don't give a damn about the effect of their events on local residents, don't care about noise levels and restrictions, and for all I know may actually be holding events without proper licencing restrictions being abided with.

This is a peaceful rural area, and the antics of the licencees are destroying that. It's totally unacceptable for me to be unable to use my garden for a whole weekend because of ear-splitting noise levels, and to be unable to relax or even to get to sleep within my property because the volume is still so loud even indoors.

I'm sure there will be some support for the holding of such events from tourists and / or friends of the licencees. But the important issue here is protecting the reasonable expectation of permanent residents and neighbours to live in relative peace and quiet.

My strongest concern is that the licencees will seek to hold such events with even greater frequency, thus subjecting us on an even more regular basis to unacceptable noise levels with even more frequency than before.

I've eaten and drunk at the inn many times in the past years and always appreciated and enjoyed having such a lovely place accessible to me. It's such a shame that just to turn a quick buck, the current licencees are putting all of that local trade and goodwill at risk, seeming not to give a damn about those of us who also live here in this very small village.

Please take this complaint forward and do whatever you can to ensure that we don't all have to go through this kind of noise nuisance in future. Local patience with the inn and their behaviour has run out now after repeated instances of their intolerable and totally selfish behaviour.

Regards,

Sent from [Mail](#) for Windows 10

Guy, Mandy

From:
Sent: 11 September 2018 12:50
To: Guy, Mandy; Karl.Martin@torbay.gcxs.gov.uk; Martin, Karl; O'Shea, Gary
Subject: Prevention of Public Nuisance

3rd September 2018

Dear Mandy

I write this letter at 9.20pm on 2nd September (Sunday evening) still hearing the intrusive beat and straining vocals of the current live event at Churston Court/ Manor. It's not really supposed to be like this in Churston.

I would like the licensing committee to take into account my experience of excessive noise nuisance and to allow me to contribute to the license review process. The nuisance has been largely caused by the live events held regularly for several months. The duration of the events, particularly the recent Strawberry Fair, has caused us to be confined within our property, windows closed and unable to use our gardens without enduring the excessive noise nuisance. All this during one of the hottest summers on record.

I would like to list my complaints and concerns:

Sunday 1st July 2018 - live outdoor music event: excessive noise that continued for the afternoon and throughout the evening. Very loud music that kept us within our home for most of the day. Had family down from Leicestershire, but couldn't bbq in the garden.

Sunday 15th July 2018 - live music again outdoors. Had all windows shut to keep out the noise. Very warm day and extremely uncomfortable.

Saturday 28th July 2018 - outdoor cinema event from around 9pm to 11pm. Again a lovely warm night blighted by noise from Churston Manor.

Saturday 4th August 2018 - outdoor cinema with the same impact.

Sunday 5th August 2018 - another live music event which for us continued from around 2pm when we arrived home until 10.30. Again couldn't really use the garden and again closed the windows to keep the noise out. Lots of people parking in Green Lane.

Saturday 11th August 2018 - outdoor cinema. Loud and impactful in the garden.

Wednesday 15th August 2018 - outdoor cinema. Midweek as well!

Friday 17th August 2018 - live music event and surprise party. Extremely loud music, kept us indoors all evening again. Much shouting cheering and jeering.

Saturday 18th August 2018 - Strawberry Fair and Beer Festival. Outdoor music festival with live bands. Difficult to know where to start with this one. Extremely loud music all day to around 11pm. Huge number of cars parked all over the area. Access roads blocked off by Churston Manor security staff. Lots of drunk people in the area being in very high spirits and shouting. Very concerned about emergency vehicle access.

Sunday 19th August 2018 - part 2 of the music festival. Same issues! Extremely loud music till late. Lots of people, lots of cars, loud shouting.

Sunday 2nd September 2018 - extreme noise nuisance from a live music event. The usual pattern of very loud music, huge number of parked cars, with the event continuing from 11.55 for set up and band practice for around 20 minutes, then event started at 12.35 until around 10.30pm. Another night indoors with all the windows closed.

There have been a number of other occasions where there was a significant Public Nuisance described by our neighbours, but we were away and cannot comment on these events.

In Overview:

1. The amount of noise generated by the public address system installed has caused a serious nuisance and ensured we cannot enjoy our own land on many occasions and for extended periods.
2. Church Road was blocked off for large parts of the Strawberry Fair event, seemingly without Police or Council authority.
3. The security people employed appeared to be masquerading as TOR2 officials and were wearing council Hi Viz jackets. Security even asked my wife if she was lying when she tried to gain access to our road!
4. The attendees at events park regularly along Church Road, Green Lane and Bascombe Road causing access issues and also parked in private roads along Green Lane.
5. People leaving the events have been extremely loud and caused public order disturbances in the neighbourhood.
6. Unlicensed leafleting is taking place all over Torbay to attract large volumes of attendees, undermining Jonathan's claim the be a 'Community Pub'.

Without doubt, the events cause the neighbourhood to be dramatically changed in character during these periods. Their own website describes Churston Manor and the local area as being an idyllic retreat from the stresses of busy life. It also states that the hotel retains the unique atmosphere of an ancient Manor House. My idyllic retreat (my home) is being seriously compromised by these live outside activities and clearly Jonathan is misrepresenting the nature of Churston Manor in his advertising.

I attach a letter received from Jonathan Smith that describes the need for these events to assure the viability of the enterprise. Having our local area hugely degraded as a place to live, as the price for Jonathan's businesses survival is clearly unacceptable. Enterprises with advantages such as a stunning historic building, 18 bedrooms, restaurants, bars and a brilliant location should create a business plan that delivers success without causing this level of nuisance and blight.

I am also very concerned that Jonathan Smith is commissioning a private report from his audio consultant to advise whether a nuisance is being caused. I am very happy with the professional opinion of the local authority and the licensing authority as to what constitutes a disturbance and Public Nuisance. This action causes me to believe that Jonathan Smith has no real intention of stopping these live events and would hope that any limitations placed on this enterprise extend well into the future and not just for 2018.

I wish Jonathan's business well and we have personally supported many events at Churston Manor since the change of ownership and hope to continue to do so going forward. However, the noise levels, blight and nuisance from these live events is totally unacceptable.

I look forward to meeting with you and the licensing committee to resolve this intolerable situation that has been created by the current management of Churston Court/Manor.

Yours faithfully

CHURSTON MANOR

HOTEL . RESTAURANT . BAR

CHURSTON FERRERS DEVON

01803 842186 · ENQUIRIES@CHURSTONMANOR.CO.UK

CHURSTONCOURTHOTELWEDDINGS@GMAIL.COM · WWW.CHURSTONMANOR.CO.UK

31 August 2018

Dear Neighbour,

We met this week with representatives of Torbay licensing, who have made us aware of a number of complaints they have received in relation to loud music, or film audio. We were surprised to hear of this, as we have only received one single complaint directly in relation to each of music and films. However, we were more disappointed that our activities had caused a disturbance to our neighbours, which of course, is the last thing we wanted to do.

So first of all, please accept our sincerest apologies for any inconvenience we may have caused to date.

As you are aware, pubs and hotels have been closing at an alarming rate. Churston Manor came very close to meeting the same fate before we took it over. For this historic building and the jobs of 35 local people to survive, it has to "earn its keep". That is not to mention the tens of thousands of pounds we pay each year in business rates to support local amenities. One of the ways we have found vital to raise much needed income is to organise events in the grounds. But we fully understand this cannot be to the detriment of our neighbours.

To this end, we are commissioning a survey and report from an Audio Consultant, to advise us on how we can hold live events without causing a nuisance to our neighbours. This means that over the next couple of weeks, you may hear music coming from Churston Manor for around 15 minutes, and you may also see engineers with sound monitoring equipment in the neighbourhood. This will allow the consultant to measure what level of sound causes a disturbance and to test alternatives to stop it.

Once we have their findings, we will invite you to meet with us, together with Torbay Licensing, to discuss what we intend to do to alleviate any inconvenience.

We do not have any further live music scheduled, other than this coming Sunday when we have been asked to host a daytime charity fundraising event for the Coastguard Association, in memory of a young local girl who sadly lost her life at Berry Head.

We hope the above is clear and meets with your approval. Once again, please accept our apologies for any inconvenience we may have caused.

Yours sincerely


Jonathan Smith A.C.A.
Director

Guy, Mandy

From:
Sent: 19 September 2018 18:21
To: Licensing
Subject: Churston Manor

In response to the recently served Review of Premises Licence notice posted against the licencees at Churston Court Hotel / Churston Manor (Inn).

My wife and I live a 2 minute walk to the Churston Manor inn

We have lived here for about 6 or so years , in the previous years and under previous management, my wife and I have had no concerns about any nuisance noise from the inn, despite occasional outdoor events and parties being held there.

But when the weather improved in late spring of 2018, the current licence holders at the inn have embarked on a schedule outdoor events, mostly occurring on weekend during the afternoons and evenings. These usually take the form of either live music and or a film showing

Noise levels from these events are extremely loud and the audible both outside and within our property even with all the windows closed and the TV on.

What has brought everything to a head is the events of the weekend of Friday 17th to Sunday 19th August. This was advertised as a beer and strawberries Beer festival with live music.

However the loud music started for most of the late afternoon and evening on Friday 17th, possibly from a private party. The sound system used was clearly much more powerful than was desirable for such an event, meaning that the volume was very audible even within my property was very noticable.

The Main Event, the beer festival on Saturday was a total nightmare for my wife and I and we should imagine the same for other local residents.

As far as I am aware a Closure of church road using cones and security staff—presumably not authorised with Highways Dept.—unpleasant response from security people when challenged on the legality of this

Hundreds of people gathered in and around the inn—totally unsuitable for rural area with Extremely high levels of music volume all day, getting louder as the event progressed.

It was very audible in streets at some distance from the inn, not just in the immediate locality

Repeat of same on Sunday, with clearly no notice having been taken 2nd September and again all the traffic/parking issues causing safety problems whilst walking dogs etc etc

In summary , the licencees clearly doesn't have any consideration about the effect of their events on local residents and don't care about noise levels and restrictions,

This is a peaceful rural area which is being spoilt and is totally unacceptable for my wife and I to be unable to use our garden for a whole weekend because of the noise levels and no dought for

the local home owner's /resident's to be unable to relax or even to get to sleep within my property as the volume was so loud even indoors.

I walked my dog down church rd at about 10pm on the Sunday and the noise became increasingly nauseating to a point where I reached the graveyard entrance where I turned around and walked back home.

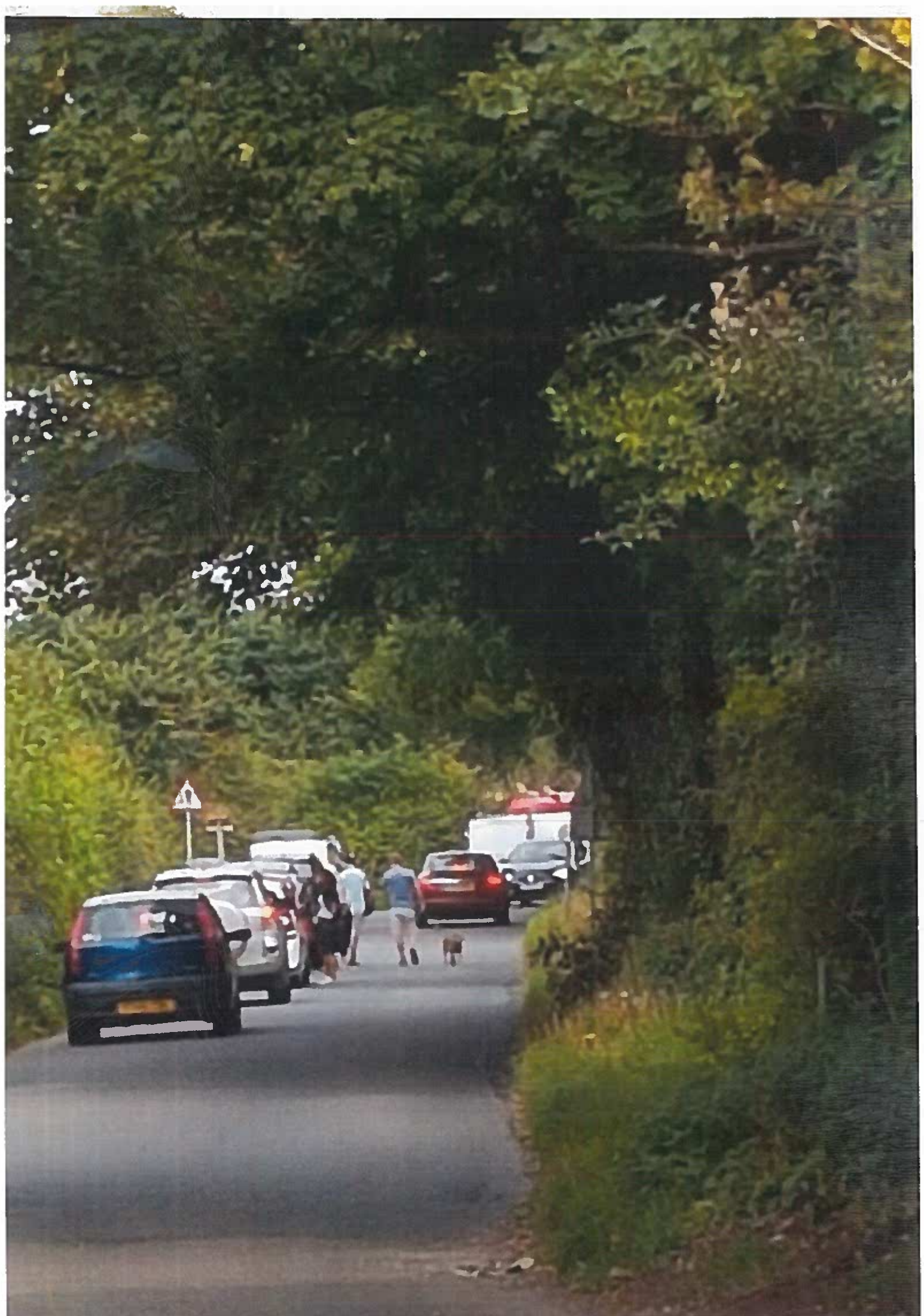
My big concern is that the licencees will seek to hold such events subjecting us to and home owners to unacceptable noise levels with even more frequency than before.

my wife and I with our family a friends have eaten at the inn many times in the past years and always appreciated the nice peaceful setting however the current licencees are putting all of that local trade and goodwill at risk, seeming not to give a damn about those of us who also live here in this very small village

Please note there was no notice posted to me regarding the event but apparently some resident had been informed.

Regards

please find my attachments to follow





Guy, Mandy

From:
Sent: 02 September 2018 18:50
To: Licensing
Subject: Fw: Churston Court Manor Hotel License Review

Sent: 02 September 2018 17:48
To: mandy.guy@torbay.gov.uk
Subject: Churston Court Manor Hotel License Review

I urge you to give this matter your most urgent attention.

The volume and frequency of outdoor live music and film events at Churston Court Manor Hotel have become unbearable for us in our own home. At this moment I have all my windows and doors closed and am distracted by the volume of live outdoor music.

The frequency and volume of these events show utter disregard by the Landlords towards us neighbours. It is no exaggeration to say that at these times it is absolutely impossible to sit in our garden. We are too ashamed to invite family or friends to our home and when we leave our home we utterly dread driving into Bascombe Road towards Green Lane and home.

This issue is causing massive distress to us and having a serious impact on our mental health and well-being. We really shouldn't be in the situation of planning to move out while these events take place, but sadly this is the case.

Our requests to lower the volume are repeatedly ignored by the Landlords.

Due to their advertising, both online and further afield these events are drawing in large crowds who behave in a raucous manner particularly when leaving the venue late at night. This has brought an element of anti social behaviour previously unknown to these country lanes surrounding the hotel. We would like you to be aware that these events sometimes last for up to ten hours.

This noise nuisance began last year but has increased to unbearable levels this year.

We request that you put a restriction of the License of the hotel that prevents them from holding outdoor music and film events that are audible beyond the boundaries of the hotel.

Thank you for your attention,

Guy, Mandy

From:
Sent: 03 September 2018 09:40
To: Licensing
Subject: Churston Manor

Dear Sir/Madam,

I am writing to you with regards to the above mentioned establishment which is our 'village hotel and pub' Since being taken over by the current tenants there has been a build up of outdoor events which have become more and more loud, frequent and intrusive to the extent that it has become unbearable and intolerable to ourselves and our community.

A couple of weeks ago there was the strawberry fair and beer festival which became something more akin to Glastonbury with our roads being closed off with many Tor2 cones, security guards with hi-viz jackets controlling the road, where I was questioned as to my intention to pass by and if I was asked if I was lying to them when I said I was a resident.

The field was opened to anyone to park and stay overnight (with what toilet facilities I don't know?) and the music carried on at an excruciating loudness for ten hours on two days (Saturday and Sunday) with the previous Friday added on for extra oomph!

Prior to that there were several days over the last few months when the music just started and didn't stop, impeding on our quality of life, leaving us having to close our windows and doors and not being able to use our own garden because it was too loud to bare, and we are just over a quarter of a mile away.

Then yesterday it started at 1155 am with the band warm up and carried on relentlessly until 1015 pm at a level so unacceptable that we were unable to go to bed to sleep.

I know that notices were issued last week that were taken down for yesterday, the roads on all sides of the hotel were filled to the brim with cars, making access difficult and people even parked in the roads in Green Lane itself, it was a shambles.

I understand from a resident in the Barns that a box of Roses or similar was taken round by way of a sweetener which wasn't accepted, and in fact is a complete insult.

This is causing so much upset and indeed health issues for some that it surely cannot be allowed to continue.

We bought our dream property here for a quiet life near the sea, and it is turning out to be a nightmare.

Please let me know at your earliest convenience what action is likely to be enforced, we can't take much more of this.

Many thanks and kind regards

Guy, Mandy

From:
Sent: 05 September 2018 13:25
To: Licensing
Subject: Re: Churston Manor - Churston

Dear Sir/Madam,

I am writing to complain about the excessive noise due to live events being held at the Churston Manor. Events have been held throughout the summer which has disturbed the whole of the village, with not just high levels of noise from live music but traffic and safety problems.

On Sunday I recorded the music on two occasions and sent it via an app to Torbay Council one recording in our garden in the afternoon and the other in our bedroom at approx 9.30pm, the music played for at least 10 hours. The music felt like it was being played from within our garden, we are actually at which is quite some way off the Churston Manor. This is a quiet small village and the events that are being held are not appropriate either in terms of noise and traffic parking safety.

I hope that action will be taken.

Guy, Mandy

From:
Sent: 06 September 2018 13:36
To: Licensing
Subject: Churston Manor Inn

FAO of Principle Officer

Reference the above subject, I have previously written to you to complain at the totally unacceptable noise levels from the recent Strawberry Fair. In the following week we received a letter from the Churston Manor Inn. In this letter they tried to excuse the situation by claiming they were protecting the locals pub and the livelihood of local employees, a comment that is annoying. In addition they claimed that the "charity" event that they held this past weekend (Sunday 2nd Sep) would be the last scheduled event, this contradicts their advertisement of further events as you have pointed out. The noise levels on Sunday 2nd Sep were again totally unacceptable, we had to shut all our doors and windows and 10.15pm we went to bed and the music was still "thumping".

Regards

Guy, Mandy

From:
Sent: 07 September 2018 09:36
To: Licensing
Subject: Excessive noise from Churston Manor

Following the recent outdoor event on Sunday 02-09-2018 at Churston Manor, I could quite easily hear the excessive noise, which disturbed me until after 22.30hrs.

I feel that we pay a lot of money to live in this area, and do not expect my peace and tranquility to be affected in this way.

I would also like to point out that the council have a duty of care to protect the residents' rights under the noise pollution act.

I sincerely hope that the council will take adequate steps to eliminate or substantially reduce this noise nuisance, and at least take steps to reduce the noise levels to a time that could be considered reasonable for outdoor events in a residential area.

I also appreciate that Churston Manor are trying to earn a living, but feel that they should keep noisy music to within the building, and this would seem to be a realistic solution to suit the majority of the local residents.

Guy, Mandy

From:
Sent: 12 September 2018 11:13
To: Guy, Mandy
Subject: Review of Premises Licence - Churston Manor Hotel.

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Mrs. Guy, I write again in respect of this Licence on behalf of my husband and I who are local residents:-

1). Noise levels. These are so high that we are unable to use and enjoy our garden. Even in the property with windows and doors closed the sound penetrates. On hot summer days and evenings this is quite unacceptable. One is forced to conclude that we are at the mercy of a local business for many hours well into the late evening. Enjoyment of our own homes is impossible. We are unable to entertain family or friends during these periods.

We moved to this delightfully quiet rural spot 12 years ago for the reasons of relaxation and peace in our retirement. Is that too much to ask?

2). Safety. During the Beer/ strawberry weekend many hundreds of vehicles were causing major congestion on our very narrow country lanes. My husband and I both have health issues which has at times necessitated calling the emergency services – eg Paramedics. If that was necessary during one of these “ festivals” I do not know how access would have been possible. We therefore live in fear of a health problem which in deed could be brought about by stress. We would be content to have these facts checked.

3) Public nuisance. Participants of the “ festivals” cause noise and nuisance when leaving the venue late at night. Leaving empty and soiled items around the verges encouraging rodents and large birds. To enjoy a country walk from our home is curtailed having to negotiate all the parked vehicles with opening doors and the possibility of dogs inside causing more noise. Together with the fact that these animals are let out to defecate which is then left on the verge or highway.

Is it too much to expect to be able to enjoy our home chosen because of the country setting and quiet ambience for the senior moments of our lives. I would suggest not.

I sincerely hope the committee will consider these comments which are strongly felt, when reviewing the Premises licence of Churston Court Manor.

Subject: RE - NOISE POLLUTION / CHURSTON MANOR
Date: 31 August 2018 at 15:58:38 BST
To: karl.martin@torbay.gov.uk

Since Churston Manor changed hands various changes have taken place there in order to draw in more customers.

Outdoor loud music, extremely loud music and outdoor film shows are the most intrusive at 85+ decibels, plus the concomitant of cars parking and blocking up the surrounding lanes to an unacceptable degree. Even adjacent fields seem to have been commandeered to cope with the excess overflow of vehicles, with also the erection of tents and people camping out overnight in those fields.

This is placing an unacceptable strain on this location, and obviously on all the other residents around us here. Week-ends and Bank Holidays are the main problem, sometimes overflowing into weekdays. The noise is so intrusive, hour after hour and non-stop from noon until late at night. If one wishes to enjoy one's garden in relative peace it's impossible because the noise is just so unavoidable it's implacable. Unfortunately the prevailing wind direction here is south-west so this exacerbates the problem, bringing the band's noisy efforts directly across the adjacent church to us; the direction the church flag blows corroborates this generality.

We should be most grateful if this matter could immediately be taken in hand by the Council so that the pollution of noise is ceased pending your investigative actions.

With thanks

Further to my e-mail to you of 31st August 2018 regarding the above, I have since received a "round robin" letter from Churston Manor which doesn't fill me with hope for a satisfactory resolution regarding noise pollution in this area emanating from the Churston Manor premises. It would seem that profitability for the two landlords/owners is synonymous with "live" events which is a contradiction in terms vis a vis their statement that these events should not be to the "detriment of our neighbours". They write of "alleviating any inconvenience", not the cessation of noise pollution over this whole area.

Charity fund raising events are very laudable generally but not when such events impose noise pollution upon all the local residents. We understand from a nearby neighbour that a notice put up by the Council relating to the noise pollution was taken down by someone at some time before the Charity event which took place last Sunday, 2nd September.

Perhaps the landlords of Churston Manor could observe the general precepts that keep most pubs profitably in business - excellent food standards and service in both the restaurant and the bar, a bar which regulars like to frequent and at reasonable prices.

Regards

Guy, Mandy

From:
Sent: 08 September 2018 10:12
To: Guy, Mandy
Subject: Re: Churston Manor

On 8 Sep 2018, at 10:02,

Begin forwarded message:

From:
Subject: Churston Manor
Date: 7 September 2018 at 13:48:39 BST
To: Karl.Martin@torbay.gcsx.gov.uk

Hi Karl Martin,

We are writing to you with much concern for the future of Churston Manor. As we are regular guests at the manor we can only offer praise for the current owners. We visited the Hotel whilst the previous owner was in residence and can only say there is simply no comparison with the way the establishment is now managed.

Chris and Jonathon have made massive improvements, their outside events have been truly well organised from a health and safety aspect to the most wonderful entertainment where many local folk and tourists can go along for free and enjoy the events that take place. We have stayed at the Hotel when many of these events have taken place and are aware of the care and concern the owners show towards us as guests and the surrounding areas/neighbours. The strawberry fair was wonderful, allowing all local people to enjoy this beautiful house and grounds and 1st class entertainment without cost. Children were well catered for thus bringing happiness to all concerned. It would be a great pity if these events were halted as a result of the minority. We feel the Torbay Council would not want to spoil obvious enjoyment and the possibility of allowing a business to suffer greatly because of your actions.

I look forward to your comments

Very concerned

07 September 22018