

Mr J Stacey
Maldwyn Close
Middleleaze
Swindon
SN5 5TG

The Licensing Officer
Swindon Borough Council
Civic Offices
Euclid Street
Swindon

22nd August 2013

Dear Sir

RE: Review of Premises Licence, Nine Elms Pub, Old Shaw Lane, Swindon, SN5 5PD

I am pleased to support the Nine Elms pub after seeing the application for the licence to be reviewed displayed prominently on the majority of street lamps along Middleleaze Drive on the same page as a 'Noise Nuisance' notice.

Initially I felt that it was slightly misleading to print the 'Noise Nuisance' notice on the same page as a copy of the official 'Licensing Act 2003: Review of Premises Licence' notice bearing the Swindon Borough Council logo. However, upon reading the 'Noise Nuisance' side it has clearly been written by the complainant and worded in a manner to encourage further disapproval rather than letters of support.

Although the Nine Elms licence permits outdoor music and entertainment seven days a week for twelve hours a day it should be made very clear that the music/entertainment is certainly not this regular and I assume that the complaint has been lodged following a recent all day music event called 'Elms Stock' at the pub which occurs just once a year. I believe that the only other outdoor music/entertainment occurs during events such as birthday parties and other celebrations held in the marquee within the pub grounds. Based on the number of times I have heard music from the broad direction of the Nine Elms I would estimate the total number of outside entertainment events to be less than ten per year. I certainly do not consider this to be excessive.

The Nine Elms pub has been around for almost a hundred years longer than the vast majority of surrounding properties. Swindon Borough Council must have ratified the original planning applications for West Swindon in the knowledge that the pub already existed – it strikes me as extremely churlish to allow the development of homes nearby and then

change the rules to allow the residents of these to challenge the business of a pub that was established so long ago. All of the residents, even those in houses of a similar age to the pub, must have purchased the properties with full awareness of the existence of the pub and I find it difficult to believe that they then start to complain over a handful of events each year – it should be obvious that a pub will not always be quiet.

Local pubs should represent the lifeblood of communities but this is being gradually destroyed by a succession of events such as the smoking ban, rises in VAT and beer duty, recent recessions and the wide availability of cut price alcohol in supermarkets. Times are very challenging for the pub trade at present which is easy to verify from the number that are forced to close each week. Such small businesses (as tenancies are) should be encouraged by the local council and allowed some leeway, not have the rug pulled from under their feet by the whining minority 'not in my back yard' brigade. I hope that The Nine Elms is not the next casualty.

One final point – I note that there are a number of outdoor events/concerts staged at the nearby Lydiard Park each year where the amplification is almost certainly far greater – I wonder if any of these residents have felt the same need to complain about these too.

Yours faithfully

John Stacey

Shaun Banks

From: E & P Licensing
Sent: 27 August 2013 08:14
To: Robin Grey; Kathryn Ashton
Subject: FW: The Nine Elms public house, SN5

Please see Below

Kind Regards

Ashley Wheeler (awheeler@swindon.gov.uk)

Business Support Administrator

Business Support Unit

Wat Tyler House West 5th floor

Swindon Borough Council

Tel: 01793 46 6331

Web: www.swindon.gov.uk

Please consider the environment before printing this email.

From: TERRY DIXON [mailto: [REDACTED]]
Sent: 24 August 2013 11:41
To: E & P Licensing
Subject: The Nine Elms public house, SN5

Dear Sir / Madam

I have become aware, by a number of posters around Nine Elms, that someone has made a complaint about the Nine Elms public house, with regard to noise and loud music over an unreasonable amount of time, and on numerous occasions.

I am flabbergasted by these allegations as I am a resident of Nine Elms and have been so for 25 years.

I can count on one hand the number of instances of loud music from the pub. And these usually only occur at the annual 'Elmstock' music festival in the pub grounds. This event is well known, liked and supported by local people, just as the 'Open Gardens' weekend is also so much appreciated by locals.

Whoever is complaining should pop into the pub one evening - he will find no more than a handful of folks there. And NO music whatsoever.

The allegations of continual noise are completely untrue.

Kind regards

Terry Dixon
● Granary Close
Nine Elms
Swindon
SN5 5UE

Shaun Banks

From: E & P Licensing
Sent: 02 September 2013 12:56
To: Robin Grey; Kathryn Ashton
Subject: FW: Premises Licence Review Nine Elms Pub Old Shaw Lane Swindon SN5 5PD

Please see below in support of the Nine Elms pub

Thanks

Ashley Wheeler (awheeler@swindon.gov.uk)

Business Support Administrator

Business Support Unit

Wat Tyler House West 5th floor

Swindon Borough Council

Tel: 01793 46 6331

Web: www.swindon.gov.uk

Please consider the environment before printing this email.

From: elmgrove [mailto:████████████████████]
Sent: 02 September 2013 10:44
To: E & P Licensing
Subject: Premises Licence Review Nine Elms Pub Old Shaw Lane Swindon SN5 5PD

We wish to make representation and write in SUPPORT of the renewal of the premises licence to the Nine Elms Pub SN5 5PD.

In these difficult times it is good to see a non-national chain public house do all it can to try to remain as a viable business and continue to provide a local community spirited meeting place.

Music and noise from a public house are to be expected and if that was a great concern it should be taken into account before setting up home within its vicinity.

The Nine Elms pub has been in existence for longer than probably 90+% of the housing in the local area, so the precedent for noise and disturbance in the area has been long set.

Phil and Sue Mendham
Elm Grove
Nine Elms
Swindon
SN5 5PG

Shaun Banks

From: E & P Licensing
Sent: 09 September 2013 10:41
To: Kathryn Ashton; Robin Grey
Subject: FW: Review of Premises Licence, Nine Elms Pub
Attachments: 1006283_10200731266416692_996268616_n.jpg

From: michael perdikakis [mailto: [REDACTED]]
Sent: 09 September 2013 02:12
To: E & P Licensing
Subject: Review of Premises Licence, Nine Elms Pub

Michael Perdikakis
[REDACTED] Harvester Close
Middleleaze
Swindon SN5 5GJ
Tel: 07799 038995

To:
Licensing Authority
Swindon

Dear Sir/Madam

Re: Review of premises Licence, Nine Elms Pub

The recent "Noise Nuisance" complaint against the Nine Elms Pub in Old Shaw Lane was brought to my attention a few days ago, as the individual who raised it has chosen to make his (her) feelings known extravagantly, by putting up posters on almost every lamp post along Middleleaze drive, on which I happen to reside. In response to what my consciousness dictates, I am writing to you in order to help shed some light into a matter which I believe has been outrageously exaggerated by the complainant, whose comments I find not just unfounded but also misleading.

I live within around 250 -300 yards from the Nine Elms pub, which I have frequented since 2001. I witnessed its "flourishing" from 2003 – 2006 and its sharp decline that followed thereafter. Whether this decline was an inevitable result of the economic downturn, or the internal turbulence and management issues the pub has undergone, is beyond the scope of this email, however, it ushers to strong clues regarding the validity of the public notice allegations:

- The number of customers the pub averages and subsequently its generated revenue from Monday to Thursday is no more than 5 – 10% of the ones of the nearby "Village

Inn" and "Brookhouse Farm" pubs. A lot of people have characterised the pub as "a ghost place", speaking in jest.

- The Nine Elms pub has remained shut on Monday nights for almost a year.
- With exception of no more than 3 or 4 live band events in this year's surprisingly warm summer, the occasional karaoke and party events that the pub has hosted have been strictly held inside its premises.

I would, therefore, would like to raise the following questions:

- How can a literally "struggling" pub like the Nine Elms contribute to such disturbance, as the complainant claims?
- Is the Nine Elms pub more noisy than the [REDACTED] Park concerts, held under the auspices of the Swindon Council, whose decibel level is several times higher and distinctly audible within a range of 5 – 6 miles?

If the complainant had the decency of quoting the specific times he felt disturbed and "intruded", you would realise that his attached phrases "12 hours a day, 7 days a week" would no longer be valid, as the function of the Nine Elms doesn't match the one of night clubs or similar drinking establishments downtown, some of which can be both noisome and troublesome. It is my distinct impression that the complainant's underlying motives in this are nothing more than unfounded loathing at the pub's very existence and that in order to achieve his (her) objectives, he (she) has utterly exaggerated and twisted facts. I am sure your investigation will prove this.

I am attaching a picture taken on Saturday 20th of July, during the annual "Nine Elms Stock" festival and I would ask you to look at it very carefully. You will discern the pleasant atmosphere generated by approximately 400 people who were brought together and had fun without causing any trouble. I was there and enjoyed myself immensely. It was a rare outdoors live music event, much needed in the West Swindon community. It is a reminder that entertainment and socialising, although rarely noiseless, do not make our pubs elements of an ailing society, but a rather healthy one.

I have witnessed the practice of people's constant moaning against pubs next to which they live, ignoring the fact that the pubs were there long before they bought their houses. My experience tells me that in the vast majority of cases, the complaints tend to come from the same one or two individuals. I am asking you to muster your wisdom and judgement and look into this matter objectively. The Nine Elms Pub by no means constitutes a "noise generator" in the Middleleaze community. It is what we call a traditional "back street boozer", sustained by the remarkable efforts of individuals who have sacrificed a lot from the personal lives in order to keep it afloat and always within the legal and moral boundaries. Please, let them continue to do so.

Best regards,

Michael Perdikakis

