

## Representations re The Bull @ Burford

### **I. Carolyn Walton**

I live in [REDACTED], and have done so for over 25 years, my parents living in my house before that.

My bedroom window looks down over Swan Lane towards Witney Street. We hear noise (if any) from the back gardens of the High Street and Witney Street easily in the summer months.

I object to aspects of this licensing application on the grounds of:

- (i) public nuisance,
- (ii) noise pollution,
- (iii) light pollution,
- (iv) potential anti-social activities and
- (v) unpleasant odours

Burford is a small medieval market town, busy during the day, but very, very quiet at night. People live and visit here to enjoy the beauty and tranquillity, peace and quiet of a small Cotswolds town set in a designated Area of Outstanding Natural Beauty in the Windrush Valley. They do not come or live here for an exciting night time experience, save to relish the peace of the night, hear the night bird life and observe the stars.

The Bull has been a pub, a pub/restaurant with rooms, and a coaching inn for hundreds of years. It is set in the heart of the town very closely surrounded by residents' homes, their courtyards and gardens. Throughout time the Bull has met the needs of visitors and locals to Burford without extended licensing hours and use of the land at the back for outside entertainment.

Extension of outside use.

The present licence states: "Entertainment is to be held internally only and no music or speakers shall be provided to external areas of the premises" and is sufficient for

owners and managers of The Bull to satisfy their customers, and should be maintained. Extension of the license to allow entertainment of any nature to the external area will cause a nuisance to both local residents and visitors staying in other visitor accommodation. The use of the outdoor area must be restricted. And, for the avoidance of doubt "outdoor area" includes any covered area with wide open doors or French windows, tented areas, the paved area in front of the Bull, and the old coaching area with the right of way through it. The reason for this is that entertainment necessarily involves both noise and light. Both disturb late in the evenings and at night. We had direct experience of this when Wisdom House was hired out to groups of people for weekends and had a "hot tub" in the garden. My husband and I were disturbed by the laughter and shrieks of the visitors as they used the hot tub in the evenings. Sound carries up and we are uphill from the back of The Bull. One expects to tolerate the infrequent party held by neighbours, but not evening/nightly activities as envisaged by this application. Many of the residents of Burford are elderly and go to bed early.

If despite concerns of the neighbours and myself the application is allowed for use of the outdoor areas then conditions must be imposed so that noise and light pollution will cease at 10 pm, not as the current application envisages, 11 pm. And that any lighting that is approved be soft down lights that keep interference of the darkness of the area at night to a minimum.

The use of the Bull for weekend weddings, stag nights and hen nights, if allowed at all, should be restricted to infrequent occasions so that residents get some rest bite from the noise and smell disturbances and light pollution.

Internal use

The request for the Bull to provide food and drink inside on a 24 hour basis may well result in the use of the kitchens with noisy extractor fans and odours. Such use should be limited in time such that such equipment is not used at night, but the type of food and drink provided not require noisy and smelly equipment.

## **2. Lucinda Hart**

I am a resident of Burford and am highly concerned at the likely Public Nuisance which will be caused by the hotel lighting and noise from The Bull. This added noise and light, to an otherwise peaceful area, will bring with it risks of Stress, Inability to sleep properly at usual hours and, as a result, Mental Health suffering.

The sites are too close to residents not to have an effect unless the noise and lighting is strictly limited and controlled.

The grade 2 and grade 2\* listing means that residents will not be able to reduce the noise inside their homes by secondary or double glazing and will be very vulnerable to the noise even inside their houses.

The gardens nearby risk noise and light pollution and damage and loss of wildlife in the middle of the Burford Wildlife Gardens area.

We hope the Council will take action to protect the residents against this risk of substantial Public Nuisance.

### 3. Dr K W Gray CBE

I am a resident of Burford living on the [REDACTED].

Burford is very small town with a High Street that is a closely intermixed and medieval mixture of houses, retail and hotels. Burford High Street has the highest percentage of and High Street in the UK, 93%, and thus needs special protection.

I am writing to object to elements of this application on the grounds that, if granted, the permitted activities are highly likely to cause a public nuisance particularly to nearby domestic properties.

#### **Aspects of the application relating to external activities**

The aspects of the licensing application which relate to the external parts of the Bull's premises must be considered in the context of The Bull being surrounded by residential properties with gardens or courtyards which either abut or are very close by.

The Bull's outdoor areas. Many of the neighbouring buildings are listed and are not permitted to install double glazed windows.

The current license condition of The Bull (namely "Entertainment is to be held internally only and no music or speakers shall be provided to external areas of the premises") reflects the reality of the hotel activity adjacent to residences all around it, and it is crucial for the well-being of residents and their guests that this condition is retained. For clarity, external areas should include the gardens (whether or not in a tent), any pavement area licensed on the High Street frontage and the area through which there is a public right of way between the High Street and Witney Street.

Hotel guests can access the external areas of the premises and should note the condition accepted by the applicant that any outside seating area be closed daily at 23:00hrs. From Sunday to Thursday this time should be reduced to 22.00.

There should also be lighting conditions as neighbouring gardens should not have significant light pollution in an area of the town which is unlit at night. The condition should require the use of down lighters closed off when the gardens were closed.

A further condition should be imposed that weddings and functions that use external spaces should not be held on consecutive weekends, giving neighbours some peace.

#### **Aspects of the application relating to internal activities**

I raise no objection to the elements of the license application relating to activities within the buildings on The Bull's premises except for one issue: The noise and smell of extractor fans, especially at night, which should have a low noise level. I note Westminster Council have this covered and WODC should follow suit. This should be a condition and not wait for the public nuisance reporting method.

### 4. Mr and Mrs Burnside

Thank you for your letter concerning the recently renovated hotel in Burford, renamed Bull.

We would like to add the following comments in response to the information your recently sent to us.

Firstly, we wish the opening of the hotel / restaurant great success. We are sure it will be an asset to the town. However, we are now concerned about the 24 hour food and alcohol licences and all the disruption it would bring.

We live in Witney street, where the parking is difficult at the best of times (especially as residents parking is not possible. We have written to Town Council in the past to request this and it was dismissed much to our dismay. Many other people would also like residents parking in Burford. There are many in Witney Street!

We fear that the proposal of the 24 hours licences, would only make parking a lot worse.

We have put up with all the work vans etc. on a daily basis during the renovation. It caused parking problems during the day. Therefore all the extra vehicles from this 24 hour licence would have a major effect in Witney street and other parts of the town.

The increased noise and light pollution after the usual 11.00pm closing time ( which all the other pubs and restaurants adhere to), would be of great concern to us and many residents who live close by.

We are aware venues can apply for licence extensions on special occasions i.e Christmas parties and weddings etc., but to be given a 24-hour permanent licence is, to repeat again, definitely NOT acceptable.

### **5. Jonathan Hart**

I am a resident of Burford and am writing to express my grave concerns about the application to vary the premises licence for the Bull here in Burford.

I believe the variation, if granted, will become a public nuisance to the residents of Burford for the following reasons.

1. There will be increased noise in the vicinity of the Bull from outdoor drinking and events which will inevitably create excessive disturbance and distress to the community, in what is currently a tranquil residential area.
2. The 24 hour alcohol licence will cause this increase in noise and disturbance to extend well in to the night – particularly during the summer months – with the very real potential for anti-social behaviour as customers come and go at unpredictable hours.
3. There will be significant noise from waiting taxis, cars of customers and the like who keep their engines running, and the slamming of car doors in what is a very peaceful and quiet street.
4. The events proposed will create further public nuisance with visitors from outside Burford unaware or unconcerned about existing residents' way of life.
5. There could potentially be a drastic change of shape for the town which could drive the transformation of the town from a pleasant place to live, to one where residents face anxiety from the public nuisance impact of a variation.
6. The proposed 24 hour licence will create food smells and disturbing noise from the kitchen fan for long periods during the night.

### **6. Patrick Heininger**

I was surprised to learn that The Bull is applying for a 24 hour alcohol licence, a 24 hour food licence, speakers to play music outside until 23.00 and the right to have outdoor events and weddings until 23.00. The outdoor area concerned is adjacent to homes.

These requests are not aligned with Burford's character as a quiet rural town. While it can be busy with tourists during the day, by 5.00 or 6.00 pm it is very quiet.

I object to:

- outdoor speakers in this location
- any alcohol or food licences that terminate later than the average for existing hotels and pubs
- any permission for outdoor events or drinking that would cause disturbance to neighbouring houses after 22.00.

Thank you for your consideration.

## 7. Christine McMaster

I am writing to you to make representation regarding proposed changes in the Variation of Licence application which was made by the Solicitor Agent acting for the Bull Hotel Burford Limited on 28th November 2022 and advertised on Page 29 of the Witney Gazette on 21st December. Applicant's Reference DC/CB/2039745-1. I am a resident of Burford, living very close to the Bull Hotel, 105-107 High Street, Burford. My primary concern, and I believe the issue that will adversely affect neighbouring residents, is the damaging effects of noise from the Bull Hotel if the Variation to Licence is accepted. Specifically, I believe that the application to play music externally should not be permitted, nor should the Council accept playing music in an externally situated tent be considered as acceptable. Whereas the original planning application (submitted April 2021) along with the current licence (Licence No. Prem/187) held by the Bull Hotel, was rightly approved by West Oxfordshire District Council in October 2021 (21/01408/FUL), the changes now being proposed by the applicant in the Variation of Licence should be considered as unacceptable by the Council because they are contrary to specific requirements set out in the West Oxfordshire Plan 2031, particularly Policy EH8. Policy EH8 in the 2031 Plan states that "*Housing and other noise sensitive development should not take place in areas where the occupants would experience significant noise disturbance from existing or proposed development. New development should not take place in areas where it would cause unacceptable nuisance to the occupants of nearby land and buildings from noise or disturbance.*" The original plans for development submitted by the Applicant in April 2021 were consistent with EH8 policy because the plans for the external area were for a Spa Garden. These plans detailed and illustrated an environment that conveyed the strong impression that the hotel's aim was to create a peaceful area of well-being. Local residents were pleased to support this plan. We believed there would be little noise from a Spa Garden and it would complement the town's tranquil character and the nearby garden of the Friends' Meeting Place. In our view the recently submitted Variation to Licence will result in a serious noise nuisance, the complete opposite to the original planning application. The main variations that I believe are unacceptable are as follows: 1. The Applicant's request to play music externally. The Applicant requests: "*There is a condition permitting only internal entertainment and prohibiting speakers in external areas at the premises and the application asks for that condition to be removed. It would be proposed that any external music* I Christina McMaster The Brewhouse PyT's Lane Burford OX18 4SJ Tel: 07557 054204 Email: chrisDnamusic@me.com To: Ms Andrea Thomas Planning Officer West Oxfordshire District Council 3 Welch Way Witney OX28 6JH Sent by email *would conclude by 23.00 hours.*" I reject this. To ensure that the Licence is consistent with the principles established in the West Oxfordshire Plan 2031, we ask that the Licence only allows recorded music to be played internally. 2. The Applicant's request to define a tent as being 'inside'. See section 9 of the Application, in which the Applicant states that "*inside may include a tent*". It should be clear that playing music inside a tent but located outside will still create as much noise as if the music was being played outside. It should be noted that if this part of the Application is accepted then the Applicant will be able to play music until 2400 hours within the tent. 3. The request to play recorded music from 10.00 hours. See section 3 and section 9 of the Application. The Applicant requests: "*It would be proposed licensed hours for non-residents would remain the same save that recorded music be extended to commence at 10.00 hours rather than 20.00 hours.*" Section 9 makes it clear that the Applicant seeks that

recorded music can also be played externally as well as internally from 10.00 hours. I submit that music should only be played internally (excluding a tent) from 20.00 hours. It seems that whereas the original planning application is consistent with The West Oxfordshire Plan, Policy EH8, when the latest Variation of Licence is considered alongside the Applicant's plans then this would be contrary to Policy EH8 because the noise and disturbance that would inevitably result from the change in the licence. I also ask the Council consider and reject the Application for Variation of Licence because the Council will be mindful of its own Statement of Licensing Policy 2013, clause 7.3.6, taking note that: "*Different approaches to prevention of public nuisance will apply to a premises licence application for regulated entertainment, given the nature of the activities, and special circumstances that can arise in relation to those activities, for example (a) longer hours of operation; (b) noise pollution issues;.....*" More generally, clause 7.3.7 also states: "*Noise nuisance can adversely affect residents living near to licensed premises or business premises in their vicinity if measures taken to deal with noise are inadequate.*" By refusing to accept the request to play music externally (or in a tent) then the Council will considerably reduce the noise nuisance potential for nearby residents. Finally, consideration should be given to the fact that the playing of music externally along with the possible location of tents with incorporated lighting could affect Clause 4 and Clause 6 of the Council's approval of the Planning Application 21/01408/FUL, because of the potential impact on bats and birds. I would appreciate it if you can keep me fully informed regarding the Council's consideration of this Variation of Licence and any representations or meetings where the public may attend to explain our position.

### **8. Caroline Heininger**

I am writing to object to the application by The Bull in Burford for a 24 hour food and alcohol licence. This is not an out of town establishment with few local residents but a town centre venue surrounded by residential properties.

To grant permission to serve food and alcohol for 24 hours a day and to allow outside music as well will create a major disturbance. The fan alone from a kitchen working into the small hours will cause a disturbance, not to mention partying late into the night. Yes, of course guests should be able to enjoy themselves but in the right location. Who will enforce any infringement of noise levels? I think the concerns of residents should be taken into account not just commercial interests

### **9. Ruth Jennings-Day**

(representing Burford Quaker Meeting)

My husband and I are residents of Burford. I am writing on behalf of us both to object to this application on the grounds that, if granted, the permitted activities would cause a public nuisance.

I have lived in the town for 40 years. Throughout that time I have been a member of Burford Quaker Meeting and a regular attender at their Meetings for Worship held every Sunday morning at the Meeting House which stands in close proximity to The Bull on Pytts Lane. We have particularly valued the peace and quiet which that location provides and which is so important for the holding of our Meetings. The current license condition of The Bull states that: "Entertainment is to be held internally only and no music or speakers shall

be provided to external areas of the premises" has served Quakers and the whole community well and it is crucial that this condition is retained.

If, regrettably, this existing condition is removed, please impose new conditions:

- that a quiet environment is preserved on Sunday mornings until 1pm for the Quaker Meetings that take place during that time.
- that "Use of the garden area for weddings and functions where regulated entertainment is being provisioned shall not be held on consecutive weekends" (as requested by WODC Environmental Health Officer) so that local residents have some respite.

### **10. Susan Ashton**

As a resident of Burford, living at [REDACTED] and a Member of Burford Quaker Meeting situated in Pytts Lane, I am writing to object to this application on the grounds that, if granted, the permitted activities would cause a public nuisance.

I was born and grew up in Burford, originally living in [REDACTED], adjacent to The Highway Hotel) and have been an attending Burford Quaker Meeting over the years since then. The Meeting has enjoyed a peaceful environment over that time even in the middle of Burford and with the Bull as an active hotel. The current license condition of The Bull (namely "Entertainment is to be held internally only and no music or speakers shall be provided to external areas of the premises") has served the community well and I strongly urge that it is retained.

If the existing Condition is removed, then please impose new conditions:

- that "Use of the garden area for weddings and functions where regulated entertainment is being provisioned shall not be held on consecutive weekends" (as requested by WODC Environmental Health Officer). At least this would provide some respite on alternate weekends.
- that a quiet environment is preserved on Sunday mornings until 1pm for the Quaker meetings that take place then.

### **11. Gabriele Schotten**

I am a direct neighbour to the Bull Hotel, living and working in our Antiques shop to the front and residential premises to the rear of [REDACTED]. Our living accommodation is immediately next to the Bull and so is our garden. I am attaching a photograph to this email. The back of the High Street is very quiet and tranquil. As the WOT plan states – the town is highly attractive, remarkable unspoilt and with rural character.

I am objecting to the use of the Bull garden 24/7, playing music, serving food and alcohol. Our bedroom is only meters away from the Bull garden and so is our garden. We have no double glazing (Grade 2 listed building) and like most people we like to sleep with the windows open.

Obviously, Hotel guests should be able to access external areas, but there must be a limit to this, to allow undisturbed nights for the neighbouring residents.

Therefore, the garden should be vacated by 23:00 during the weekend and 22:00 during the week.

Also, a concern is the kitchen extractor fan. This can be extremely noisy and smelly. The extractor fan should be switched off by 22:00 at the latest.

The lighting of the garden should be down lighters and should also be turned off at 23:00 at the weekend and 22:00 during the week which is when the garden should be vacated.

I would like to object to the proposed variation to the current license on the grounds of public nuisance

Thank you for considering my objection.

### **12. Matthew Walker**

My family have been fortunate to own [11-113 High Street, Burford] and the area and buildings to the rear for over a 100 years and we are keen to preserve and maintain these historical buildings and provide a pleasant environment for all those who live and work there.

There are three flats on the first floor of the properties and a house to the rear. The rear of our property adjoins the Bull Hotel and three of the four dwellings have windows looking out to the rear of the Bull Hotel. In addition, we have encouraged local businesses to use the old buildings in the rear area. These include a wedding dress maker, a chiropodists clinic and an antique dealer. They also all have windows looking on to the rear of the Bull Hotel. On behalf of the occupants of the above properties, I would like to object to the proposed variation to the current license on the grounds of public nuisance. The use of the area to the rear of the Bull Hotel for eating, drinking and playing music will greatly impact on the lives of people living and working nearby, especially late in the evening for neighbours trying to sleep! I would have thought that as the Bull Hotel has been trading perfectly well for many years with the current license arrangements, why is there a need to change them? But if they do have to be altered, could the hours be restricted? This also applies to the use of any mechanical extractors used for cooking. At least this will make life for the neighbours less unbearable.

### **13. Shirley Balmond**

We own [redacted] on [redacted]. It is our second home and is also a holiday let. The left hand side of our cottage borders the present car park of the hotel. For seven years we have lived along side the hotel very quietly and happily, with no problems.

The new owner has proposed various changes which will be detrimental to the peace and quiet of the neighbourhood, ie a public nuisance, in particular the proposal of using loud speakers to pump out music in the external areas of both garden areas. One of our bedrooms on the side of the house overlooks an external area. We will be disturbed by the music.

A proposal of external music should be vetoed at all costs in such a small area and in the heart of a residential area. It is simply not necessary in a hotel that has restaurants and receptions able to cater for music within its premises.



**14. Manfred Schotten**

I am a direct neighbour to the BULL Hotel, living and working at [REDACTED]  
I would like to object to the proposed variation to the current license on the grounds of public nuisance



## **1. OUTSIDE MUSIC licence 10 am to midnight – at the front and rear**

I propose that there should be no outside music at all.

Our bedroom and garden are only a few meters from the Bull garden, because by adding 107 High Street to the Bull. The garden for 107 High Street has not been used before.

There are 3 flats and 1 cottage in Castles yard. At the end of the yard is also the Quaker meeting house.

Their windows all face the Bull garden. We are all working and an undisturbed night's sleep is important.

The same goes for the front – our shop is right next to the new entrance to The Bull – we have a bedroom to the front and showroom/drawing room upstairs facing the High Street. Piped music would be very disturbing.

## **2. Refreshments inside and outside**

There should be a restriction to the use of the kitchen extractor fan which I am certain, will produce noise and smells. The extractor fan should be switched off by 10pm

Our property has no double glazing – Grade 2 listed building (and in any case we and most people sleep with open windows).

Therefore I propose that outside activities should be limited at the weekend to 11pm. During the week 10pm

## **3. Light pollution.**

I am very worried about permanent lights in the garden and security lights going on and off. Also, any lighting should be down lighters.

## **4. Weddings and other Functions**

The use of the garden area for weddings and functions where regulated entertainment is being provisioned, shall not be held on consecutive weekends.

I hope you will consider my objections and concerns on the grounds of public nuisance.

## **15. Reg and Dorrit Marshall**

We write with regard to the application to vary the Premises Licence listed above.

We are extremely concerned that any change to the existing permissions will lead to unacceptable noise levels, especially externally and that the changes to the licence will result in clients at the premises spilling into the street, both during the licenced hours and beyond. Smokers often congregate outside licenced premises in the town, and often cause a nuisance late at night.

Burford is a small town, beautifully quiet in the evenings when there is little traffic and the day tourists have left. It would be such a pity if extending the licence at The Bull impacted negatively on the town and its quaint character.

We ask you take our above comments into consideration when reviewing the application.

**16. Christine Risebero**

We live at [REDACTED] and our garden adjoins that of the Highway Inn. I would like to lodge my objection to the application to vary the premises licences for the two named hotels, particularly for the Highway Inn. My objection falls under the heading of Public Nuisance.

We have lived next to the Highway Inn for 7 years and have been allowed to enjoy the peace and quiet of all the residential gardens behind these Inns with the present licences in place. It may surprise you to learn how residential it is behind the very noisy High Street. We believe that any music played at the back of the Highway and in the courtyard during the day and late at night will cause a public nuisance for us all. The Bull is further down the hill, but music carries over long distances and the two Inns playing music at the same time would be intolerable. Increased numbers of arrivals, departures and diners will add to the noise, all speaking loudly over the music. Many of us are very distressed by this prospect, when we thought we were coming to live in a unique Medieval town. We find we could be living in the middle of a party culture. The public come to Burford to escape from the noise of the 24 hour economy of major cities and it is our unique Medieval heritage that many people come to enjoy.

Many of us have created wildlife gardens, and the ancient Friends Meeting House between The Bull and Highway on Pytts Lane has a garden registered with the Quiet Gardens movement where people can come and sit in peace and quiet contemplation.

You say in your recent communication that the Highway Inn is just asking for an increase in hours for what they were doing already. Music in the courtyard is completely new, as is out door dining at the front and back until midnight. You say they will ask people to leave quietly, but car doors and engines cannot be quiet and night time voices, fuelled by alcohol, carry a long way.

I believe that this extension of licensing hours will cause much distress and a Public Nuisance

**17. Peter Martin**

I write to object to the request to allow recorded or any live music to be played outside The Bull at any time.

The Bull is closely surrounded by residential homes in a small, quiet Cotswold Town in an Area of Outstanding Natural Beauty, and what is being proposed, if accepted, would be a totally unacceptable public nuisance.

**18. Walter and Judy Meisenkothen**

Thank you for your considered reply to my e-mail of yesterday.

Having studied what you have said, my husband and I still wish to object to the Variation Application for the Bull at Burford as regards OUTDOOR MUSIC. Our objection would, from what you have said, come under Point 4 of the Licensing Objectives – ‘Preventing Public Nuisance’ under the heading of NOISE.

Outdoor music in a residential area 7 days a week until 23.00 is simply unacceptable – be it at the front of the building or at the rear. Disturbing sleep patterns on a constant basis in a close residential area is positively anti-social.

I hear what you say about your not being able to take other venues in the town into account – but we feel very strongly that you should. Precedent comes with great risk – and in a town like Burford with 10 pubs or hotels that risk is very real.

**19. Nigel & Penny Barraclough**

The application to permit music to be played externally at the front of the premises must be refused. The High Street is a public thoroughfare and passers-by should not be subject to unwanted noise.

The application to permit music to be played externally at the rear of the premises should:-

EITHER be refused outright because of the potential adverse effect on neighbouring residential buildings

OR be granted subject to strict decibel limits so that guests are able to hear the music but without neighbouring residential buildings being affected. If at any time it is found that neighbouring residential buildings are being affected, then the licence to play music externally must be revoked. Furthermore the applicant states that external music will cease at 23:00 and, if this proves not to be the case, then again the licence to play music externally must be revoked.

Parking is limited at the Bull meaning guests will inevitably park in nearby streets and will create noise from closing car doors, starting engines and driving away to the detriment of local residents.

**20. Ms C Agg**

I do not think there is need for the  
Bell to be open 24 hrs a day - out door  
music etc, this will change a fairly  
quiet part of Burford, we are not  
like the middle of London needing  
entertainment from morning to night.

Parking is bad enough now in my  
street, it can only get worse