



Licensing Dept.
Torbay Council
Town Hall
Torquay

4th February 2015

**Premises License Application
The Rutland Hotel - Daddyhole Road Torquay**

I write to comment on this application.

We have not experienced problems with public nuisance from noise emanating from this Hotel as it has been operated for its guests up to the present time. There have in the past been ongoing problems of noise from entertainment from another hotel until The Environmental Health Dept. managed to bring that to an end last year.

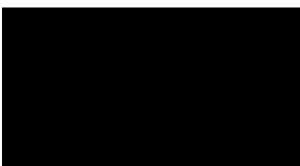
If therefore the intention is for the Hotel to operate much as it has done in recent years, I would not foresee problems arising from live and recorded music being on the Premises License.

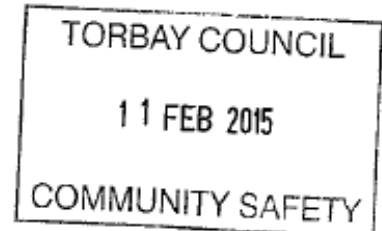
However, it seems that licensing the music is an addition to the license and the proposal, as advertised, does not include any conditions to limit the escape of noise from live and recorded music and karaoke into the neighbourhood. I feel that this must be addressed to avoid the potential for public nuisance from live and recorded music. I feel that there should certainly be a condition that no doors and windows in the bar/ballroom area are open whilst the music is playing.

My other concern is licensing of the outside area. I would not anticipate any problems if this is restricted to resident guests of the hotel but I firmly object to the possibility of a full "on licence" which would allow the present owners, or a subsequent purchaser, to effectively operate the premises as a "pub" open to non residents which, I feel, would be wholly inappropriate in this location.

Therefore, I do not oppose the license subject to it being limited to Hotel resident guests only and with conditions to limit the egress of entertainment noise into the neighbourhood, especially as the present license proposal provides for music on a nightly basis throughout the year.

Please advise me if there is to be a Licensing Committee hearing to consider these matters.





Licensing Dept.
Torbay Council
10th February 2015

Dear Sirs,

Application for Premises License. Rutland Hotel, Daddyhole Road.

We are the owners of a house very close to the boundary of the Rutland Hotel and are writing in connection with their application for a Premise License (or a variation of an existing license) including live events and the sale of alcohol seven days a week up to 12 p.m

We are concerned at the extent of the application and the likelihood of it causing a public nuisance, if sufficient conditions are not imposed preventing this. So please take this letter as an objection on the grounds of prevention of public nuisance.

Daddyhole Road is a quiet, residential cul-de-sac, in a conservation area, with the Plains and three small hotels/holiday apartments (of which the Rutland is one) at the end of the cul-de-sac. The unrestricted and unregulated ability of the Rutland to stage music events - including live music, seven days a week up to midnight will inevitably lead to considerable noise and disruption to the neighbourhood, potentially well past midnight.

We are particularly concerned by the noise late in the evening, which we have heard before from the Rutland during the summer months, but have ignored as one-off events staged for residents of the hotel. If non-residents were included we can assume they would park on Daddyhole Road (as the Rutland car park is always full and it is where they park their coach), or the Plain itself, so there would inevitably be considerable noise into the early hours of the night from customers leaving the hotel (starting cars, slamming doors, saying goodbye to friends etc.)- especially as alcohol would be involved. This would cause a severe nuisance to all neighbouring residents.

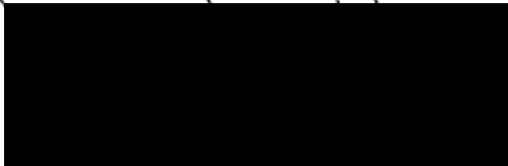
If the Committee is to grant this application, we would respectfully request that some thought is given to potential conditions including the following;

1. Restricting decibel levels at its source.
2. Restricting the escape of noise (say after 10 p.m.) by preventing windows being opened in the summer, possibly by requiring air-conditioning to be fitted.
3. A restriction on the number and status of people attending. Non hotel residents leaving the hotel en-masse late at night in a quiet residential area is a particular concern.

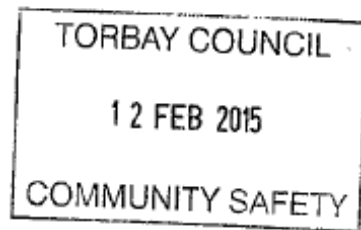
4. A restriction from staging any such events on the front lawn of the hotel fronting the road (as this may be intended according to the submitted plan). Staging such events, especially late in the evening during the summer would lead to intolerable noise and disruption.

We do appreciate that operating small hotels is difficult and the need to attract income from different sources is attractive. But we submit that the extent of the license applied for in terms of times, frequency and possibly numbers in what is substantially a residential area, is disproportionate and likely to materially, adversely affect the amenity of the area.

Yours sincerely

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The Licencing Officer
Licensing & Public Protection
C/O Town Hall
Castle Circus
TORQUAY
Devon TQ1 3DR

Dear Sir or Madam

This refers to the Application for Premises License at the Rutland Hotel in Daddyhole Road.

I write as a resident of Daddyhole Road to express my concerns with regard to the application to alter the Premises License at the Rutland Hotel.

My main objection is based upon the prospects of a jarring and discordant change to what is currently a tranquil haven bordering on the much loved area of Daddyhole Plain.

The proposal to allow live music events would have the potential to lead to considerable noise and disruption to what is essentially a sanguine marriage of orderly run hotels and residential housing.

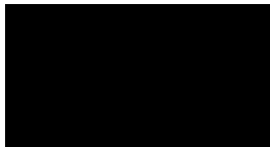
The lack of Car Parking opportunities in Daddyhole Road can already be an issue and this would be exaggerated by any additional traffic.

I realise that hoteliers have to generate revenue but the encouragement of non-residents to attend music events would entirely change the mood and ethos and of the area and represent a drastic and abrasive change for the area and would have the prospects of causing a public nuisance.

I request that in reviewing this request the authorities will have regard to the current peaceful characteristics surrounding the Rutland Hotel and will find accordingly.

Yours sincerely,





13TH February 2015



Re: The Rutland Hotel Premises Licence Application

We wish to make a representation of objection to the New license application for live and recorded music based on the criteria of it causing a public nuisance.

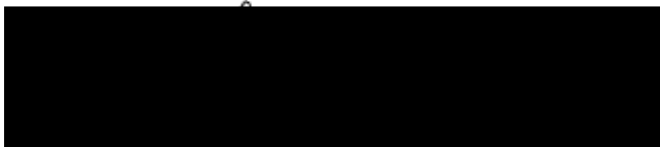
We live  and have had problems with noise on several occasions.

We moved into our property just over 2 years ago in December. One evening during our first summer we went to bed and to our surprise could clearly hear singing. We listened word for word to a rendition of 'Show me the way to Amarillo', as clear as a bell, followed by 'Una Paloma Blanca' then Elvis and other popular songs. This disturbance happened on several nights and was so noisy we are forced to sleep with the windows shut or use ear plugs. We soon realised that as the rear of our property is backed by a cliff face any noise projected from the hotel across the road hit's the cliff face in our garden and is bounced into our home. We know it is the same for our next door neighbours. If the councillors wish to visit our home to see the cliff face to appreciate the sensitivity of the acoustics they are very welcome.

Additionally, during the summer we have had drinks glasses and bottles thrown into our garden and have had a smashed glass in our driveway, whilst we cannot say this comes from the hotel, it is the closest drinking establishment to us.

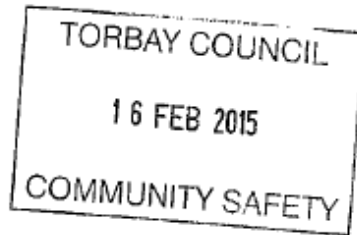
The flat roof extension of the Rutland where the music and drinking takes place which we see from our windows, projects toward the road from the original Victorian Villa. The extension has large windows and a French door facing down the road toward our home and others in the road. It is therefore wholly inappropriate for this extension to host any music as it inevitably causes a nuisance. If we had known The Rutland was in fact trading without this licence we would have lodged a complaint earlier. We note also that the proposed licence would allow drinking and music to extend into the gardens of the property this too would cause very serious noise nuisance for those living in the vicinity. Also if The Rutland extended their service to the wider public it would further add to the nuisance.

We therefore respectfully request that as this area is designated 93% residential and the topography allows sound to travel and amplify no music licence should be granted.






12th February 2015



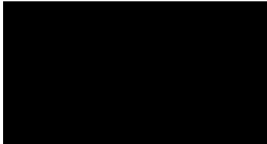
Re: The Rutland Hotel Live and Recorded Music, late night food and Supply of Alcohol new Licence for inside and outside.

We are very concerned that The Rutland Hotel has applied for a music Licence and that this Licence covers 10 am to 12 midnight through Monday to Sunday. We have in the past experienced noise disturbance from drunken guests at the hotel when the Rutland has hosted party.

As this is a mostly residential area and we have already experienced problems we kindly request this Licence is not granted on the grounds it would cause a serious public nuisance for the residents in this road.

I am sure my neighbours who are away for an extended winter holiday would also wish to object.  Daddyhole Road. They will be returning mid March but in their absence I would like to register their probable objection and I am sure they will contact you to confirm on their return.

Yours sincerely,





TORBAY COUNCIL

17 FEB 2015

COMMUNITY SAFETY

15 February 2015

Re: The Rutland Hotel Application for New Licence for alcohol and music

We wish to raise the strongest objection to the licence on the grounds of it causing a public nuisance, in particular to any form of music and to drinks in the grounds of the hotel and to any form of commercial activity after 10pm.

We live in what is regarded as a mostly residential area. Our property faces The Rutland and noise, in our experience, travels across the road to us and to the rear of our property where it is magnified by the cliff face. We have in the past been disturbed by guests late in the evening who have clearly had too much to drink, shouting and also by music when The Rutland has had entertainment evenings. This is especially so in the summer when windows are open and we are unable to sleep. We have also had a problem with glasses and bottles chucked into our garden.

We know there was a 10 year ongoing problem with The Devonshire Hotel down the road after it was granted a licence by the council, causing a noise nuisance for the residents. We respectfully do not want another 10 year problem at this end of the road and we hope the council will feel the same.

If we had known The Rutland was trading without a licence over the past 4 years we would have raised an objection before.

We all pay high council tax bills in Daddyhole Road as it is classed in the upper bandings as a desirable area to live so we hope the council will protect this mainly residential area from any further potential for public nuisance.

Yours sincerely,

