

## Appendix 1 - 4

-----Original Message-----

From: < >

Sent: 05 June 2022 11:14

To [REDACTED]

Subject: Portobello

Good morning just to let you know there was a massive fight in the car park last night at about 11 pm women screaming and men shouting. A neighbour witnessed it all two women fighting and then one woman hit twice by a man and on the floor the man was screaming about the drugs she had taken and who had given them to her said " I'm going to kill him "This all started in the smoking shelter. The worse part of this was that there were two young children there who witnessed it all !! Not really a child friendly pub!! Myself and two other neighbours called 999 and the police attended. This whole situation with these premises is beyond a joke I cannot believe this is the sort of establishment you want to have your name linked to. This was a nice friendly family pub until this DPS arrived it now has a very bad reputation and attracts the most undesirable clientele!! Regards [REDACTED]

[REDACTED]

-----Original Message-----

From:

Sent: 04 June 2022 22:51

To:

[REDACTED]

Subject:

Just called the police about the fight happening at the pub Cannot believe this is happening again Hope it hasn't disturbed you too much

[REDACTED]

-----Original Message-----

From:

Sent: 20 May 2022 19:22

To: Janine.burton-worcsregservices

Cc: [REDACTED]

Subject: Noisy Air condition unit

Dear Ms Burton I am writing to inform you that I am extremely concerned about the NOISE & also the Strong cooking SMELLS that get emitted from the recently installed/ upgraded air conditioning unit at the Portobello pub less than [REDACTED] / Lounge windows. I was recently sat in my lounge watching TV when I heard this continual deep drone noise . I at first thought it was one of the refrigerated lorries parked on the pub carpark. Now I realise it's the air con unit. This has become more and more prevalent in recent days and weeks. Since I observed the two men installing/ servicing it. With this added to the extra annoying occurrence on top of the abusive ranting swearing and very noisy customers at the pub going on we'll past acceptable times in an area surrounded by family residents houses. THIS CANNOT GO ON.. I have lived in my house here since 1995. Never before have we had these problems. Regards in anticipation.

[REDACTED]

**From:**  
**Sent:** 30 April 2022 11:12  
**To:** [REDACTED]  
**Subject:** Fw: Portobello Pub Noise

copy as promised. Robin

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**From:** Simon Wilkes < >  
**Sent:** 15 November 2021 20:12  
**To:** [REDACTED]  
**Cc:** Janine Burton < >  
**Subject:** RE: Portobello Pub Noise

Dear

I would re-assure you that we are taking these matters seriously but there are limits in law as to what action we can take on behalf of the City Council. As I have explained, the law on statutory nuisance cannot be applied to loud voices, whether that is loud talking or the loud chanting or loudish foul mouthed behaviour Sue identified. This would potentially be classed as anti-social behaviour and is a matter that I believe is being addressed by West Mercia Police in work they are doing. The violent confrontation that you witnessed will be logged with the police and it should contribute to the discussion with the brewery and their tenant. The Licensing Act 2003 regime is a permissive one and the assumption is that resolution to issues will be sought informally before instigating review proceedings. Generally, an action plan that the premises license holder is expected to follow in order to prevent or reduce the incidents that are occurring would be agreed and then this would be monitored for effectiveness. I will ask Janine Burton, the WRS Officer involved with this case, to update you further in terms of what has been agreed with Marstons and the tenant to prevent further significant issues.

A Licensing review is a formal legal process laid down in law and there are certain processes that must be followed. The review is brought and it is for the premises license holder to defend it should they wish. As I have explained, where anti-social behaviour is the main issue being raised by a review under the Licensing Act 2003, there would be an expectation that this would be driven by the Police as the lead agency on such matters. If the Police were not involved in a review based on anti-social behaviour, the action would be questioned by solicitors defending the premises license holder as to why. Hence, we will remain engaged and continue to support the police in taking this forward.

Yours sincerely,

Simon Wilkes

Simon Wilkes [REDACTED]  
Head of Regulatory Services  
Environmental Health & Licensing

From:

Sent: 15 November 2021 18:36

To: [REDACTED]

Subject: External Email : Portobello Pub Noise

Dear Mr Wilkes having read your E. Mail to [REDACTED] I am absolutely stagered at your comments/ interpretation of loud talking. I can catorgorically tell you this is far far worse than that. In fact about 4 weeks ago I actually rang the police as there was a huge fight broke out in the pub carpark involving at least 25 men and women. The lady taking the call took all my details at the time. She in fact told me she could hear all the shouting and foul language through my phone. I was in my bedroom with the window open about [REDACTED], the fight was actually spilling over into the main bransford road. She asked if I thought there were knives involved I politely said I don't know and I am not going down to find out. Just then 4 police vehicle arrived and people just ran in all directions to escape. This problem of noise and roudy singing coupled with very bad language should not be allowed especially in a very close public neighbourhood and seems to be happening all the time now and usually starts around 11 pm & continues sometimes well after midnight. You really must take this seriously. I have lived in my house since 1995 and never had these problems before. Respectfully yours

**From:**

**Sent:** 01 June 2022 20:05

**To:** [REDACTED]

**Subject:** Fwd: PORTOBELLO

Hi Andrew

My husband mentioned a couple of points. You've probably already covered these but thought I would pass on anyway.

We've lived here for over 25 years and have never had an issue with the pub until the last couple of years. With the outside of the pub undergoing a change of use in recent years (extra outside seating/tv etc.), we would have expected communication from the local authority, as a potentially affected property. We have never received any. We do recall that what is there now, has been added a bit at a time, is that a way of avoiding an application?

Regards

Begin forwarded message:

**From:**

**Subject:** PORTOBELLO

**Date:** 31 May 2022 at 12:20:18 BST

**To:**

Hi

[REDACTED] has sent me your email address but I've only just picked up the email.

I live behind S [REDACTED] in [REDACTED].

We don't hear the noise as bad as the people who live around the pub but it is a problem when we want to sit in our garden in the summer.

Obviously with the weather as it is, that hasn't happened much this year.

The main issue for me is the bad language coming from the smoking area, which is used as an outside room rather than an area to go to have a cigarette and then return inside the pub. This is due to the fact that there is a TV installed.

I'm happy for you to add my name to the list for the review if you haven't already sent it.

Kind regards

-----Original Message-----

From:

Sent: 21 April 2022 13:10

To: [REDACTED]

Subject: Pub

Hi A [REDACTED] hope this is ok let me know if you need anything else.

7/1/22 function room in use with door shut but music very loud could be heard in house with doors and windows shut. Rang pub at 10-40 asked for it to be turned down was told ok nothing happened rang again phone not answered, phoned for third time answered the phone laughing "ha ha can't hear you phone not working ha ha" then hung up. I have sound recording of music which eventually stopped at 11-20. Contacted Jennifer Evans Janine Burton and Craig Taylor Marstons.

15/01/22 Shouting singing general unruly behaviour in car park until gone 12-30 reported to Jennifer Evans and Craig Taylor. Music on until 11-15

11/02/22 shouting singing general anti social behaviour in car park until 12-45 reported to Jennifer Evans.

18/02/22 another night of the same anti social behaviour in car park until gone 11-45.

27/02/22 live music in function room until gone 11-30 could be heard in the house. Reported to Janine Burton

06/03/22 music on until 11-30 reported to Janine Burton,

11/03/22 DJ in pub smoking shelter door constantly left open shouting singing chanting etc in car park until gone 1 am. Reported to Jennifer Evans Janine Burton Kurt Clarence Andrew Andrea CEO Marstons was told they would look into it.

15/03/22 contacted by Kurt Clarence to say looking into it.

25/03/22 absolutely horrendous night of singing chanting foul language reported to Jennifer Evans John Walker and Kurt Clarence. I have sound recording.

28/3/22 I received an e Mail from John Walker saying live music to stop at 11 pm and last orders 11-45 people loitering to be asked to move on.

16/04/22 Yet another horrendous night with the singing of songs with foul language. Called 999 as sounded as if there was possibly a fight. Phone pub three times no reply Door from pub to smoking shelter constantly left open loud music until gone 12.

Reported to Jennifer Evans Janine Burton John Walker Kurt Clarence and Alan Amos. I have sound recording of this at various times during the evening which I also sent to the above.

All these episodes have had a detrimental effect both mine and my husband's health he has a heart condition and is supposed to avoid stress, the worry it has caused me has resulted in my having to take anti depressants.

We have felt unable to have people to stay at weekends as it is embarrassing. The total lack of respect for the local community shown by this DPS is beyond belief we have for nearly a year now been complaining to all the various agencies and also Marstons and still it continues.

**From:**

**Sent:** 21 April 2022 11:36

**To:** [REDACTED]

**Subject:** Fwd: Portobello

This is the statement I gave Jennifer will look up other dates what a pain!! Obviously you have my permission to put my name on it thanks for what you are doing hope your dad ok x

[REDACTED]

Begin forwarded message:

**From:**

**Date:** 5 January 2022 at 17:14:23 GMT

**To:** Jennifer Evans < >

**Subject:** Portobello

#### WRITTEN STATEMENT

The problems with the pub started back in the summer as we came out of lockdown. On July 4th I contacted WRS regarding music and crowds of people shouting singing etc by the entrance to the function room. After several more evenings of this I contacted WRS again on 10th September regarding same problem. On the 18th September we had the most horrendous music with the door to the function room open for 8 hours we contacted the pub and were told "it's a wedding". The following weekend the same problem with music so loud it was drowning out our tv in the house with doors and windows shut from 7pm till gone 11 pm ,my husband rang the pub three times asking for it to be turned down or the door shut we were told "ok" but no action was taken ,eventually my husband rang 999 because I was crying with frustration and the torture of listening to this for 4 hours. The total lack of care or action by DPS is not someone who cares or has any respect for the community. On August bank holiday an outdoor event was held in the car park with enormous speakers facing directly on to houses. I understand that when a license for this kind of event is applied for, notices have to be put up to inform residents no such notice was posted , if it had been it would almost certainly have been opposed. On 27th September I rang Graeme Rowberry and contacted Marstons who said they would pass it on to the area manager. On 1st October I spoke to Craig Taylor and Janine Burton. On 8th October another horrendous night of music with doors open, phoned the pub just had the phone slammed down not a sign of respect. The other main ongoing problem is the outdoor seating/smoking shelter this was erected as just that a shelter it has now become an extension of the pub with tables ,chairs ,tv, heaters and I have seen blankets in there. We contacted Alan Amos our local councillor on 20th September who told me he had already received two complaints .Phone call from Craig Taylor to say meeting arranged for 28th September. Received an e Mail from Alan Amos to say police had warned DPS of noise issues. Contacted WRS again on 3rd October and Janine Burton on the 6th October. Around this time there was a massive fight involving about 30 people police were called and police vans arrived. This anti social behaviour is happening virtually every weekend and we are constantly doing police reports on line ,calling 101 ,contacting Alan Amos and Marstons trying to get this resolved. Thankfully Marstons instigated the fitting of an alarm on the function room door and this seems to have alleviated that problem although we are told that there is a key to turn it off when room is being prepared, we just hope this will not be used detrimentally. The noise from the outside areas is totally anti social noise, singing chanting shouting foul language with customers still on the premises at 12-45 and later sometimes. We have found glasses broken and unbroken in the street on numerous occasions. There are cars squealing out of the car park and racing up the road this is almost certainly drink driving ,also car horns blaring. On 27th November we had visitors for the weekend who were unable to sleep because of the noise into the early hours. Music in the pub with doors left open plus singing shouting general loutish behaviour. The was very upsetting and embarrassing for all concerned. This is happening virtually



every weekend with people on the premises long after closing time. This is not people enjoying a quiet drink the behaviour is more akin to football hooligans. On Christmas Day we woke to find bottles and vomit at the front of our house not for the first time we have also witnessed people urinating on our front wall. Due to the proximity of our property to the pub we feel intimidated by large groups of drunken people around late at night. We have reported this to every agency possible repeatedly including Marstons and still the problem persists. We do not want to go into the summer with drunken hooligans sitting outside at all hours. We feel that the licensing hours are inappropriate for a pub in a residential area and feel that 11 or 11-30 at the latest would be more appropriate. This used to be a family pub but since the current DPS has taken over it has attracted a very undesirable clientele who she is unable or unwilling to control. This whole business has taken a huge toll on our health, constantly reporting the same thing over and over again, my husband has chronic health problems and worrying about him together with the stress ,aggravation not to mention lack of sleep has resulted in my having to go to GP for anti depressants. This situation cannot continue and we as residents will continue to pursue it until it is resolved. This statement to best of knowledge is a true account of events.

**From:**

**Sent:** 13 May 2022 18:32

**To:** [REDACTED]

**Subject:** Re: The Portobello Public House

Dear A [REDACTED],

Hope you are keeping well. Apologies for not getting back to you sooner, way too much going on at present, I think you'll agree.

Please find attached Written Statement that I emailed to PC Jen Evans on 2nd Jan 2022 at her request.

Also, see below for dates of email complaints that we sent to Alan Amos, some of which were also cc'd to yourself, Marstons, PC Jen Evans etc

The emails were sent retrospectively following public noise disturbances after midnight in the Portobello car park and outside entertainment space (aka smoking shelter) involving various anti-social behaviours such as broken glasses, foul language, incessant and mindless shouting, revving of and speeding of motor vehicles from the establishment as well as urinating opposite our property on more than one occasion!

Dates of emails listed below. Please be aware we also called the Police on several occasions prior to these emails following reopening of the pub after lockdown but frustratingly I do not now have the details and quite frankly we were told by the Police we were wasting our time and it was not a Police matter!

18th Sept 2021

7th Nov 2021

14th Nov 2021

26th Dec 2021

2nd Jan 2022

12th Mar 2022

28th Mar 2022

There are plenty of other dates during 2021 and 2022 where anti-social behaviours were displayed at the Portobello that we did not raise complaints for. We just locked the windows and tried to ignore it as best we could. Exhaustion will do that to you as I'm sure you are all too aware.

Hope this helps in some way towards a permanent resolution in the matter.

Thank you for your involvement tying it all together for the hearing etc.

Best regards,

From: <> Sent: 30 April 2022 11:09

To: [REDACTED]

Subject: Re: Portobello

Hi A [REDACTED] very sorry i have not replied to you sooner. Sorry to hear of you having to deal family health issues etc. Please include me in your list of complainants . I in fact of more issues that have arisen very recently, with them having installed a new much noisier extraction unit. When sitting in my lounge it sounds just like they have a refrigeration lorry sat on the car park, also the cooking smells are really strong now. I know from speaking to someone who was wanting open a fish & chip shop he had all sorts of problems with authorities with the smell issues. He told me the regulations state they have to install a machine that cleans/scrubs the odours before it can be emitted into the atmosphere.

Regards

PS

I will send you a copy of an E Mail i sent on 15/11/2021 to Mr Wilkes about the noise and the Fight outside the Pub