

# Public Document Pack



## LICENSING SUB-COMMITTEE

LOCATION OF HEARING:  
**ROSE MEAD ROOM - ENDEAVOUR HOUSE,  
RUSSELL ROAD, IPSWICH IP1 2BX**

DATE AND TIME OF HEARING:  
**WEDNESDAY, 6 DECEMBER 2023 9.30 AM**

## LICENSING ACT 2003 NOTICE OF HEARING

In accordance with Regulation 6(1) of the Licensing Act 2003 (Hearings) Regulations 2005, the Licensing Authority of Mid Suffolk District Council hereby gives notice that a hearing of a Sub-Committee of the Authority's Licensing and Regulatory Committee has been arranged as set out above in order to determine the following application:

| <b>Application</b>       |  |
|--------------------------|--|
| <b>Applicant:</b>        | Rampant Horse Ltd                                      |
| <b>Application date:</b> | 19 <sup>th</sup> October 2023                          |
| <b>Premises:</b>         | Rampant Horse, Coddensham Road, Needham Market IP6 8AU |

Please ensure that the attached 'Attendance at Hearing Notice' is completed and returned.

| <b>Sub-Committee Members</b> |                       |
|------------------------------|-----------------------|
| <b>Members</b>               | <b>Reserve Member</b> |
| Terence Carter               | Anders Linder         |
| Ollie Walters                | David Bradbury        |
| Nicky Willshire              |                       |

The Council, members of the public and the press may record/film/photograph or broadcast this meeting when the public and the press are not lawfully excluded.

### AGENDA

#### PART 1

#### MATTERS TO BE CONSIDERED WITH THE PRESS AND PUBLIC PRESENT

Page(s)

- 1 **WELCOME - LEGAL ADVISOR TO THE SUB-COMMITTEE**
- 2 **ELECTION OF CHAIRMAN FOR HEARING (IF APPROPRIATE)**
- 3 **APOLOGIES FOR ABSENCE**
- 4 **DECLARATION OF INTERESTS BY COUNCILLORS**

- 5        **M/LASub/23/1 LICENSING ACT 2003: REVIEW OF PREMISES LICENCE MPL0372 - RAMPANT HORSE, CODDENHAM ROAD, NEEDHAM MARKET**        5 - 50

Report from the Licensing Team attached.

- 6        **EXCLUSION OF THE PUBLIC (WHICH TERM INCLUDES THE PRESS)**

Sub-Committee deliberations to be held in closed session.

To consider whether, pursuant to Part 1 of Schedule 12A of the Local Government Act 1972, the public should be excluded from the meeting for the business specified above on the grounds that if the public were present during this item, it is likely that there would be the disclosure to them of exempt information as indicated against the item.

- 7        **RE-ADMITTANCE OF THE PUBLIC (WHICH TERM INCLUDES THE PRESS)**

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact the Committee Officer on: 01449 724681 or Email: [Committees@baberghmidsuffolk.gov.uk](mailto:Committees@baberghmidsuffolk.gov.uk)

### **Introduction to Public Meetings**

Babergh/Mid Suffolk District Councils are committed to Open Government. The proceedings of this meeting are open to the public, apart from any confidential or exempt items which may have to be considered in the absence of the press and public.

### **Domestic Arrangements:**

- Toilets are situated opposite the meeting room.
- Cold water is also available outside opposite the room.
- Please switch off all mobile phones or turn them to silent.

### **Evacuating the building in an emergency: Information for Visitors:**

If you hear the alarm:

1. Leave the building immediately via a Fire Exit and make your way to the Assembly Point (Ipswich Town Football Ground).
2. Follow the signs directing you to the Fire Exits at each end of the floor.
3. Do not enter the Atrium (Ground Floor area and walkways). If you are in the Atrium at the time of the Alarm, follow the signs to the nearest Fire Exit.
4. Use the stairs, not the lifts.
5. Do not re-enter the building until told it is safe to do so.

This page is intentionally left blank

# Agenda Item 5

## MID SUFFOLK DISTRICT COUNCIL

|  |   |
|--|---|
| <b>TO:</b> Licensing Sub-Committee                 | <b>REPORT NUMBER:</b> <b>M/LASub/23/1</b> |
| <b>FROM:</b> Kate Pearsall - Licensing Team Leader | <b>DATE OF MEETING:</b> 6 December 2023   |
| <b>OFFICER:</b> Kerry Chandler, Licensing Officer  | <b>KEY DECISION REF NO.</b> N/A           |

### LICENSING ACT 2003: REVIEW OF PREMISES LICENCE MPL0372 – RAMPANT HORSE, CODDENHAM ROAD, NEEDHAM MARKET, IPSWICH IP6 8AU

#### 1. Purpose of Report

- 1.1 To report information to the Licensing Sub-Committee to enable the determination of a REVIEW application made under section 51 of the Licensing Act 2003 ('the Act'), by the following Responsible Authority:

Andrew Rutson-Edwards – Environmental Protection Officer, Mid Suffolk District Council, Endeavour House 8 Russell Road, Ipswich IP1 2 BX

In respect of the following premises:

Rampant Horse, Coddenham Road, Needham Market, Ipswich IP6 8AU

The existing premises licence is number MPL0372 was issued on 23<sup>rd</sup> February 2017.

- 1.2 The complete application, containing the grounds for review, is attached as **Appendix A**.

#### 2. Recommendations

- 2.1 The Sub-Committee must, having regard to the application and any relevant representations, take such of the steps below (if any) as it considers appropriate for the promotion of the licensing objectives. The steps are –

- (a) to modify the conditions of the licence;
- (b) to exclude a licensable activity from the scope of the licence;
- (c) to remove the designated premises supervisor;
- (d) to suspend the licence for a period not exceeding three months;
- (e) to revoke the licence;

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added. Where the authority takes a step mentioned in 2.2(a) or 2.2(b) above, it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

2.2 The Sub-Committee may determine to take no action, or to issue an informal warning to the licence holder and/or recommend improvement within a particular period of time.

That the Sub-Committee determines this application at the hearing.

### 3. Key Information

- 3.1 The review application has been submitted to the Licensing Authority on 19<sup>th</sup> October 2023 by a Responsible Authority - Andy Rutson-Edwards Environmental Protection Officer for Mid Suffolk District Council. This is a 'standard' section 51 review application and does not follow any previous closure order or 'summary/expedited' (section 53A) review interim steps process. There has been no previous review of this premises licence.
- 3.2 The current premises licence has been in place since 23<sup>rd</sup> February 2017, the premise licence holder is The Rampant Horse Ltd. The Designated Premises Supervisor (DPS) is currently Alison Wyartt (a personal licence holder with Mid Suffolk District Council) and she has held that position since 27<sup>th</sup> May 2021.
- 3.3 In summary, the grounds for the review are cited by the Environmental Protection Officer as being that the premises is associated with public nuisance in respect of late-night noise and non-compliance with the Noise Abatement Notice served in September 2022. Despite repeated attempts to engage and offer advice to the DPS, no regard was given to the licensing objective of prevention of public nuisance. A full copy of the application for review is attached as Appendix A to this report. Noise recordings have been submitted with the review application and will be played as evidence at the hearing.
- 3.4 In respect of reviews, the Sub-Committee is particularly referred to section 11 of the Secretary of State's Guidance issued under section 182 of the Licensing Act 2003. Section 22 of the Council's Statement of Licensing Policy refers to review applications.
- 3.5 In respect of decision-making paragraph 11.20 of the Secretary of State's Guidance issued under section 182 of the Licensing Act 2003 states that "in deciding which of these powers to invoke [see 2.2 of this report], it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review."
- 3.6 The Sub-Committee will further be aware that:
- (a) The Licensing Act 2003 is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and therefore beyond the direct control of the individual, club or business holding the licence, certification or authorisation concerned. Nonetheless, the Licensing Act 2003 contributes towards a holistic approach to management of the evening and night-time economy

- (b) Licensing objectives and aims are specified within the statutory guidance at paragraphs 1.2 to 1.5.
- (c) Each case must be considered on its own merits. Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions.
- (d) Any action taken by a Licensing Authority via the review process would not take effect until the time for bringing an appeal has expired, and if an appeal is lodged until the determination or withdrawal of that appeal.
- (e) Where revisions are made to the legislation or guidance issued by the Secretary of State, there may be a period of time when the local Statement of Licensing Policy is inconsistent with these revisions. In these circumstances, the Licensing Authority will have regard, and give appropriate weight, to the relevant changes, guidance and its own Statement of Licensing Policy.
- (f) Public nuisance is given a statutory meaning in many pieces of legislation, however under the Licensing Act 2003 it is not narrowly defined and retains its broad common law meaning.
- (g) Planning and licensing are different regimes, and neither is bound by the others decisions. There are circumstances when as a condition of planning permission; a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law.

3.7 The Sub-Committee will be alert to the considerations of the Human Rights Act 1998 - specifically Article 6(1) and Articles 8 and 1 of Protocol 1 when dealing with applications for the review of an existing licence. Without prejudice to any other obligation imposed on it, the Local Authority will also be aware of its duty under section 17 of the Crime and Disorder Act 1998 when exercising its various functions.

#### **4. Representations**

##### 4.1 Responsible Authorities:

- (a) There have been no representations from Responsible Authorities under the Act.

##### 4.2 Other persons (which includes residents, businesses and resident associations):

- (a) There have been **13** representations, received made by 'other persons'. Representations may be supportive of the review application or of the licensed business. These are attached as **Appendix B** to this report.

## **5. Financial/Legal Implications**

- 5.1 There is a statutory right of appeal to the magistrates' court for any party aggrieved by the decision taken by the Licensing Authority.

## **6. Risk Management**

- 6.1 None, other than those that inherently apply to the Licensing Authority when carrying out its licensing functions. The four licensing objectives are prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm.

## **7. Consultations**

- 7.1 The application made has been subject to the standard (section 51) review procedure. The application has been advertised, as required by regulation, on the premises, on the Council website and at the main council offices (including at the Council's customer access point within the district) on the notice board for not less than the relevant statutory period (28 days in this instance). The application for review has been served on the responsible authorities and licence holder.
- 7.2 Responsible authorities and 'other persons' as defined by the Act may join a review once instigated and submit their own comments in relation to promotion of the licensing objectives.

## **8. Equality Analysis**

- 8.1 There are no equality impacts arising directly from the matters contained within this report.

## **9. Appendices**

| Title  | Location |
|--|----------|
| (a) Application for REVIEW of Premises Licence                     | Attached |
| (b) Representations received from 'Other Persons'                  | Attached |
| (c) Summary of existing premises licence and site plan for MPL0372 | Attached |

## **10. Background Documents**

- 10.1 The Licensing Act 2003
- 10.2 Guidance issued under Section 182 of the Licensing Act 2003
- 10.3 Babergh District Council's Statement of Licensing Policy



## MID SUFFOLK DISTRICT COUNCIL

Application for the review of a premises licence or club premises certificate under the  
Licensing Act 2003

## PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.  
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I **ANDREW RUTSON-EDWARDS**

*(Insert name of applicant)*

**apply for the review of a premises licence under section 51 / ~~apply for the review of a club premises certificate under section 87~~ of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)**

## Part 1 – Premises or club premises details

|  |                                     |
|--|-------------------------------------|
| Postal address of premises or, if none, ordnance survey map reference or description |                                     |
| <b>THE RAMPANT HORSE INN<br/>         CODDENHAM ROAD<br/>         NEEDHAM MARKET</b> |                                     |
| Post town <b>IPSWICH</b>   | Post code (if known) <b>IP6 8AU</b> |

|  |
|--|
| Name of premises licence holder or club holding club premises certificate (if known)   |
| <b>THE RAMPANT HORSE INN LTD<br/>         CODDENHAM ROAD<br/>         NEEDHAM MARKET<br/>         IPSWICH<br/>         IP6 8AU</b> |

|  |
|--|
| Number of premises licence or club premises certificate (if known) |
| <b>MPL0372</b>   |

## Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates  
(please complete (A) below)

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

Please tick  yes

Mr

Mrs

Miss

Ms

Other title  
(for example, Rev)

**Surname**

**First names**

**I am 18 years old or over**

Please tick  yes

**Current postal  
address if  
different from  
premises  
address**

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address  
(optional)**

**(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)

E-mail address (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

|  |
|--|
| Name and address<br><br>ANDREW RUTSON-EDWARDS<br>ENVIRONMENTAL PROTECTION TEAM<br>MID SUFFOLK DISTRICT COUNCIL<br>ENDEAVOUR HOUSE<br>8 RUSSELL ROAD<br>IPSWICH<br>SUFFOLK<br>IP1 2BX |
| Telephone number (if any)  |
| E-mail address (optional)  |

**This application to review relates to the following licensing objective(s)**

- |   |                                     |
|---|-------------------------------------|
|   | Please tick one or more boxes ✓     |
| 1) the prevention of crime and disorder | <input type="checkbox"/>            |
| 2) public safety                        | <input type="checkbox"/>            |
| 3) the prevention of public nuisance    | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/>            |

**Please state the ground(s) for review** (please read guidance note 2)

**THE PREVENTION OF PUBLIC NUISANCE**

Summary

The Council's Environmental Protection team have received multiple complaints from nearby residents regarding noise from live and recorded music held outside (in the outside bar/beer garden area) at the Rampant Horse. The outside bar/beer garden area is closely surrounded on three sides by several residential properties (refer to images in the Appendix). The multiple complaints have occurred since May 2021, when Alison Wyartt became Designated Premises Supervisor (DPS) of the premises.

Following investigation, an Abatement Notice was served under the provisions of the Environmental Protection Act 1990 in September 2022. Noise complaints have continued to date, and excessive noise has been witnessed by Council officers on several occasions during different performances of live music. It is therefore considered that the premises is breaching the requirements of the prevention of public nuisance objective.

The Rampant Horse was granted a temporary minor variation to its premises licence in June 2021 which had effect until the end of September 2021. This was to allow for an outside bar to assist the premises in recovering from the Covid-19 pandemic. As a result of this variation, and Environmental Protection concerns, the following temporary condition was attached to the licence:

“BEFORE THE USE OF THE TEMPORARY BAR GRANTED UNDER THE MINOR VARIATION FOR TEMPORARY PERMISSION UNTIL 31 SEPTEMBER 2021 TAKES PLACE, THE PREMISES LICENCE HOLDER SHALL CREATE A SUITABLE AND SUFFICIENT NOISE MANAGEMENT PLAN (NMP) WHICH IS DOCUMENTED AND AGREED WITH MID SUFFOLK DISTRICT COUNCIL’S ENVIRONMENTAL PROTECTION TEAM (EPT) AT LEAST 21 DAYS BEFORE THE USE OF THE TEMPORARY LICENSED AREA TAKES PLACE. THIS DOCUMENT SHALL INCLUDE A NOISE ASSESSMENT/VALIDATION REPORT TO CONFIRM ACCEPTABLE NOISE LEVELS. THE FINAL AGREED NMP SHALL BE SUBMITTED TO THE LICENSING AUTHORITY NO LATER THAN 7 DAYS PRIOR TO THE FIRST DAY OF THE FIRST EVENT TAKING PLACE. THEREAFTER THIS DOCUMENT SHALL BE RETAINED AND ADHERED TO.”

The condition was not complied with.

The venue is surrounded by hard reflective surfaces, which have the effect of amplifying noise, and is in close proximity to residential premises and thus appears to be unsuitable for outdoor live or recorded music.

Outdoor music is not specifically permitted by the premises licence and is allowed purely by the virtue of national deregulation which allows outdoor music at licenced premises until 23:00 hours, unless conditions relating to this activity are attached following a review.

Despite the service of the of the Abatement Notice and repeated attempts to engage with, and offer advice to, the DPS, she shows no regard for the prevention of the public nuisance licensing objective and thus respect for neighbours, despite having had ample opportunity to resolve the issue. Enforcement of the Abatement Notice may result in a fine but may not improve the situation for residents in the long term.

**Please provide as much information as possible to support the application** (please read guidance note 3)

TIMELINE OF EVENTS

2021

| DATE           | ACTIONS  |
|----------------|--|
| 4/5/2021       | Complaint received from Resident A (High Street) of loud outdoor music from the Rampant Horse, several nights a week. Andy Rutson-Edwards (ARE) advises incoming DPS Alison Wyartt (AW) of the complaint and that the premises need to be reasonable and not cause a nuisance. Advised this may be difficult due to all the hard reflective surfaces around the courtyard. AW agrees to monitor future events. |
| 8/6/2021       | Rampant Horse makes application for a minor variation to their premises licence to have a temporary outdoor bar – concerns raised to the Licensing team by Environmental Protection due to existing noise complaint, resulting in a temporary condition being placed on the premises licence (as detailed above).  |
| 6/7/2021       | Complaint received from Resident B (Kerridge Court) about loud music on 2 <sup>nd</sup> & 3 <sup>rd</sup> July.  |
| 13/3/2021      | ARE discusses complaint with AW who advises the act was live singers with a pre-recorded backing track. AW is advised to monitor noise from performances and that if it is audible outside their perimeter, then it is likely to be an issue.  |
| 13 - 15/9/2021 | Noise complaints received from Residents C & D (separate addresses in Coddendam Road) who report loud music every Friday and Saturday night and that they are unable to have windows open or sleep during it.  |
| 17/9/2021      | ARE visits premises and advises AW that further complaints have been received and what the next steps will be. Reminded AW that she needs to monitor noise from future events and ensure noise levels are reasonable.  |

2022

|           |  |
|-----------|--|
| 23/6/2022 | Noise complaint received from Resident E (Fairfax Gardens) who reports loud live music from the Rampant Horse most weekends and that they can hear it inside even with windows and doors shut.   |
| 28/6/2022 | Environmental Protection are copied into a letter sent by a resident of Coddendam Road to the Rampant Horse asking them to reduce their noise levels.  |
| 18/7/2022 | Noise complaint received from Resident F (High Street) who reports highly amplified music meaning they are unable to sit out in their courtyard.   |
| 22/7/2022 | Noise complaint received from Resident D (Coddendam Road), who reports very loud music.  |
| 24/7/2022 | Noise complaint diary returned from Resident E (Fairfax Gardens) documenting loud music on 8 <sup>th</sup> , 10 <sup>th</sup> , 6 <sup>th</sup> , 17 <sup>th</sup> , 23 <sup>rd</sup> and 24 <sup>th</sup> July and stating they are unable to sit in their garden or have windows and doors open during music events. |

|                          |   |
|--------------------------|---|
| 27/7/2022                | DPS contacted by telephone by ARE and advised of latest complaint. Reiterated advice that DPS must ensure levels are reasonable and not a nuisance and that the Council may carry out officer monitoring during events.   |
| 31/7/2022                | Site visit made to the area by ARE and Jamie Balaam (JB) during performance of singer with acoustic guitar (amplified). Officers toured Station Yard, Coddendam Road and Fairfax Gardens and found music to be clearly audible throughout. Officers visited the premises and discussed findings with AW. Advised her she needs to monitor noise levels in the area and set the music noise levels accordingly – accompanied DPS out to Station Yard to enable her to listen to the levels which officers consider to be 'loud'. Advised AW to engage a noise consultant as to the best way to manage the sound levels but again advised it would be difficult to attenuate the noise due to the yard being surrounded by reflective surfaces. |
| 15/8/2022                | Noise complaint letter received from Resident C (Coddendam Road) stating that noise levels were excessive on 8 <sup>th</sup> , 10 <sup>th</sup> , 15 <sup>th</sup> , 16 <sup>th</sup> , 23 <sup>rd</sup> , 24 <sup>th</sup> , 29 <sup>th</sup> , 30 <sup>th</sup> and 31 <sup>st</sup> July and 5 <sup>th</sup> and 11 <sup>th</sup> August 2022.   |
| 16/8/2022                | Noise complaint diary returned from Resident F (High Street) advising of loud music on 13 <sup>th</sup> & 24 <sup>th</sup> July and 5 <sup>th</sup> August 2022.  |
| 23/8/2023 –<br>30/8/2023 | Noise monitor installed at property of Resident D (Coddendam Road). Recordings made demonstrate that the noise amounts to a Statutory Nuisance under the Environmental Protection Act 1990.   |
| 6/9/2022                 | Noise complaint received from Resident F (High Street) advising music was very loud on 26 <sup>th</sup> August and 2 <sup>nd</sup> September 2022.  |
| 28/9/2022                | Environmental Protection Act 1990 Abatement Notice served on both AW and the Rampant Horse Inn Ltd by hand.   |

## 2023

|           |  |
|-----------|--|
| 10/5/2023 | Noise complaint received from Resident E (Fairfax Gardens) advising noise is an issue once or twice per week and they are unable to site outside.  |
| 11/5/2023 | Letter sent to the Rampant Horse reminding them of the requirements of the Abatement Notice.   |
| 15/5/2023 | Noise complaint received from resident E (Fairfax Gardens) advising of loud music on 13 <sup>th</sup> May 2023, which was audible inside the house.  |
| 29/5/2023 | Noise complaint received from Resident E (Fairfax Gardens) reporting loud music on 19 <sup>th</sup> and 27 <sup>th</sup> May 2023 resulting in cancellation of planned BBQ.                      |
| 4/6/2023  | Noise complaint received from Resident E (Fairfax Gardens) advising of loud music on 4 <sup>th</sup> June 2023 preventing resident from using garden.  |
| 11/6/2023 | Report received from Resident E (Fairfax Gardens) advising of loud music on 11 <sup>th</sup> June 2023.  |
| 14/6/2023 | Visit made to premises by ARE and JB. Spoke to AW to offer advice, remind her about monitoring and managing the music levels from the site and advising that officers will be monitoring events. |

|              |  |
|--------------|--|
| 15/7/2023    | Noise complaint received from Resident F (High Street) about loud music – stating unable to use their courtyard due to excessive noise.  |
| 17/7/2023    | Nose complaint received from Resident E (Fairfax Gardens) about live music on 7 <sup>th</sup> July and 15 <sup>th</sup> July.  |
| 21-24/7/2023 | Noise monitor installed at property of Resident E (Fairfax Gardens) – however, poor weather meant that the band performed inside, and residents reported as a result there were no noise issues.   |
| 3 - 8/8/2023 | Noise monitor installed at the property of Resident F (High Street). Recordings indicate noise is a public nuisance and breach of the Abatement Notice.  |
| 18/8/2028    | Message left by ARE for AW requesting contact to discuss ongoing noise complaints.   |
| 18/8/2023    | Noise complaint received from Resident G (Jubilee Court) reporting loud live music most weekends.  |
| 21/8/2023    | Noise complaint received from Resident E (Fairfax Gardens) reporting very loud music on 11 <sup>th</sup> August, “loudest noise ever” on 18 <sup>th</sup> August, and loud music on 20 <sup>th</sup> August 2023.  |
| 23/8/2023    | ARE has telephone conversation with AW. Discussed the option of her applying for a minor variation to remove permission for outdoor music, but she advises she wants to continue to have it. ARE advised the Council are considering calling the licence in for review and/or pursuing enforcement for a breach of the Abatement Notice and explained each breach would be a separate offence. AW responded by saying she would get Andy Otley (an Elvis tribute act) in “one last time and get him to turn the levels right up”.  |
| 29/8/2023    | Noise complaint received from Resident E (Fairfax Gardens) reporting extremely loud live music on 26 <sup>th</sup> and 27 <sup>th</sup> August with music audible inside the house with windows and doors closed.  |
| 10/9/2023    | Noise complaint received from Resident E reporting that live music was extremely loud, and they were unable to open their windows in the hot weather on 1 <sup>st</sup> and 3 <sup>rd</sup> September. On 8 <sup>th</sup> September they were unable to get to sleep until it had stopped.   |
| 11/9/2023    | Noise complaint received from Resident H (Jubilee Court) reporting that live music was so loud on 8 <sup>th</sup> September 2023 that they were unable to open their windows.  |
| 14/9/2023    | Noise complaint received from resident I (Coddendam Road), sent via Licensing team, complaining of noise from amplified music.   |
| 15/9/2023    | Monitoring visit made to the area by ARE and JB. Sound Level Meter used, and field calibrated at the time of the visit. Band had just started up at 19:45 hours and levels in Fairfax Gardens were reasonable. However, as the performance progressed the volume increased whilst officers were on High Street. A nearby resident came out to speak with officers, advising the music regularly keeps their children awake. Fairfax Gardens visited again, and the noise level had increased but the band then had a break. Officers visited Resident J's property at 21:00 hours and the music clearly constituted a nuisance. LAeq 59.9dBA with LMax levels at 71dBA during the performance. The officers then walked along the High Street and noted that music was audible |

|           |   |
|-----------|---|
|           | up as far as The Causeway. Officers consider that this a breach of the Abatement Notice and a failure to uphold the public nuisance objective in the licence.   |
| 20/9/2023 | Visit to Rampant Horse made by ARE and JB. Hand delivered a letter to AW advising that complaints continue and of findings following monitoring visit on 15 <sup>th</sup> September. AW advised she had not gone outside on 15 <sup>th</sup> but had been unable to hear the music inside. Officer advised her that they were satisfied that the noise constituted a nuisance and that it was possible that the licence might be called in for review. AW advised that all bands had been told to reduce their volume levels. Officers advised that some of the residents had acknowledged this had occurred but that officers still considered the noise levels to be a public nuisance. AW reminded of the requirements of the notice and that she needs to consider the levels again and that officers would be carrying out further monitoring. AW suggested she may reduce the frequency of events – she was advised that noise levels from any event would still need to be reasonable.   |
| 22/9/2023 | <p>Officer monitoring visit by ARE and JB. Sound Level Meter used and calibrated at the time of the visit. Music could be heard by officer when driving past the premises and was audible at Jubilee Crescent public car park.</p> <p>Monitored levels at Jubilee Crescent parking area, music and lyrics are audible at 55dBA.</p> <p>Officer monitoring at Station Yard at 20:50 hours and levels were between 54-60dBA when the drums of the track (“In the Air Tonight” by Phil Collins). Returned to Jubilee Crescent and levels were approximately 58dB during “Two Tribes” by Frankie Goes to Hollywood. Music and lyrics clear.</p> <p>Officers monitored at Coddensham Road – levels up to 58dBA. In Fairfax Gardens levels of 52dB in the street. Visited the rear garden of Resident J (Coddensham Road) Sound levels of up to 85dBA and 90dBA during drum strikes. Left this premises at 21:30 hours.</p> <p>Walked back along the High Street and measured levels up to 80dBA from the music with no road traffic noise.</p> <p>Officers consider this to be a public nuisance and thus no upholding of the licensing objective.</p> |
| 25/9/2023 | Report from Resident E (Fairfax Gardens) reporting the music on 22 <sup>nd</sup> September was very loud.   |
| 7/10/2023 | <p>Officer monitoring visit by ARE and Joanna Hart (JH). Sound Level Meter used, and field calibrated at the time of the visit. Both officers were able to hear the music from the Rampant Horse when separately driving past to the meeting point. Monitored music from public car park in Jubilee Crescent where it could be clearly heard.</p> <p>Monitoring in resident car parking area to rear of Block 14-18 Jubilee Crescent. Music and lyrics to “All Night Long” by Lionel</p>  |



Richie, very clear with levels of 56dB (20:44 hours).

Monitors outside 13 Station Yard music and lyrics very clear to “She Used to be My Girl” – levels of 55dBA (20:48 hours).

Outside High Street at music was dominant and the overall levels was 69dB (62dB without traffic noise and peaks of 67dB) music and lyrics very clear to “Ain’t No Stopping Us Now” by McFadden & Whitehead, and “Love Train” by the O’Jays (20:56 hours).

Monitored at property of Resident E (Fairfax Gardens) in rear garden by back door, music and lyrics to “You Might Need Somebody” by Randy Crawford, then a duet (song unknown to officers) were clear and dominant, with levels of 59dB (21:03 hours).

Officers then went into rear conservatory with windows and back door shut and recorded levels of 56dB, with the music and lyrics to “Car Wash” by Rose Royce clearly audible (21:11 hours).

Officers then went to the back garden of Resident D (Coddensham Road) – levels were 70dB by the back door and further down the garden which runs parallel to the rear yard of the Rampant Horse. Music and lyrics to “Ain’t Nobody” by Chaka Khan and Rufus, dominant (21:20 hours). The guttering and satellite dish attached to the rear of the Rampant Horse barn was vibrating with the music and bass tones. Drain cover in garden could be felt to be vibrating underfoot with bass tones. In the kitchen of the property, with windows and door shut, levels were 50dB with the lyrics to “Hold Back the Night” by The Trammps clearly audible and akin to having a radio on in the room (21:28 hours).

Officers then went to the walled back garden of Resident F’s property (High Street). Measured levels of 60dB with the music and lyrics of “Your Love Keeps Lifting Me Higher and Higher” by Jackie Wilson clearly audible (22:03 hours). Left at 22:15 hours.

Officers conclude this is a further breach of the Abatement Notice and that the premises is not upholding the licensing objective of the prevention of public nuisance.

Recorded audio from the calibrated meter is submitted with this representation, available upon request.

In conclusion, the Environmental Protection team considers the playing of live and recorded music outside at the Rampant Horse to be an activity which gives rise to public nuisance and thus goes against the licensing objective of the prevention of public nuisance. Officers have visited during different performances and maintained this view. Complaints have been made from 10 separate addresses in the locality about various performances. It is these factors which we believe are grounds for review.

The Environmental Protection team considers that the location and design of the rear yard of the premises means it is fundamentally unsuitable for outside music due to the reflectivity of nearby surfaces and proximity of sensitive dwellings (refer to images in the Appendix). This may be why outside music is not given as a specified activity in the premises licence.

Section 177A(4) of the Licensing Act 2003 allows for new conditions relating to live and amplified music to be attached to a premises licence. Such conditions must state within them that section 177A of the Licensing Act 2003 does not apply to the condition, enabling them take effect despite the provisions of deregulation.

The Environmental Protection team would request that such conditions are attached to the premises licence as are necessary to prevent the playing of live or recorded music outside the premises. We do not request restricting the performance of music inside, as this has not led to complaints.

APPENDIX





Have you made an application for review relating to the premises before

Please tick ✓ yes

If yes please state the date of that application

| Day                  | Month                | Year                 |
|----------------------|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

**If you have made representations before relating to the premises please state what they were and when you made them**

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ✓
- I understand that if I do not comply with the above requirements my application will be rejected ✓

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 3 – Signatures** (please read guidance note 4)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date **19<sup>th</sup> October 2023**

.....

Capacity **Senior Environmental Protection Officer**

.....

**Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 6)

|  |  |
|--|--|
|  |  |
|--|--|

|                  |                  |
|------------------|------------------|
| <b>Post town</b> | <b>Post Code</b> |
|------------------|------------------|

|                                  |
|----------------------------------|
| <b>Telephone number (if any)</b> |
|----------------------------------|

|   |
|---|
| <b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b> |
|---|

**Notes for Guidance**

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.



This page is intentionally left blank



**Rep 1**

**From:** DMGray

**Sent:** Friday, October 27, 2023 4:30 PM

**To:** BMSDC Licensing Team <LicensingTeam@baberghmidsuffolk.gov.uk>

**Subject:** Public Nuisance

Good afternoon from Needham Market.

I wish to make a strong complaint about the noise (advertised as music) coming from events at The Rampant Horse Pub in Coddendam Road, Needham Market IP6 8AU.

Close by, as when walking in Station Yard car park, the noise is deafening and not at all musical, this applies to all the events held in the pub yard.

My home is a few hundred yards towards Coddendam and the noise is still offensive where I live.

The notice in the window of the pub gives the name of applicant as Environmental Protection, with grounds for review being the Prevention of Public Nuisance.

If anyone from your team comes to listen I suggest he/she wears ear defenders once the decibel level has been registered.

The beer and food in the pub are fine so maybe the licence should just stick with those things.

Kind regards,

Diana M Gray

16 Fairfax Gardens

Needham Market

IP6 8AZ

**Rep 2**

**From:** Adam Jack Williamson

**Sent:** Wednesday, November 8, 2023 2:58 PM

**To:** BMSDC Licensing Team <LicensingTeam@baberghmidsuffolk.gov.uk>

**Subject:** Representation - Rampant Horse Inn, Needham Market

Dear Sir/Madam,

THE PREVENTION OF PUBLIC NUISANCE

I write with regard to the Notice of Application for a Review of a Premises License, for The Rampant Horse Inn, in Needham Market.

I live at 4 Quintons Court, in the block of flats situated half way down Station Yard, which are diagonally opposite The Rampant Horse Inn. Almost every Friday and Saturday night during the Summer, the noise pollution coming from The Rampant Horse Inn could very clearly be heard.

Reasons why I hope The Rampant Horse Inn will not be given a licence to play live and recorded music outside:

1. As my flat is on the top floor, it does get very warm in the summer, so I like to keep all the windows open, to keep the flat relatively cool. There is no chance of getting to sleep before 11pm on Friday and Saturday nights, with the live music, (noise pollution), playing outside.
2. I drive an articulated lorry for Goldstar Transport, on a 4-on/4-off contract, which means that four out of 8 weeks I work 4 Saturdays and 4 Sundays, with a 3 week all-weekend overlap. As my shifts can start between 0230 and 0400, I do need to be asleep by 1800, which does happen, but I'm woken up by the live music at 2030, and unable to sleep then until midnight, usually. I work from the Goldstar depot in Woolpit and have to be up and about between 0030 and 0200 respectively - I find driving a 44 tonne artic for 9 hours per day after that little amount of sleep, rather dangerous!

The music level has been so invasive that I constantly look online for cheap places to live, so that I can move home! But I like living in Needham Market; it's mid way between the churches I attend, (The C3 Church in Cambridge and Colchester), where I serve weekly on the Worship team with my bass guitar, (on the 4 weeks I'm not working), and it's only 10 miles from work.....

I've played in pub bands plenty of times before, and have squeezed into a tight corner of the pub to play for a couple of hours, even The Three Tuns in Needham Market have bands indoors... If they can do it, why cant The Rampant Horse Inn...?

Best regards...

Faithfully,

Adam Williamson

4 Quintons Court, Needham Market, IP6 8AY

**Rep 3**

**Sent:** Monday, October 23, 2023 11:05 AM

**To:** BMSDC Licensing Team <LicensingTeam@baberghmidsuffolk.gov.uk>

**Subject:** Rampant Horse Pub Needham Market

Dear Sir/Madam

For the last 40 years we have been living at our house in the close vicinity of The Rampant Horse public house in Needham Market.

For these 40 years we have never had any problems with noise or otherwise but two years ago when the pub was taken over by new land lord/lady the problem started we have had considerable loud outdoor music to endure on

Friday/Saturday evenings and Sunday afternoon.

This summer the noise has been so loud that we are forced to go inside with the window's and doors closed but the noise is still audible indoors and impossible to enjoy a summer night in the garden when the weather is warm we can not open our bedroom window as the noise is deafening this is very stressful to us and we should not have to cope with this in our home this might be acceptable a younger group of people but to us this is not acceptable .

Since a notification has been issued regarding the outdoor licence the music has been louder that ever and to us and others in this area sounds very much like "revenge" by The Rampant Horse..

We hope that a solution can be found to stop this nuisance in a residential area to please both parties.

We are not happy to have our name and address made public as we are very worried of possible repercussions from some very undesirable customers frequenting The Ramp so therefore we insist on being anonymous.

Regards

Resident A

**Rep 4**

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

From:

Sent: Saturday, November 11, 2023 11:36 PM

To: BMSDC Licensing Team <LicensingTeam@babberghmidsuffolk.gov.uk>

Subject: Rampant Horse, Needham Market- Licensing Review

I refer to the upcoming licensing review for the Rampant Horse pub, Needham Market and offer the following comments on the understanding that they be anonymised if published . I have a house in the High Street, Needham Market and have lived here for 18 years

My wife and I had no difficulty with the previous management of the Rampant Horse. The current management took over the pub about two years ago and since then have offered a frequent weekend programme of live bands and singers. They do not manage the sound levels of these performers well or take sufficient account of the fact that on music nights they are providing heavily amplified outside music to 11 pm in the heart of a residential conservation area.

The outside music is located in the pub courtyard in Station Yard. Station Yard is completely built up and the music resonates within the confines of a built up residential area including the High Street. Throughout the summer months it is not unusual to have outside performances on Friday and Saturday nights and on Sunday afternoons. If we wish to use our own outside area to sit out on these weekends we become in effect conscripted listeners to the pub performers, whether we like it or not.

The outside music continues to 11 pm on music nights and can also be clearly heard in our lounge and bedrooms, especially on hot summer nights when the windows need to be open. I do not find it acceptable that we should have to listen to live bands in my house up to 11pm. I have measured this level of noise in my own grounds in excess of 70 decibels on several occasions.

We are not wanting to make the operation of any pub unreasonable and we recognise they have a business to run. But there is an urgent need for the Rampant Horse management to take much more account of the impact of their outside music on their neighbours in a confined and enclosed residential area. Preferably they would follow the lead of the nearby Swan Pub in the High Street where regular music events are held indoors and have not caused us any problems at all.

We have already brought these issues to the notice of the Council's environmental officers. Our understanding is that they have conscientiously monitored the noise situation over several months and have been in contact with the Rampant Horse management but, as yet, have found it difficult to bring about improvement. The pub has organised a petition of those in favour of outside music but these pub customers only hear the music by their own choice and most will live more distant from the pub itself. The nearby residents in the area of the Rampant Horse have no such choice and are having to put up with excessive outside music levels most weekends over an extended summer season.

We therefore ask that the licensing review now takes appropriate enforcement action to achieve a much better balance between the interests of the pub management and the reasonable expectations of local residents. In legal terms local residents should be able to enjoy their own properties in peace and without excessive and continuing noise intrusion many weekends from heavily amplified outside music in the heart of a built up residential area.

Resident B

**Rep 5**

**From:** Sally Griffiths

**Sent:** Wednesday, November 15, 2023 6:53 PM

**To:** BMSDC Licensing Team <LicensingTeam@baberghmidsuffolk.gov.uk>

**Subject:** Review of a Premises Licence Rampant Horse Inn Needham Market

I live next door but one to The Swan Pub and diagonally across the High Street to the Rampant Horse.

I have no wish to stop the Rampant Horse from having live music as it is important for their business BUT , they do need to make sure that their bands keep the music to reasonable levels particularly in the warmer weather. I am sure people want to chat to their friends as well as enjoy the music.

I do have double glazing at the front of my house which is on the High Street and on occasion the music coming from the Ramp has drowned my television. As all music is electric rather than acoustic there needs to be some level of control.

The Ramp is very popular to all ages and for food, drink and music.

Yours sincerely

Sally Griffiths

13 High street Needham Market IP6 8AL

**Rep 6**

**From:**

**Sent:** Saturday, November 4, 2023 10:13 AM

**To:** BMSDC Licensing Team <LicensingTeam@babberghmidsuffolk.gov.uk>

**Subject:** Reference Section 51 Application for Review of a premises licence at Rampant Horse Inn Needham market Ip6 8AU

Dear Sir,

I am writing regarding your review of the premises licence at the Rampant Horse. I live near to the pub and consider it to be an asset to the town and a real hub of the community. It is lovely to see the pub busy and also to hear the live music.

I think it would be a real shame if their licence was changed or restricted to prevent live music outside. I have never had occasion when the music has stopped us doing what I wished either inside or outside our house. A practical solution might be to restrict it to one evening and one afternoon per week, then everyone has the chance to enjoy their outdoor spaces as they wish.

Kind regards

Angela Hayward

17 High Street, Needham Market, Ipswich IP6 8AL

**Rep 7**

**From:** Gloria and Mike Miller

**Sent:** Saturday, October 28, 2023 11:22 AM

**To:** BMSDC Licensing Team <LicensingTeam@babberghmidsuffolk.gov.uk>

**Subject:** Review of License for Rampant Horse Inn

Dear Mid Suffolk District

We've received your notice concerning the Rampant Horse Inn.

We live at No1 Ipswich Road adjoining Pump St. and would like to say that we find the sound of live music events, or any other activity, at the Rampant Horse as of no particular worry.

We hope that their license will not be withdrawn by any complaints.

Yours Sincerely,

M and G Miller

1 Ipswich Road, Needham Market, Ipswich IP6 8EG

**Rep 8**

**From:**

**Sent:** Thursday, November 9, 2023 2:07 PM

**To:** BMSDC Licensing Team <LicensingTeam@babberghmidsuffolk.gov.uk>

**Subject:** Rampant horse

I live less than 50 yards away from the Rampant horse pub and have never been kept awake from noise.

I think it's lovely that they have live music as fun for anyone that likes to go.

Far better to have people making merry there than drinking in the streets and making a din.

Bring it on!

I'm doing this for my Mum and she's a bit worried about this being printed somewhere with her address and make her enemies.

Resident C  
High Street



**Rep 9**

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

From: Robert

Sent: Monday, November 13, 2023 12:28 PM

To: BMSDC Licensing Team <LicensingTeam@babberghmidsuffolk.gov.uk>

Subject: Rampant Horse - review of premises licence

Having lived at 3 Ipswich Road for 40+ years, music has frequently featured at both nearby pubs. It was depressing to see both pubs closed for a period and their reopening has brought some normality back to this part of Needham Market.

I can appreciate that it may be different for those living immediately adjacent to the pub, but for us, music one or two nights a week is not a problem. Behaviour has been well managed with no instances of antisocial behaviour but evidence of people enjoying themselves, which is refreshing after the restrictions and privations of the past few years.

R. Rozier

3 Ipswich Road, Needham Market, Ipswich IP6 8EG

**Rep 10**

**From:** Terry Lawrence

**Sent:** Wednesday, November 15, 2023 5:05 PM

**To:** BMSDC Licensing Team <LicensingTeam@baberghmidsuffolk.gov.uk>

**Subject:** Rampant Horse License review

Dear Sir,

I would like to make the following contribution to the consultation on the above.

My garden is 7 metres from the Rampant Horse and my house 9 metres. It is the timber framed property in the second photograph of your documentation. On the other side of my property across the High Street is The Swan. I moved in just over 2 years ago. Noise associated with public house operations can only be expected whether it is revellers or entertainment. Put in perspective there have been 30 outside music sessions from April to October this year and no more are planned until April next year. Each session has music playing for one hour, a break of half an hour and then playing for another hour. That's a total of 60 hours per year. Yes I can hear the music, it is well managed, I don't find it obtrusive and sometimes take advantage to invite friends around for a drink in the garden when there is a session on a Sunday afternoon. Occupants of four properties within 50 metres have noted to me that whilst they also hear the music, they are understanding in relation to it being part of the business. I have been approached by one other nearby property's residents. Vociferous in their objections to noise in all its forms from the pub, down to including people drinking in the beer garden and the noise that generates. It would seem that their desire is for it to return to being an old boy's drinking den. This proved to be a failed business model and resulted in it's closure prior to it reopening under the current owners and management two and a half years ago. Tolerance is key in my view. You don't live near a school and then ask the head to stop children play times because of the noise. In this case the noise ceases at a reasonable hour and a balance is achieved by it only being for 60 hours per year, and the public house assists in the vibrancy of the town and provides employment for local people. Taken as a whole I would urge that the outside music sessions are not considered a public nuisance. However if they are deemed to be, then there are other opportunities to consider other than an outright ban.

Kind regards

Terry Lawrence

Theobald House, 4 High Street, Needham Market, IP6 8AP.

**Rep 11**

15<sup>th</sup> November 2023

We live very close to the Rampant Horse public house and over three years the impact of the very loud live music every weekend during the summer months (April - October has made life very challenging, *often intolerable*, and has had a huge effect on our health. The volume is so loud that we often find we have to abandon our house and garden to just get away from it !! We have a small garden room which we love to sit in with friends or family, but after 7.30 on Friday or Saturday evening and often Sunday afternoon, it is a “no go” area. We've had to cancel Sunday lunch with friends in the garden several times. The music reaches every part of our house. The sitting room, even with the TV on, you cannot escape the drums vibrating through the walls. Going to bed on hot evenings with the windows closed is stifling and we end up feeling trapped in our own home. *This is not good for our mental health!!!!*

The band plays against the back wall of the clap board barn, which is only about 10ft away from our garden so we feel virtually part of the band. There is no insulation!! The roof which was previously clad in thick pan-tiles has been replaced by corrugated tin which echoes loudly and preparing and eating a meal in the kitchen is NOT POSSIBLE. We have had to rearrange our whole lives around the activities of the pub.

Having lived here for twenty years and through several landlords, who *did* play music occasionally but usually inside and were considerate of the local community, we now find ourselves dreading the weekend. SURELY THIS IS NOT RIGHT!!

Resident D

**Rep 12**

15<sup>th</sup> November 2023

*The essence of the matter is that the Rampant Horse has repeatedly abused the 'Statutory Nuisance under the Environmental Protection Act 1990'.*

It is stated on the council web page that [REDACTED], in his official capacity, has approached [REDACTED] (representative of the Rampant Horse management) and appraised her of this fact **on many occasions**.

Whilst it is claimed that measures have been taken to placate local public opposition to the outside events, *The Public House has never addressed, or acted upon, the central point - **the decibel level** - that has been made, by every complainant.*

The Licensing Committee should understand that this point is at the very heart of this matter. Until the Rampant Horse undertakes to reduce sound levels in some way, it will continue to cause offence within the community.

It is my opinion that the management of the pub will never be able - *or wish* - to concur with an undertaking to reduce decibel levels - as these are - a major part of the attraction of these events for the public. I base this judgement mainly on the Pub's previous responses to [REDACTED] entreaties - and the public's responses which can be understood.

*However, it is obvious that a compromise must be found. **This is a residential area!***

It is my belief, therefore, in the interest of the general public, that the Management's licence to play music be curtailed to a limited number of performances during any period, and, of course, that those performances should be within statutory decibel limits, *and* that the Management should be requested to *sound insulate* all exterior surfaces of the Barn - the Pub's performance area - to alleviate the discomfort of their neighbours.

*I believe these are even handed requests allowing the Pub to carry on with its business whilst respecting those around them!!*

Arguments could be made that any reduction in performance numbers will overduely affect the Pub's income flow, and public enjoyment, but this Pub has existed before without this level of disturbance and without loss of enjoyment; and anyway, a simple sum will tell the truth: [cost of band v's pints and burgers ?] It is obvious this is a "vanity project" in terms of finance..... An admittedly, *once valid*, advertising exercise which should be now curtailed for the sake of the community.

Eight households in the Pub's vicinity have packed up, ie. 'sold up' in the last three years. If there is no alleviation of the noise levels in the future, we will be the ninth  
Should our marriage of forty years survive this, *as there has been an unprecedented level of pressure on our mental health in this last period*, only time will tell.

Resident E

### **Rep 13**

**Sent:** Friday, November 17, 2023 9:21 AM

**To:** BMSDC Licensing Team <LicensingTeam@baberghmidsuffolk.gov.uk>

**Subject:** Fwd: The Rampant Horse Pub - Public Review: FAO: The Licensing Team, Endeavour House

Dear Team,

I sent my comments below on Wednesday in time for the deadline on Thursday but between my typo in the address and being unwell I hadn't realised that it didn't get through to you. I've left a message also regarding this error.

Please can you still accept my comments?

Thank you

Regards

Resident F

**Date:** 15 November 2023 at 10:52:37 GMT

**To:** [licencingteam@baberghmidsuffolk.gov.uk](mailto:licencingteam@baberghmidsuffolk.gov.uk)

**Subject:** The Rampant Horse Pub - Public Review: FAO: The Licensing Team, Endeavour House

FAO: The Licensing Team, Endeavour House

Please redact my email address, name and address so that I may remain anonymous due to the "outraged" patrons as reported in the press.

Dear Team,

I am a landlord and owner of a property nearby. I own one rental property in total. I appreciate the weight of my voice will not be as strong in this sense but I intend to represent any future possible tenants I may have by speaking up now.

I have been made aware that the live music Licence at the Rampant Horse, Coddendam Road, Needham Market is now under review following complaints.

A previous tenant raised the issue with the Manager directly and informally and they did not address it. The Manager said recently (and very publicly in the local news) that they haven't been approached. In reality the Manager has had at least one opportunity in the past to discuss the issue and take steps to solve the problem, with no action being taken. The Manager seems to have only sought the views of their patrons which doesn't address the nature of the issue. The Manager hasn't sought the views of the community that are affected and instead has chosen to rally up support and make sure to widely publicise their "outrage" at a few "moaning miserables". The public statements the Manager has made on the issue are dismissive. An alternative response to an official complaint might have been to reach out to local residents to understand what their issues are. Instead, the Manager has gone to social media and the press making it even more difficult for anyone to approach the issue. Since the Manager showed no acknowledgement of the issue to my tenant I do not think the Manager truly wants a compromise and if they were going to compromise they would have done so already as this has been on going for several years now.

Most people will readily accept that the Rampant Horse, as a business, will strive to make as much profit as possible but why should the financial needs of one business take precedent over another? My business as a landlord may be minuscule by comparison but I have still been negatively impacted losing a tenant and think it is a valid point to make.

The pub, has always been loved, has always been successful and even without any live acts (since the volume seemingly cannot be controlled) it will continue to do well. I cannot say the same is true for my rental or future tenants if this continues. In the decades I have owned my property I have never needed to make any complaint. If you buy a property near to a pub you must expect some liveliness and noise (and indeed welcome it) but the last few years appear to have been an exception and have proved to me it's not the location of my property that's the real problem. The problem really has come with the relaxation of rules for outside events due to Covid where venues have been helped greatly to stay afloat. The Manager has stated that the live music has served them well. That period of time where the relaxation of the rules was really needed has now passed and we seem to be left with a live events venue which is simply ill set up to contain the sound and as such really is simply inappropriate being it's in a residential setting. This problem wouldn't have arisen pre Covid or if they had a bigger indoor space which could be used and sound proofed. The building itself is medieval and will carry sound.

I do understand Managers of pubs have a hard job in keeping a balance between profitability and controlling any nuisance. However, I am told, that they usually have the courtesy to work with the neighbourhood and not against them. As previously stated the Manager was approached directly about the issue but my tenant was given a short one line response which made it very clear that they wouldn't even talk about it.

Some compassion and experience in these situations from the Manager could have gone a long way towards fixing things for those impacted and some common sense now needs to

be applied.

The Needham Community includes the whole neighbourhood and not just the patrons. The few “moaning miseries” being referred to by the Manager include young children and elderly people who cannot sleep and who have been mentally and physically affected; a fact that the Manager has not taken an interest or the time to understand.

I note that there are other pubs nearby who frequently put on live music but do not make the level of noise the Rampant Horse does. The community have other options very close by and it shouldn't be the case that residents have to suffer because The Rampant Horse is ill suited as a live music venue since it has to be outside. The one sided open barn does little to contain the noise. The pub has always played music but live music just happens to be their personal preference. I believe the Manager herself stated in the press that her background is singing and performing.

A full resolution to the matter is now needed after many years of disregard.

Thank you for listening.

Resident G



**MID SUFFOLK DISTRICT COUNCIL**  
 Licensing Authority  
 Endeavour House, 8 Russell Road  
 IPSWICH  
 Suffolk IP1 2BX  
 Website: [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)  
 Switchboard: 0300 123 4000

Licensing Act 2003  
**Premises Licence Summary**

**MPL0372**

**Postal Address of Premises, or if none, Ordnance Survey Map Reference or Description**

|   |         |                   |         |
|---|---------|-------------------|---------|
| <p><b>The Rampant Horse Inn</b><br/>                 Coddham Road<br/>                 Needham Market<br/>                 IPSWICH<br/>                 IP6 8AU</p> |         |                   |         |
| <b>Post Town:</b>   | IPSWICH | <b>Post Code:</b> | IP6 8AU |
| <b>Telephone Number:</b>  |         |                   |         |

|  |
|--|
| <b>Where the licence is time limited the dates</b> |
| N/A  |

|   |
|---|
| <b>Licensable activities authorised by the licence</b>  |
| <ul style="list-style-type: none"> <li>• <b>Supply of alcohol (for consumption both ON and OFF the premises)</b></li> <li>• <b>Recorded Music (Indoors)</b></li> <li>• <b>Live Music (Indoors)</b></li> <li>• <b>Films – (Indoors)</b></li> <li>• <b>Performance of Dance (Indoors)</b></li> <li>• <b>Late Night Refreshment (Indoors)</b></li> </ul> |

The times the licence authorises the carrying out of licensable activities

**STANDARD TIMINGS:**

**(a) Supply of alcohol (for consumption both ON and OFF the premises)**

Hours authorised: 09:00hrs until 00:00hrs (Monday to Thursday)  
09:00hrs until 02:00hrs (Friday and Saturday)  
09:00hrs until 23:30hrs (Sunday)

**(b) Films (Indoors)  
Plays (Indoors)**

Hours authorised: 12:00hrs until 00:00hrs (Monday to Thursday)

**(c) Late Night Refreshment (Indoors)**

Hours authorised: 23:00hrs until 00:00hrs (Sunday to Thursday)  
23:00hrs until 02:00hrs (Friday and Saturday)

**(d) Live Music (Indoors)**

Hours authorised: 09:00hrs until 21:00hrs (Monday to Thursday)  
10:00hrs until 00:00hrs (Friday and Saturday)  
10:00hrs until 23:30hrs (Sunday)

**(e) Recorded Music (Indoors)**

Hours authorised: 10:00hrs until 00:00hrs (Sunday to Thursday)  
10:00hrs until 02:00hrs (Friday and Saturday)

**(f) Performance of Dance (Indoors)**

Hours authorised: 12:00hrs until 00:00hrs (Monday to Thursday)  
12:00hrs until 02:00hrs (Friday)  
11:00hrs until 02:00hrs (Saturday)  
11:00hrs until 00:00hrs (Sunday)

**NON-STANDARD TIMINGS / SEASONAL VARIATIONS:**

**Live Music (Indoors)**

A further additional hour every Christmas Eve and Boxing Day.

On New Year's Eve, from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

**Recorded Music (Indoors), Late Night Refreshment (Indoors) and Supply of Alcohol (for consumption both ON and OFF the premises)**

A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.

A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday Weekend.

A further additional hour every Christmas Eve and Boxing Day.

On New Year's Eve, from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.



**The opening hours of the premises for the carrying out of licensable activities****STANDARD TIMINGS:**

**Hours authorised:** 07:00hrs until 00:30hrs (Sunday to Thursday)  
07:00hrs until 02:30hrs (Friday and Saturday)

**NON-STANDARD TIMINGS / SEASONAL VARIATIONS:**

A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.

A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday Weekend.

A further additional hour every Christmas Eve and Boxing Day.

On New Year's Eve, from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

**Where the licence authorises supplies of alcohol whether these are on and/ or off supplies**

**Supply of alcohol for consumption both ON and OFF the premises**

**Name, (registered) address of holder of premises licence**

**The Rampant Horse Inn Ltd**  
Coddenham Road  
Needham Market  
IPSWICH  
IP6 8AU

**Registered number of holder, for example company number, charity number (where applicable)**

**09920014**

**Name of designated premises supervisor where the premises licence authorises for the supply of alcohol**

**Alison Wyartt**

**State whether access to the premises by children is restricted or prohibited**

**Conditions 2.11 to 2.14 in Annex 2 of the premises licence**



**MID SUFFOLK DISTRICT COUNCIL**  
Licensing Authority  
Endeavour House, 8 Russell Road  
IPSWICH  
Suffolk IP1 2BX  
Website: [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)  
Switchboard: 0300 123 4000

Licensing Act 2003  
**Premises Licence**

**MPL0372**

**Part 1 - Premises Details**

| Postal address of premises, or if none, ordnance survey map reference or description              |         |                   |         |
|---|---------|-------------------|---------|
| <p><b>The Rampant Horse Inn</b><br/>Coddendam Road<br/>Needham Market<br/>IPSWICH<br/>IP6 8AU</p> |         |                   |         |
| <b>Post Town:</b>   | IPSWICH | <b>Post Code:</b> | IP6 8AU |
| <b>Telephone number:</b>  |         |                   |         |

| Where the licence is time limited the dates |
|---|
| N/A   |

| Licensable activities authorised by the licence   |
|---|
| <ul style="list-style-type: none"> <li>• Supply of alcohol (for consumption both ON and OFF the premises)</li> <li>• Recorded Music (Indoors)</li> <li>• Live Music (Indoors)</li> <li>• Films – (Indoors)</li> <li>• Performance of Dance (Indoors)</li> <li>• Late Night Refreshment (Indoors)</li> </ul> |

## The times the licence authorises the carrying out of licensable activities

### **STANDARD TIMINGS:**

#### **(b) Supply of alcohol (for consumption both ON and OFF the premises)**

Hours authorised: 09:00hrs until 00:00hrs (Monday to Thursday)  
09:00hrs until 02:00hrs (Friday and Saturday)  
09:00hrs until 23:30hrs (Sunday)

#### **(b) Films (Indoors) Plays (Indoors)**

Hours authorised: 12:00hrs until 00:00hrs (Monday to Thursday)

#### **(c) Late Night Refreshment (Indoors)**

Hours authorised: 23:00hrs until 00:00hrs (Sunday to Thursday)  
23:00hrs until 02:00hrs (Friday and Saturday)

#### **(d) Live Music (Indoors)**

Hours authorised: 09:00hrs until 21:00hrs (Monday to Thursday)  
10:00hrs until 00:00hrs (Friday and Saturday)  
10:00hrs until 23:30hrs (Sunday)

#### **(e) Recorded Music (Indoors)**

Hours authorised: 10:00hrs until 00:00hrs (Sunday to Thursday)  
10:00hrs until 02:00hrs (Friday and Saturday)

#### **(f) Performance of Dance (Indoors)**

Hours authorised: 12:00hrs until 00:00hrs (Monday to Thursday)  
12:00hrs until 02:00hrs (Friday)  
11:00hrs until 02:00hrs (Saturday)  
11:00hrs until 00:00hrs (Sunday)

### **NON-STANDARD TIMINGS / SEASONAL VARIATIONS:**

#### **Live Music (Indoors)**

A further additional hour every Christmas Eve and Boxing Day.

On New Year's Eve, from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

#### **Recorded Music (Indoors), Late Night Refreshment (Indoors) and Supply of Alcohol (for consumption both ON and OFF the premises)**

A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.

A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday Weekend.

A further additional hour every Christmas Eve and Boxing Day.

On New Year's Eve, from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

### The opening hours of the premises for the carrying out of licensable activities

#### **STANDARD TIMINGS:**

**Hours authorised:** 07:00hrs until 00:30hrs (Sunday to Thursday)  
07:00hrs until 02:30hrs (Friday and Saturday)

#### **NON-STANDARD TIMINGS / SEASONAL VARIATIONS:**

A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.

A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday Weekend.

A further additional hour every Christmas Eve and Boxing Day.

On New Year's Eve, from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

### Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

**Supply of alcohol for consumption both ON and OFF the premises**

## Part 2

### Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

**The Rampant Horse Inn Ltd**  
Coddenham Road  
Needham Market  
IPSWICH  
IP6 8AU

### Registered number of holder, for example company number, charity number (where applicable)

**09920014**

### Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

**Alison Wyartt**

### Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

**Personal Licence number: MPA1217**  
Issued by: MID SUFFOLK DISTRICT COUNCIL



**CONDITIONS ATTACHED TO THE ISSUE OF:  
PREMISES LICENCE No: MPL0372 – The Rampant Horse Inn – Needham Market**

**ANNEX 1 - MANDATORY CONDITIONS**

*The following conditions in Annex 1 are mandatory under the provisions of the Licensing Act 2003:*

- 1.1 No supply of alcohol may be made under the premises licence:
- (a) At any time when there is no designated premises supervisor in respect of the premises licence;  
or
  - (b) At any time when the designated premises supervisor does not hold a personal licence or his/her personal licence is suspended.
- 1.2 Every sale or supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 1.3 (a) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (b) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (c) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –
- (i) a holographic mark, or
  - (ii) an ultraviolet feature.
- 1.4 The relevant person (“relevant person” means the holder of the premises licence, the designated premises supervisor (if any) in respect of such a licence, the personal licence holder who makes or authorises a supply of alcohol under such a licence, or any member or officer of a club present on the premises in a capacity which enables the member or officer to prevent the supply in question) shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of this condition “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979, “permitted price” is the price found by applying the formula -

$$P = D + (D \times V)$$

Where - (i) **P** is the permitted price; (ii) **D** is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol; and (iii) **V** is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol; [“value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994]

Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny.

Where the permitted price on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

## APPENDIX C

The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

- 1.5 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 1.6 The responsible person must ensure that –
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
    - (i) beer or cider: 1/2 pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
- 1.7 The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 1.8 (1) The admission of children to the exhibition of any film is to be restricted in accordance with this section.

APPENDIX C

- (2) Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.
- (3) Where:
- (a) the film classification body is not specified in the licence, or
  - (b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.
- (4) In this section:

"children" means persons aged under 18; and

"film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c. 39) (authority to determine suitability of video works for classification).

## **ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**

*The following conditions in Annex 2 are conditions consistent with the operating schedule submitted by the applicant within the application:*

- 2.1 All instances of drunkenness, disorder, drug use or violence shall be challenged, resulting in the ejection or retention of the individual(s), where permissible, and under serious circumstances consideration shall be given to their permanent exclusion from the premises in future.
- 2.2 An incident book(s)/refusals register shall be kept and maintained on the premises at all times. The book(s) shall detail all incidents of injury/ejection/refusals/drug misuse/seizure/age challenge. Such matters shall be timed, dated and signed by the author and produced to police or an authorised officer of the licensing authority on demand. In the case of refusals register, there shall be one at each bar area, or any other area utilised for the supply of alcohol.
- 2.3 The premises licence holder or their appointed representative shall ensure that the toilet areas are regularly checked, whilst the premises are open for licensable activities. A 'toilet-check' log sheet shall be endorsed to this effect and made available to police or an authorised officer of the licensing authority immediately upon request. Staff shall be diligent to monitor toilet areas for signs of, and to prevent, drug taking. This may include treating surfaces to reduce their potential for drug use.
- 2.4 The premises licence holder shall adopt a policy to prevent and deter any use of drugs or other banned substances on the licensed premises. Prominent signage shall be displayed and maintained on the licensed premises in relation to this policy.
- 2.5 The premises licence holder shall operate a 'driver's shelf' selection of non-alcoholic beverages, and signage to remind patrons to not drink and drive. Licensed taxi and private hire contact numbers shall be made available to patrons to assist with their departure from the premises.
- 2.6 All fixtures, fittings and equipment used in public areas of the premises shall be regularly inspected and serviced where necessary in order to promote public safety.
- 2.7 Adequate illumination shall be provided to external areas of the licensed premises during the hours of darkness, to promote the prevention of crime and disorder and public safety. All reasonable precautions shall be taken to ensure that the specification and positioning of lighting does cause a nuisance to neighbouring properties.
- 2.8 An accident and incident book shall be maintained at the licensed premises, with all entries to be legibly recorded and checked/signed weekly by the DPS. The book shall be made available upon request of an authorised officer of the Licensing Authority or Police.

## APPENDIX C

- 2.9 Adequate provision of first aid materials and trained personnel shall be on duty at the premises during licensable activities, and in accordance with the premises licence holders risk assessment.
- 2.10 Any cooler, condenser or ventilation/extraction systems used at the premises shall be positioned, sound attenuated and operated so as to minimise any risk of public nuisance being caused to neighbouring properties.
- 2.11 Children shall not be permitted in the bar area of the licensed premises unless accompanied by a person aged 18 or over, or else passing through the bar area to attend toilet facilities or the beer garden.
- 2.12 The above condition 11 does not apply for use of the café area of the licensed premises.
- 2.13 There shall be no adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.
- 2.14 The premises licence holder shall adopt a 'Challenge 21' proof of age scheme. The premises licence holder shall operate a requirement for the production of a passport, UK photocard driving licence or PASS accredited photocard, where the individual requesting the supply of alcohol appears to be under the age of 21.

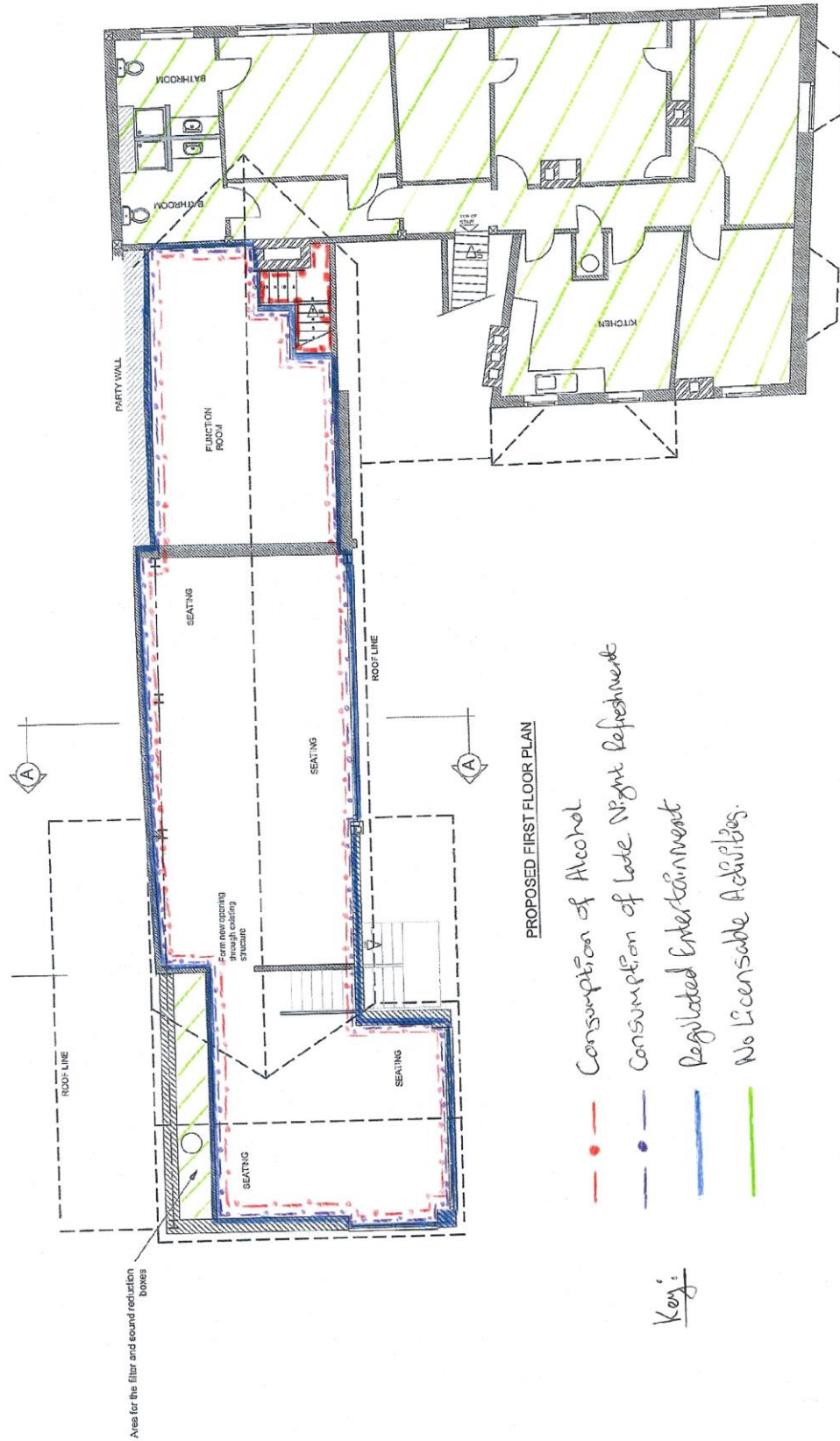
### **ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY**

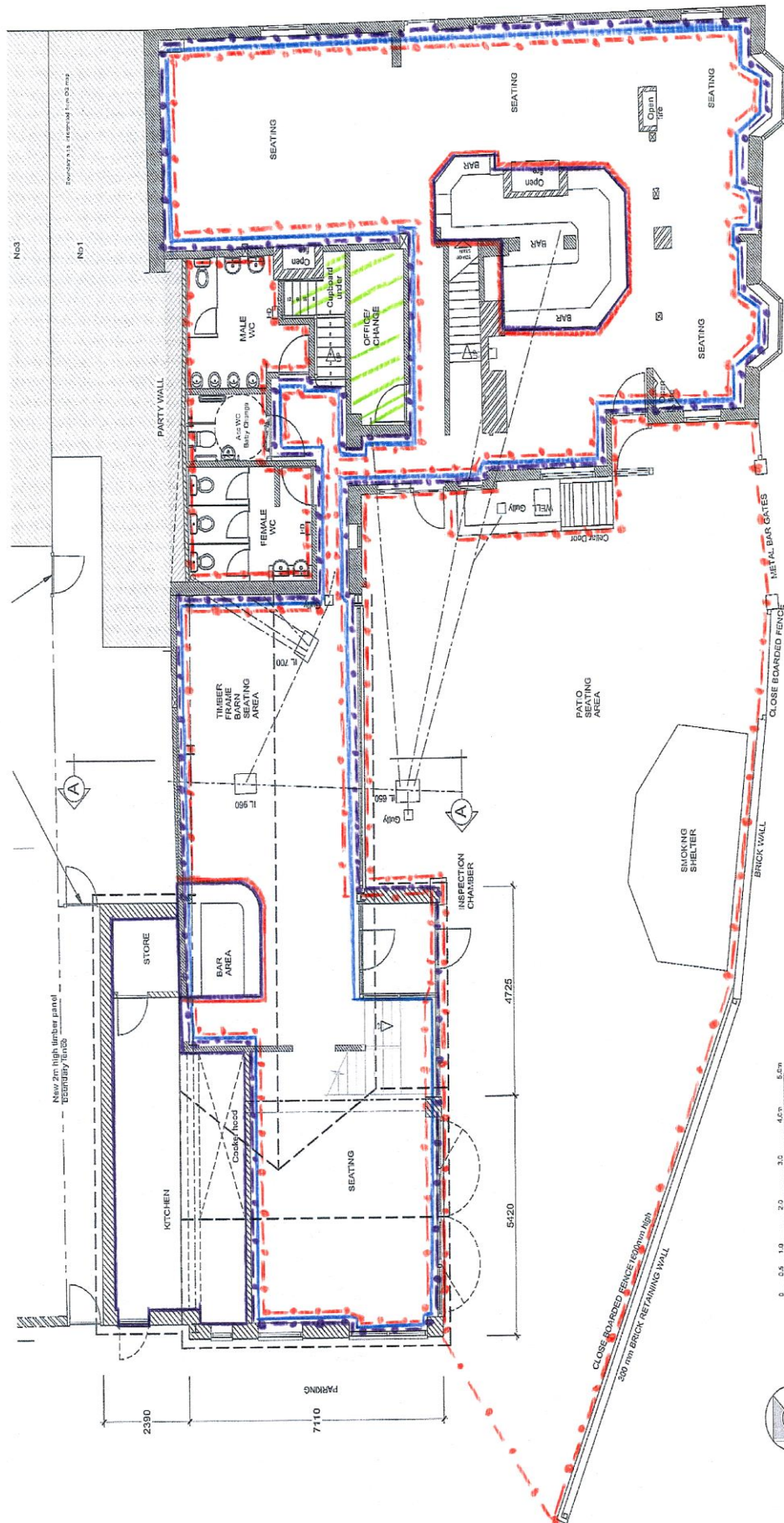
Not Applicable

### **ANNEX 4 - PLANS**

As attached.







- Key:
- Consumption of Alcohol
  - Sale of Alcohol
  - Regulated Entertainment
  - Consumption of Late Night Refreshment
  - No Licensable Activities
  - Late Night Refreshment
  - Consumption of Late Night Refreshment