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Date: Monday, 16 November 2020

Governance Support
Town Hall
Castle Circus
Torquay
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Dear Member

LICENSING SUB-COMMITTEE - THURSDAY, 19 NOVEMBER 2020

I am now able to enclose, for consideration at the Thursday, 19 November 2020 meeting of the Licensing Sub-Committee, the following reports that were unavailable when the agenda was printed.

Agenda No	Item	Page
5.	Rock Garden, 40 - 44 Swan Street, Torquay	(Pages 2 - 10)

Yours sincerely

Lisa Antrobus
Clerk

Garden Noise Management Action Plan and Staff Responsibilities

The garden is to be closely monitored by all staff with the manager on duty responsible for signing the garden monitoring sheet after every check.

All staff be it wait staff, glass collectors or bar staff are duty bound to report any louder patrons to the manger on duty so they can be warned about acceptable noise levels.

Before opening the manager must ensure that the CCTV is operating with both audio and visual and recordings are kept for a minimum of 14 days which will be refereed back to should there is an incident or complaint recorded.

At 23.00 Friday & Saturday (22.00 Sun-Thurs) the garden is to be closed and both sets of front doors are not to be hooked open but to be set to self-closing to keep noise leakage to a minimum. These doors are to be constantly monitored to ensure they stay closed and the manager on duty is responsible for signing the garden closed sheet

Decibel levels are to be frequently monitored (occasionally during quiet times or when there are few people and every few minutes when the garden is busy and action taken if this reaches above 70db

All empty glasses are to be carried on trays to reduce the noise from them touching in transit

A member of the door staff team is to be responsible for the garden and to remain in the garden (Friday & Sat) 20.00-23.00(or Close) to keep a count on numbers, record decibel reader figures and to ensure all behaviour and noise is of an acceptable level as well as to ensure the garden is closed on time.

Patrons will be warned about their level of noise by way of signage. If they need to be warned about noise levels they are to be referred to the signs both on entry to the garden as well as the numerous wall signage that indicate for customers to 'Please respect our neighbours'. Those who fail to adhere to warnings about their noise levels are to be refused further service and asked to leave. Excessive noise levels are not to be tolerated.

Before live music starts the manager on duty must ensure that the garden doors are not hooked open to prevent noise leakage.

The garden is to be completely shut and empty by 23.00 (22.00 Sun-Thurs) with no exceptions and patrons in the garden advised of this 30 mins beforehand.

After 23.00 (22.00 Sun-Thurs) the garden is not to be returned to, even for the purposes of cleaning.

Door staff are to monitor patron noise levels at the front of the building and to guard against any excessive noise or behaviour in this vicinity as well as to ensure the designated smoking area is used and used by a maximum of 10 patrons.

The duty manager is to be informed of any major disturbance or incident so that it can be logged, action taken and preventative measures taken.

Garden fire exits are to be closed at all times to ensure all patrons must enter and exit the establishment through the front doors to enable correct policing.

Garden Noise Monitoring

Friday : 2.10.20

Time periods	19:00	19:30	20:00	20:30	21:00	21:30	22:00
Average	45	47.8	46.4	47.3	48.4	close	
Max	48.8	54.5	46.8	62.7	55.1		
Contact from SQ?							
Time of contact							
Description							

Saturday : 3.10.20

Time periods	19:00	19:30	20:00	20:30	21:00	21:30	22:00
Average	46.9	48.2	48.4	47.2	47.9	close	
Max	48.2	50.4	53.5	47.4	50.0		
Contact from SQ?							
Time of contact							
Description							

Friday : 9.10.20

Time periods	19:00	19:30	20:00	20:30	21:00	21:30	22:00
Average	49.5	48.8	54.3	45.7	44.9	close	
Max	51.3	56.0	52.5	47.2	48.2		
Contact from SQ?							
Time of contact							
Description							

Saturday : 10.10.20

Time periods	19:00	19:30	20:00	20:30	21:00	21:30	22:00
Average	54.0	53.4	52.8	54.4	54.4	close	
Max	59.6	58.5	55.1	60.7	57.2		
Contact from SQ?							
Time of contact							
Description							

Garden Monitoring - Week commencing: 28.9.20

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
11.00		K		P	K		
11.30		K		P	K		
12.00		K		P	K		
12.30		K		P	K		
13.00		K		P	K		
13.30		K		P	K		
14.00		K		P	K		
14.30		K		P	K		
15.00		K			K		
15.30		K			K		
16.00		K			K		
16.30		K			K		K
17.00		K			K		K
17.30		K			K		K
18.00		K	✓		K		K
18.30	K		✓		e		K
19.00	K		✓		e		K
19.30	K		✓		e		K
20.00	K		P		e		K
20.30	K		P		e		K
21.00	K		P		e		K
21.30							
22.00							
22.30							
23.00							

	0 NOTE	0.00	0.00	20.0% 6
	Camera with audio record should be delivered Tuesday 22nd September. Will then be installed.			

£120.00 extra to be invoiced separately as agreed with Neil for 4 x HiLook HD Cameras

Many thanks for your custom

SUBTOTAL	803.16
VAT TOTAL	160.63
TOTAL	963.78
BALANCE DUE	£963.78

BACS Payments only:
Sort Code
A/c No.

FTS PAYMENT TERMS:
PAYMENT IN FULL ON RECEIPT OF INVOICE
We reserve the right to add 10% per week or part thereof to any outstanding invoices. Title and ownership does not pass to the purchaser until full payment has been received.

VAT SUMMARY

VAT @ 20%	160.63	803.15
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GARDEN MUST BE CLEARED & CLOSED BY 23.00!

(22.00 Sun-Thurs)

Management are to regularly check the garden to ensure all patrons are behaving in a respectful & responsible manner to keep any potential noise disruption to a minimum

Management signature for the 23.00 closure of the garden(22.00 Sun-Thurs), the closure of all lobby doors & setting up of the smoking area at the front of the building

Monday	-	[REDACTED]
Tuesday	-	[REDACTED]
Wednesday	-	[REDACTED]
Thursday	-	[REDACTED]
Friday	-	[REDACTED]
Saturday	-	[REDACTED]
Sunday	-	[REDACTED]

After 23.00(22.00 Sun-Thurs),the smoking area at the front of the building is to be regularly checked by management & limited to 10 people

Jon Dunkley

From: Rock Garden
Sent: 13 November 2020 12:23
To: Jon Dunkley
Subject: Fwd: Crime Figures/DPS

On Thu, Oct 1, 2020 at 1:45 PM Rock Garden wrote:
Hi Julie

Thank you for the kind words. Will always try our best to help out where we can. We've recently spent £1000 on new cameras and we had 4 HD ones put in. I had one placed looking up at the top of the swan street slope as I have had a couple of officers say thats a blind spot (or it often faces the other way) for fleet street. There was an incident near where we put our sign the other week (not customers from here just on Fleet street) and the guys popped in to see if by any chance ours could pick anything up. They didn't at that time but following the install last week we have now redirected it to have increased coverage up there should it help out in the future.

Thanks again Julie

On Thu, Oct 1, 2020 at 1:34 PM SMART Julie 50403 wrote:

Hi David

Yes it will be positive, explaining that the crime figures are excellent which demonstrate the premises is being run in a professional and responsible way, and that whenever I have spoken to you you have always demonstrated that you are keen not to cause any issues, will put suitable measures in place and are trustworthy or words to that effect.

Julie

From: Rock Garden
Sent: 01 October 2020 12:25
To: SMART Julie 50403
Subject: Re: Crime Figures/DPS

Hi Julie

Thanks for the information.

We have been given the official documents so its been confirmed.

Can you give me an idea of how your representation will be?

Thanks Julie

On Tue, Sep 29, 2020 at 10:40 AM SMART Julie 50403

> wrote:

Morning David

Thanks for your email. I've had a look at the crimes recorded for the Rock Garden and prepared the attached for your information.

At the moment it doesn't appear that the residents have submitted a Review application, but if they do I will be consulted as part of the legal process. Once I get notified I will make a representation submitting the attached crime figures and an overview of how I think the premises is managed, which I think will look better rather than me supplying the information to you for you to present. It also means that I can attend the hearing to speak if the committee have any relevant questions for me. Hope that is ok with you.

Kind regards

Julie

From: Rock Garden

Sent: 24 September 2020 18:48

To: SMART Julie 50403

Subject: Crime Figures/DPS

Hi Julie

Hope all is good with yourself.

Just hoping you might be able to do me a big favour. I'm putting together the response to the license review being called against us by our neighbour. One of the biggest issues I have with their points is in their wording the complainants are attempting to try and poetry 2 things. Firstly that I am an irresponsible license holder attempting to get round issues etc and secondly that our clientele are bottom of the barrel, swears, uncivilised 18 year olds.

I am just asking for your honest professional opinion on both points.

I was hoping low(if so)crime numbers will support our point on clientele as if they are that bad surely that would translate to higher reported crime here.

We were under the impression that our crime figures here since operating are very low especially in comparison to other ensues and that our clientele is viewed as more 25-40 and not teenager drinkers.

I was also looking for your opinion as myself as DPS and feel we have always worked well and closely with yourselves and EHO to try our utmost to respect and endorse the licensing objectives. We have also won several BBN awards including best overall winner and community safeguarding.

Thank you for your time either way

David Walsh

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t: _____
a: _____
w: _____



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