

# Public Document Pack



## LICENSING COMMITTEE

**Date: Friday, 10 March 2023**

**Time: 10.00am,**

**Location: Autun Room - Daneshill House, Danestrete**

**Contact: Ian Gourlay 01438 242703**

Members: Councillors: M McKay (Chair), L Rossati (Vice-Chair), M Arceno, R Broom, N Chowdhury, J Duncan, B Facey, L Harrington, C Howells, G Lawrence CC, A McGuinness, L Martin-Haugh, C Parris and G Snell

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## AGENDA

### PART 1

**1. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

**2. MINUTES - 12 JANUARY 2023**

To approve as a correct record the Minutes of the previous meeting held on 12 January 2023.

Pages 3 – 10

**3. LICENSING APPLICATIONS - PROCEDURE**

To note the procedure for the hearing of Licensing applications.

Pages 11 – 12

**4. APPLICATION TO VARY A PREMISES LICENCE - TRANQUIL TURTLE**

To determine an application for the variation of a Premises Licence for The Tranquil Turtle, Symonds Green Lane, Symonds Green, Stevenage SG1 2HP.

Pages 13 – 108

**5. URGENT PART I BUSINESS**

To consider any Part I business accepted by the Chair as urgent.

**6. EXCLUSION OF PUBLIC AND PRESS**

To consider the following motions –

1. That under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as described in paragraphs 1 – 7 of Part 1 of Schedule 12A of the Act as amended by Local Government (Access to Information) (Variation) Order 2006.

2. That Members consider the reasons for the following reports being in Part II and determine whether or not maintaining the exemption from disclosure of the information contained therein outweighs the public interest in disclosure.

**7. URGENT PART II BUSINESS**

To consider any Part II Business accepted by the Chair as urgent.

STEVENAGE BOROUGH COUNCIL

## LICENSING COMMITTEE MINUTES

Date: Thursday, 12 January 2023

Time: 6.00pm

Place: Council Chamber

**Present:** Councillors: Maureen McKay (Chair), Loraine Rossati (Vice Chair), Myla Arceno, Nazmin Chowdhury and Graham Snell

**Start / End Time:** Start Time: 6.00pm  
End Time: 9.29pm

### 1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were submitted on behalf of Councillors Rob Broom, John Duncan, Bret Facey, Liz Harrington, Chris Howells, Graham Lawrence CC, Lin Martin-Haugh, Andy McGuinness and Claire Parris.

There were no declarations of interest.

### 2 LICENSING APPLICATIONS - PROCEDURE

All parties noted the procedure for the meeting which had been circulated with the agenda.

### 3 APPLICATION TO REVIEW A PREMISES LICENCE - LOUNGE 72, 70 HIGH STREET, STEVENAGE, SG1 3EA

The Committee considered an application for a review of the premises licence for Lounge 72, 70 High Street, Stevenage made by Police Sergeant Christopher Adshead on behalf of Hertfordshire Constabulary. The application was supported by Hertfordshire Public Health and by Stevenage Borough Council's Environmental Health Department. Representations were made by two interested parties, one supportive of the application and one supportive of the Licence Holder.

At this juncture, The Committee heard that, Mr Dadds, a solicitor acting for the Licence Holder had contacted the Council earlier in the day to request that the hearing be adjourned. Mr Dadds joined the meeting remotely by Zoom link with the Licence Holder who was audible, although not visible.

The Committee retired to consider the application for adjournment and decided to reject it. The basis for the adjournment application is summarised below, along with the Committee's reasons for rejecting it.

**Reasons for refusal of the adjournment application:**

The Committee considered carefully the application for an adjournment made on behalf of the Licence Holder and had taken account of the points made by all parties.

There were two grounds for the adjournment application:

- (a) That the Licence Holder had only instructed a lawyer to act on her behalf the previous day. Her lawyer needed more time to look at the papers and to represent his client properly; and
- (b) That the Police had not disclosed information to which the Licence Holder was entitled in order to respond to the case made by the Police.

In respect of ground (a) the Committee was mindful of the points made on behalf of the Licence Holder. However, it was also mindful of the public interest in prompt determination of review applications. It was also the case that adjournment and reconvening the meeting would involve a significant additional call on public resources. The Licence Holder had been made aware of the review since mid-November and had ample opportunity to instruct a lawyer at an earlier stage. On balance the Committee rejected this as a basis for adjourning the hearing.

In respect of ground (b). It was for the Police as the responsible authority requesting the review to decide what evidence to put forward. It was for Members to evaluate all the evidence and representations made. If the Committee decided that it did not have adequate information to decide it could request further information during the hearing, adjourning if necessary.

The application for an adjournment was refused.

Upon being advised of the Committee's decision, Mr Dadds stated that he and his client would withdraw from the hearing on the basis that he would be unable properly to represent her. The Zoom link was then terminated and the Licence Holder and her Solicitor took no further part in the review hearing.

At this juncture, the Committee, along with representatives of the responsible authorities present and support staff, withdrew to view the video footage put in evidence by the Police. Part of the footage was filmed at the "Chocolate Brunch" on 1 October 2022 and the other part showed CCTV footage of the stabbing incident on 22 October. The Police identified parties in the video and provided context but there was no discussion by the Committee or others of the footage during this part of the meeting.

On returning to public session, the Council's Licensing Officer presented a report to the Committee outlining the facts of the application.

The Licensing Officer advised that the grounds for the review brought by the Police fell under all four of the Licensing Objectives, prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and Protection of Children from Harm. Representations had also been received from Hertfordshire Public Health supporting the Police, and Stevenage Borough Council's Environmental Health Department

regarding noise complaints received from local residents.

The Committee noted further representations from a local resident and from the owner of a local business. The resident described concerns regarding noise and anti-social behaviour. The resident stated that he had attempted to speak to the manager/owner of the premises and had received unhelpful/rude responses. The business owner stated that the premises brought many visitors and business to his local food takeaway shop, that he often attended the club and in his opinion the venue was safe, and that the security steps in place were the best in the High Street.

The Licensing Officer advised that despite police attempts to work with the management of the premises, there had continued to be incidents of violence and disruption, most recently a serious incident resulting in possible life-threatening injuries being sustained by the victim of the attack.

The Chair then invited the Police to state their case.

The representative from the Police advised that this application by Hertfordshire Constabulary had been submitted following recent incidents which had occurred and were connected to the named premises. The Grounds for the review brought by the Police were summarised in relation to the Licensing Objectives as follows:

**The prevention of crime and disorder** – Evidence of multiple incidents of violence and disturbance, including a recent stabbing, within/outside the venue, by a customer or customers of that venue. Between June 2021 and November 2022, more than 50 calls have been received by Police to attend Lounge 72; many were for incidents of a violent nature. A summary of incidents and reports relating to this premises have been compiled and are included in the review application submitted by Police.

**Public Safety** – Allowing customers to drink to a state of inebriation, violence and disruption spilling out onto the public thoroughfare, knife crime outside the venue, involving customers exiting the venue.

**Prevention of Public Nuisance** – The serving of drunk inebriated people, disruption and violent disorder by customers within and on leaving the club, noise complaints from the public, traffic and crowd disruption on closure of the club (3am onwards), multiple complaints from members of the public to Police and Stevenage Borough Council Community Safety Team, relating to images and activities of an adult nature, filmed at the event at the premises on 1 October 2022, being circulated and causing alarm and distress.

**Protection of Children from Harm** – Incidents of indecency being allowed to occur and being captured on mobile phones, leading to their circulation on social media, likely to be available and accessible to children.

Despite attempts to work with the management of these premises by Stevenage Police's Community Safety Unit Sergeant and Licensing Officer there had continued to be incidents of violence and disruption which had raised serious enough concerns for the police to bring this action.

The Police advised that the situation at the establishment had recently caused public dissatisfaction and had been at the centre of a very serious incident which had resulted in possible life-threatening injuries being sustained by the victim of a knife attack.

This had added to the concerns around the history of the Club since its opening in Summer 2021 and as such Hertfordshire Constabulary was now applying for the revocation of the Alcohol Licence of Lounge 72.

The Committee heard detailed evidence from Police Sergeant Ayriss, who was present at the incident of disorder which had taken place on 16 April 2022. She described being called to the premises on that date along with a colleague, to find people coming from the premises to the adjacent alleyway. She said that a fight was in progress involving around 100 people. PS Ayriss said that she and her colleague feared for their safety and stood back to back to protect themselves. The incident spilled onto the High Street, with by now in excess of 150 people involved. Bottles were being thrown which PC Ayriss said could only have come from the premises. She recalled seeing someone with a significant eye injury and described the situation as “mayhem”. The incident was resolved when a significant additional Police presence arrived.

A representative of the Council’s Environmental Health Service spoke regarding noise complaints received and confirmed that action had not been taken because complainants had not kept diary sheets of any subsequent incidents.

Although the Licence Holder and her solicitor had withdrawn from the hearing, the Chair drew attention to the representations from the Licence Holder set out in the Agenda. The Chair stressed the importance of Members taking these fully into account in making a decision.

The Committee then withdrew from the meeting to determine the application. At the conclusion of that process, the Committee returned to the meeting to give their decision.

It was **RESOLVED** that the premises licence for Lounge 72, 70 High Street, Stevenage be **REVOKED**.

**REASON FOR DECISION:**

The Committee took careful account of all the material before it, including representations made by the Licence Holder. The Committee was disappointed that the Licence Holder and her solicitor had decided not to participate in the hearing.

The Committee approached with caution the summary of incidents submitted by the Police as little detail was given and the link between the incidents and the premises was not clearly stated. However, the Committee took account of the evidence given by the Police that the number of incidents in the vicinity of the premises made it an “outlier” in the High Street.

The Committee looked carefully at the incidents cited in more detail by the Police:

**16 April 2022** – The Committee accepted the evidence given by Police Sergeant Ayris regarding this incident. It was evidently a most serious incident of disorder and the Committee accepted the evidence of the Police Sergeant that it was linked to the premises.

**1 October 2022** – This was the occasion of the “Chocolate Brunch”. The Committee had seen video footage of this event which had previously been posted on social media. The Committee noted that this appeared to show drunken and indecent behaviour of a nature that was outside the terms of the licence. It noted that there was a difference regarding the role of management between the anonymous statement given and the account given by the Licence Holder. It was evident in the footage shown that there was no effective supervision of the event at which the Licence Holder was present. The Committee considered that it would have been difficult for staff to have been unaware of what was happening on the premises given both the size of the premises and the nature of the video footage. Responsible management would have ensured proper supervision and control of the event.

**22 October 2022** – This was the occasion of the stabbing incident. It was evident from the CCTV footage that insufficient control was being maintained over the door between the alley and the premises, with customers wandering in and out of the premises at will whilst the incident was taking place. This potentially put customers at risk and hindered access to the incident by emergency services. It was also apparent that the person identified as the Manager was not exercising the leadership role which would be expected of the most senior member of staff present.

**29 October 2022** – Fortunately, the person with the lock knife was apprehended by the Police before any trouble occurred. However, the Committee was concerned about the possibility of further incidents and the perceived need for a closure order.

**Environmental Health Evidence** – The Committee took no account of the noise nuisance complaints referred to by the Environmental Health Officer, as these had not been substantiated.

## **Conclusions**

1. The Committee concluded that the incidents referred to above meant that the operation of the premises did not promote, and were to the detriment, of the licensing objectives. Taking these in turn:

**The prevention of crime and disorder** – Detriment to this objective was demonstrated by the incident of serious disorder on 16 April 2022 and the stabbing incident on 21 October 2022.

**Public safety** – Detriment to this objective was demonstrated by:

- The level of apparent inebriation of customers shown in the video footage of the event on 1 October 2022.
- The risk to members of the public by inadequate management of the door

during the stabbing incident on 22 October.

**Prevention of Public Nuisance** – Detriment to this objective was demonstrated by:

- The level of apparent inebriation exhibited by customers shown on CCTV of the premises at the event of 1 October 2022.
- Street brawling spilling from the premises on 26 April 2022.
- The nature of video footage taken at the event on 1 October 2022 and circulated via social media.

**Protection of children from harm** – The Committee was concerned that grossly indecent footage taken at the event on 1 October 2022 was circulating on social media and therefore could be accessed readily by children.

### **Appropriate action**

The Committee decided that action beyond words of advice or a warning was called for. It noted the steps already taken by the Police to ensure effective management of the premises. The Committee therefore considered the other options available to it. These were:

- To modify the conditions of the licence
- To exclude a licensable activity from the licence
- To remove the designated premises supervisor
- To suspend the licence for a period not exceeding three months
- To revoke the licence

The Committee did not consider that modifying the licence conditions would effectively ensure promotion of the licensing objectives. It considered at some length whether the exclusion of the sale of alcohol from the licence would suffice, given that it appeared that inebriation was a factor in the incident of 1 October 2022 and likely to be a factor in the other incidents. There was no evidence to suggest that removing the designated premises supervisor would address adequately the Committee's concerns. The Committee considered whether suspending the licence would be sufficient but had no confidence that suspension would lead to longer term promotion of the licensing objectives. The Committee therefore concluded that it was necessary and proportionate to revoke the premises licence.

The Premises Licence Holder would be reminded in the decision letter sent to them that there was a right of appeal to the Magistrates Court against the above decision. Such an appeal would need to be submitted to the Magistrates Court within 21 days of receipt of the Committee's decision letter.



4 **URGENT PART I BUSINESS**

None.

5 **EXCLUSION OF PUBLIC AND PRESS**

Not required.

6 **URGENT PART II BUSINESS**

None.

**CHAIR**

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## STEVENAGE BOROUGH COUNCIL

### LICENSING COMMITTEE

#### HEARING OF LICENCE APPLICATIONS – PROCEDURE

The Committee will apply the following procedure when considering Liquor Licence applications and Review applications to ensure adherence to the rules of natural justice.

1. The Committee Administrator will introduce the Licensing Officer, Responsible Authority representatives, interested parties and the Premises Licence Holder and any representative to the Committee. The Chair will introduce the members of the Committee to these parties.
2. The Licensing Officer will outline the reason for the hearing and report on the facts of the case. Members of the Committee, the Responsible Authority representatives and Premises Licence Holder (and/or representative) may ask questions of the Licensing Officer.
3. The Responsible Authority representatives may then state their case, calling any witnesses.
4. With the Chair's permission, Members of the Committee and the Premises Licence Holder (and/or representative) may then ask questions of the Responsible Authority representatives.
5. The Premises Licence Holder (and/or representative) will state their case, calling any witnesses they wish.
6. With the Chair's permission, Members of the Committee and objectors may then ask questions of the Premises Licence Holder (and/or representative).
7. The Responsible Authority representatives are then invited to sum up.
8. The Premises Licence Holder (and/or representative) is then invited to sum up.
9. The Responsible Authority representatives, Premises Licence Holder (and representative) and the Licensing Officer will then be asked to retire for the Committee to consider the matter and make its decision.
10. At the conclusion of its deliberations, the Committee will EITHER invite all parties to return to the meeting to deliver its decision OR inform all parties of its decision in writing as soon as possible after the meeting. In either event, reasons will be given for the Committee's decision.

#### **NOTES:**

- (1) **EACH PARTY WILL BE AFFORDED A REASONABLE AMOUNT OF TIME TO PRESENT THEIR CASE.**
- (2) **ALL PARTIES MAY ASK FOR CLARIFICATION OF ANY POINT AT ANY TIME IN THE PROCEEDINGS.**
- (3) **THE COMMITTEE ADMINISTRATOR AND COUNCIL'S SOLICITOR WILL BE PRESENT THROUGHOUT THE MEETING AND MAY ASK QUESTIONS AT ANY TIME TO ASSIST THE COMMITTEE.**

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Part 1 – Release to Press



Agenda item:

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**Meeting**                    Licensing Committee

**Portfolio Area**        Communities, Community Safety and Equalities

**Date**                        10<sup>th</sup> March 2023

**APPLICATION FOR A VARIATION OF PREMISES LICENCE – THE TRANQUIL TURTLE – SYMONDS GREEN LANE, SYMONDS GREEN STEVENAGE, SG1 2HP.**

**Authors**                    Alex Marsh | Ext. 2505

**Lead Officers**            Maurice Clay | Ext. 2175

**Contact Officer**        Alex Marsh | Ext. 2505

**1            PURPOSE**

1.1        To determine an application for the variation of a Premises Licence for The Tranquil Turtle, Symonds Green Lane, Symonds Green, Stevenage SG1 2HP. Responsible authorities and local residents have made representations against this application.

**2            RECOMMENDATIONS**

2.1        That the Committee reviews the evidence presented by the responsible authorities, local residents, and applicant (and/or representatives) and determines what action should result in respect of the Variation of Premises Licence application.

### **3 SUMMARY OF APPLICATION**

- 3.1 Greene King Retailing Ltd has applied for the variation of the Premises Licence for The Tranquil Turtle, Symonds Green Lane, Symonds Green. Stevenage SG1 2HP.
- 3.2 The variation proposes an amendment to the layout in accordance with the submitted plan. The main changes include new fencing, temporary scaffolding (including a cover over part of the external area), reconfiguration of the external area to include the external (drinks) servery, fixed seating, and the locations of fire equipment.
- 3.3 Further changes to the licensing conditions are detailed within the application.
- 3.4 There are no proposed changes to the hours of operation nor the hours during which licensable activities can take place.
- 3.5 This application was accepted as valid and duly made by the Council on 17<sup>th</sup> January 2023. A copy of the application is attached at Appendix A.

### **4 BACKGROUND INFORMATION**

- 4.1 The Tranquil Turtle is a licensed premises which operates as a restaurant/bar. The premises is situated in a semi-rural part of Stevenage. Although the premises are bounded by residential properties, they stand alone with no adjoining properties; they also stand back from the road. A location map is attached at Appendix B
- 4.2 The Premises Licence, which is currently in place, permits licensable activities including the sale of alcohol and the playing of recorded music to take place both inside the premises and in the outside area. A copy of the current premises licence and plan is attached at Appendix E.
- 4.3 As a result of the de-regulation of the Licensing Act 2003 by the Live Music Act 2012 no permission/licence is required for a performance of amplified live or recorded music between 08.00hrs and 23.00hrs on any day on a premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500 people, therefore any existing licence conditions which relate to live or recorded music remain in place but are suspended during these times.
- 4.4 The premises had previously operated as a pub called the Crooked Billet. Following renovation of the premises and the arrival of a new management team, the premises licence holder Greene King Retailing Ltd submitted an application for a full variation of premises licence on 11<sup>th</sup> October 2021, the application was to change the layout of the premises following the renovations with proposals to extend the supply of alcohol and late night refreshment (The provision of hot food and drink) Sunday to Thursday until 00.00hrs instead of 23.00hrs, and Friday and Saturday until 01.00hrs instead of 00.00hrs. The application also proposed to extend the opening time of the premises by 30 minutes and to remove five of the Annex 2 licensing conditions replacing them with nine clearer, more substantially worded, conditions. Following the receipt of representations from local residents the

application went to a hearing and the variation application was subsequently granted.

- 4.5 The Tranquil Turtle has been subject to multiple complaints relating to noise and public nuisance over the last 6 months. On 7th August 2022 the premises held an Ibiza music event outside which went on until 23.00hrs. Twenty noise complaints were received by Environmental Health and licensing from residents and Noise App recordings were provided. Both Licensing and Environmental Health visited the premises on 10<sup>th</sup> August 2022 to remind the Tenant and his team of their duty to promote the four licensing objectives, since, although they had been working within the conditions and timings on their licence, they had not sufficiently managed the noise levels for this event. Licensing team are aware that calls were made to the police regarding the noise levels at this event.
- 4.6 Licensing and Environmental Health visited the premises again on 13<sup>th</sup> October 2022, following the receipt of multiple complaints from local residents with regards to an outside music event which was held on 8<sup>th</sup> October 2022. Reports were received from residents living ¼ mile from the premises complaining of excessive noise, some residents expressed concerns that the premises were operating beyond the remit of their licence stating that the music had continued outside until 01.30hrs. The Tenant confirmed that guests were taken inside at 23.00hrs and entertainment continued inside. He said that customers were dispersed, and the premises closed at 01.30hrs, except for staff who were cleaning up. Licensing team are aware that calls were made to the police regarding the noise levels at this event.
- 4.7 During the meeting on 13<sup>th</sup> October 2022 the Licensing Officer observed some substantial changes to the structure and layout of the premises and the addition of a scaffold style structure and outside bar. There was therefore a change to the plan which was attached to the premises licence and an application for a variation of premises licence was required. It is this application which is the subject of the hearing today.
- 4.8 Whilst carrying out investigations into the complaints received, it has come to the attention of Licensing officers that there are three licensing conditions which are in place which are currently not shown on Annex 2 of the premises licence for the Tranquil Turtle, and this appears to have been the case since the granting of the licence following the variation application in October 2021. An investigation by the Commercial and Licensing Manager identified that the omission was due to human error. The three conditions are:
- No external regulated entertainment
  - External background music to be turned off at 21.00hrs
  - No external drinking after 23.00

Greene King have been advised of this error, and the three conditions will be reinstated, and an amended licence issued following the result of this hearing.

- 4.9 The Licensing Officer has undertaken a thorough audit of the premises, the current operation, and the licensing conditions. Despite the omission of the three conditions outlined in paragraph 4.8, and aside from the requirement for this application for a variation of a Premises Licence, there is no evidence that the premises have breached their licence, or the conditions attached to it. All Noise App recordings received with regards to events being held in the outside area seem to have been recorded prior to 23.00hrs, and therefore conditions relating to music prior to 23.00hrs are not enforceable.
- 4.10 Environmental Health continue their investigations into reports of noise nuisance

## **5 RESPONSIBLE AUTHORITIES**

- 5.1 Representations have been made by two Responsible Authorities, namely Stevenage Borough Council's Development Management and Environmental Health services. These are attached at Appendix C.
- 5.2 The Development Manager for Stevenage Borough Council, has concerns relating to the licensing objective 'prevention of public nuisance'. To summarise, The Local Planning Authority, in their representation, refer to Policy FP7 of the Stevenage Borough Local Plan 2011-2031 (adopted May 2019) that states all development proposals should minimise, and where possible, reduce air, water, light and noise pollution and have concerns with regards to public nuisance, that the use of the outdoor servery for the sale of alcohol in conjunction with the fixed outdoor seating area which is covered by the scaffolding structure is likely to give rise to a greater public nuisance to nearby residential properties.
- 5.3 The Commercial and Licensing Manager from Environmental Health also has concerns relating to the licensing objective 'prevention of public nuisance'. To summarise, Environmental Health in their representation are of the opinion that, at certain times of the year, when the outside area is in regular use, the Tranquil Turtle may affect residents due to outdoor noise levels from both music and people noise. Environmental Health have concerns that the scaffold structure will enable to outdoor area to be used routinely, as the premises' events could continue in all weathers and that it is therefore foreseeable that such activity could give rise to a statutory nuisance.

## **6 INTERESTED PARTIES**

- 6.1 Representations have been made by local residents; these are attached at Appendix C.



- 6.2 Local residents have concerns relating to the licensing objectives ‘public safety’ and ‘prevention of public nuisance’. To summarise, they consider that the scaffolding structure and covering may pose a risk to public safety and that increased use of the outdoor area, due to the provision of shelter, will likely give rise to a greater public nuisance to nearby residential properties.

## **7 IMPLICATIONS**

### **7.1 Financial Implications**

- 7.1.1 There are no financial or resource implications arising from the content of this report.

### **7.2 Legal Implications**

- 7.2.1 The Committee is advised that paragraphs 9.1 – 9.10 & 9.31- 10.10 of the Guidance under section 182 of the Act describe the powers of a Licensing Authority on the determination of an application.

- 7.2.2 The following options are available to the committee under section 35(4) (a) and (b) of the Licensing Act 2003:

- To modify the conditions of the licence
- To reject the whole or part of the application

### **7.3 Policy Implications**

#### **7.3.1 *Stevenage Borough Council Statement of Licensing Policy 2020 – 2025***

The following sections of the licensing authority’s statement of licensing policy apply to this application:

17.2 The Licensing Authority, in determining if the application for a review is relevant, will have regard to the current guidance issued by the Secretary of State under section 182 of the Act in so far as to whether an application is frivolous, vexatious or repetitious. Representations made by a responsible authority cannot be deemed as being frivolous, vexatious, or repetitious.

17.4 In instances where the crime prevention objective is being undermined, revocation, even in the instance of this being a first review of the premises licence, or club premises certificate, will be given serious consideration.

#### **7.3.2 *Revised guidance issued under section 182 of the Licensing Act 2003***

The Committee is reminded of the revised guidance issued under section 182 of the Licensing Act 2003. These particular sections are relevant to this review application:

The Review Process paragraphs 11.1 – 11.11

Repetitious Representations paragraphs 11.12 – 11.15

Reviews arising in connection with crime paragraphs 11.24 – 11.28

## **7.4 Equalities and Diversity Implications**

- 7.4.1 Any decision by the Committee is based on evidence before it at the meeting; there are no equalities and diversity implications.

## **7.5 Crime and Disorder**

- 7.5.1 The Committee is reminded of their duty under the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the authority's responsibility to co-operate in the reduction of crime and disorder in the Borough.

## **8 BACKGROUND DOCUMENTS**

- BD1 Licensing Act 2003
- BD2 Stevenage Borough Council, Statement of Licensing Policy 2020-2025
- BD3 Revised guidance issued under section 182 of the Licensing Act 2003

## **9 SUPPLEMENTARY INFORMATION**

None at the time of publish.

## **10 APPENDICES**

- A Application to vary a premises licence
- B Location map
- C Representations from Responsible Authorities
- i) Local Planning Authority
  - ii) Environmental Health
- D Representations from Local residents
- i) Amardeep & Jasvir Parmar
  - ii) Sue Wilks
  - iii) Ben Parker
  - iv) Philip & Mary Day
  - v) Carly Dron
  - vi) Susan Cope
  - vii) David & Anne Morgan
  - viii) Jeff Bullock
  - ix) Paul McMorrow
  - x) Mark Brown
- E Current Premises Licence & Plan

**Application to vary a premises licence 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/We Greene King Retailing Limited

*(insert name(s) of applicant)*

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

**Premises licence number: SBCL0136**

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description			
Tranquil Turtle Symonds Green Lane			
Post town	Stevenage	Postcode	SG1 2HP

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£46,000.00 (i.e., Band C)

**Part 2 – Applicant details**

Daytime contact telephone number			
E-mail address (optional)	licensingpp@greeneking.co.uk		
Current postal address if different from premises address	Westgate Brewery		
Post town	Bury St Edmonds	Postcode	IP33 1QT

**Part 3 - Variation**

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?  Yes  No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)  Yes  No

**Please describe briefly the nature of the proposed variation (Please see guidance note 2)**

This is an application to vary the premises licence to amend the layout in accordance with the submitted plan. The main changes include:

- New fencing
- Temporary scaffolding, including cover over part of the external area

Further changes have been applied for by way of a minor variation as follows:

- reconfiguration of the external area to include the external servery
- fixed seating
- locations of fire equipment

In relation to the external bar, we have also proposed to attach the following conditions:

- The external bar servery will only be used between the hours of 11.00 hours and 22.30 hours daily.
- The external bar servery will be supervised at all times when in use.
- The external bar servery will be inaccessible to customers when not in use to ensure they do not have access to any alcohol.

Should the minor variation application be refused for any reason, this application is to include the changes noted above.

There are no changes to the hours for operation nor the hours for licensable activities.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

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#### Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

- | <b>Provision of regulated entertainment (Please see guidance note 3)</b>                                    | <b>Please tick all that apply</b> |
|---|-----------------------------------|
| a) plays (if ticking yes, fill in box A)  | <input type="checkbox"/>          |
| b) films (if ticking yes, fill in box B)  | <input type="checkbox"/>          |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input type="checkbox"/>          |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)  | <input type="checkbox"/>          |
| e) live music (if ticking yes, fill in box E)   | <input type="checkbox"/>          |
| f) recorded music (if ticking yes, fill in box F)   | <input type="checkbox"/>          |
| g) performances of dance (if ticking yes, fill in box G)  | <input type="checkbox"/>          |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/>          |

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

**In all cases complete boxes K, L and M**

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<u>Please give further details here (please read guidance note 5)</u>		
Tue			<u>State any seasonal variations for performing plays (please read guidance note 6)</u>		
Wed			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Thur					
Fri					
Sat					
Sun					

**B**

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here (please read guidance note 5)</u>		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films (please read guidance note 6)</u>		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Fri			
Sat			
Sun			



D

<b>Boxing or wrestling entertainments</b> <b>Standard days and timings (please read guidance note 8)</b>			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<u>Please give further details here (please read guidance note 5)</u>  <u>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)</u>  <u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)</u>	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Tue					
			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Wed					
Thur					
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Wed			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 5)		
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 6)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sat					
Sun					

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 5)		
Wed			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 6)		
Thur			<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Fri					
Sat					
Sun					

1

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 5)		
Mon					
Tue					
			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 6)		
Wed					
Thur					
			<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 7)		
Fri					
Sat					
Sun					

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 6)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			<b><u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)		

K

**Please highlight any 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** (please read guidance note 10).

L

<b>Hours premises are open to the public Standard days and timings (please read guidance note 8)</b>			<b>State any seasonal variations (please read guidance note 6)</b>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	
Mon			
Tue			
Wed			
Thur			
Fri			<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)</b>
Sat			
Sun			

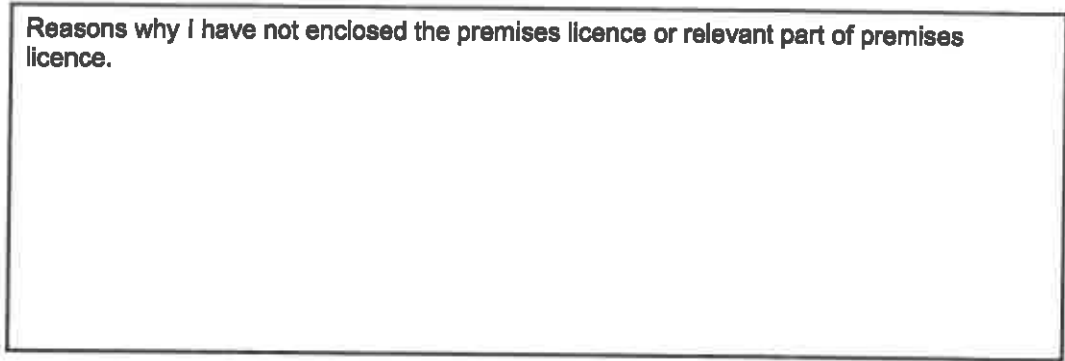
Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

- Please tick as appropriate
- I have enclosed the premises licence
  - I have enclosed the relevant part of the premises licence



If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

**Reasons why I have not enclosed the premises licence or relevant part of premises licence.**



**M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:**

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)**

As per current licence.

**b) The prevention of crime and disorder**

As per current licence.

**c) Public safety**

As per current licence.

**d) The prevention of public nuisance**

In relation to the external bar, we propose to attached the following conditions:

- The external bar servery will only be used between the hours of 11.00 hours and 22.30 hours dally.
- The external bar servery will be supervised at all times when in use.
- The external bar servery will be inaccessible to customers when not in use to ensure they do not have access to any alcohol.

**e) The protection of children from harm**

As per current licence.

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.  (ONLINE)
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- 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 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	16 January 2023
Capacity	Solicitor to applicant

<b>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)</b>			
Amy King TLT Solicitors One Redcliff Street			
Post town	Bristol	Post code	BS1 6TP
Telephone number (if any)	0333 006 0472		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) Amy.king@tltsolicitors.com			

**Notes for Guidance**

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
  - Recorded Music: no licence permission is required for:
    - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.

- any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
  - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
  6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
  9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
  10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
  11. Please list here steps you will take to promote all four licensing objectives together.
  12. The application form must be signed.
  13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
  14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
  15. This is the address which we shall use to correspond with you about this application.

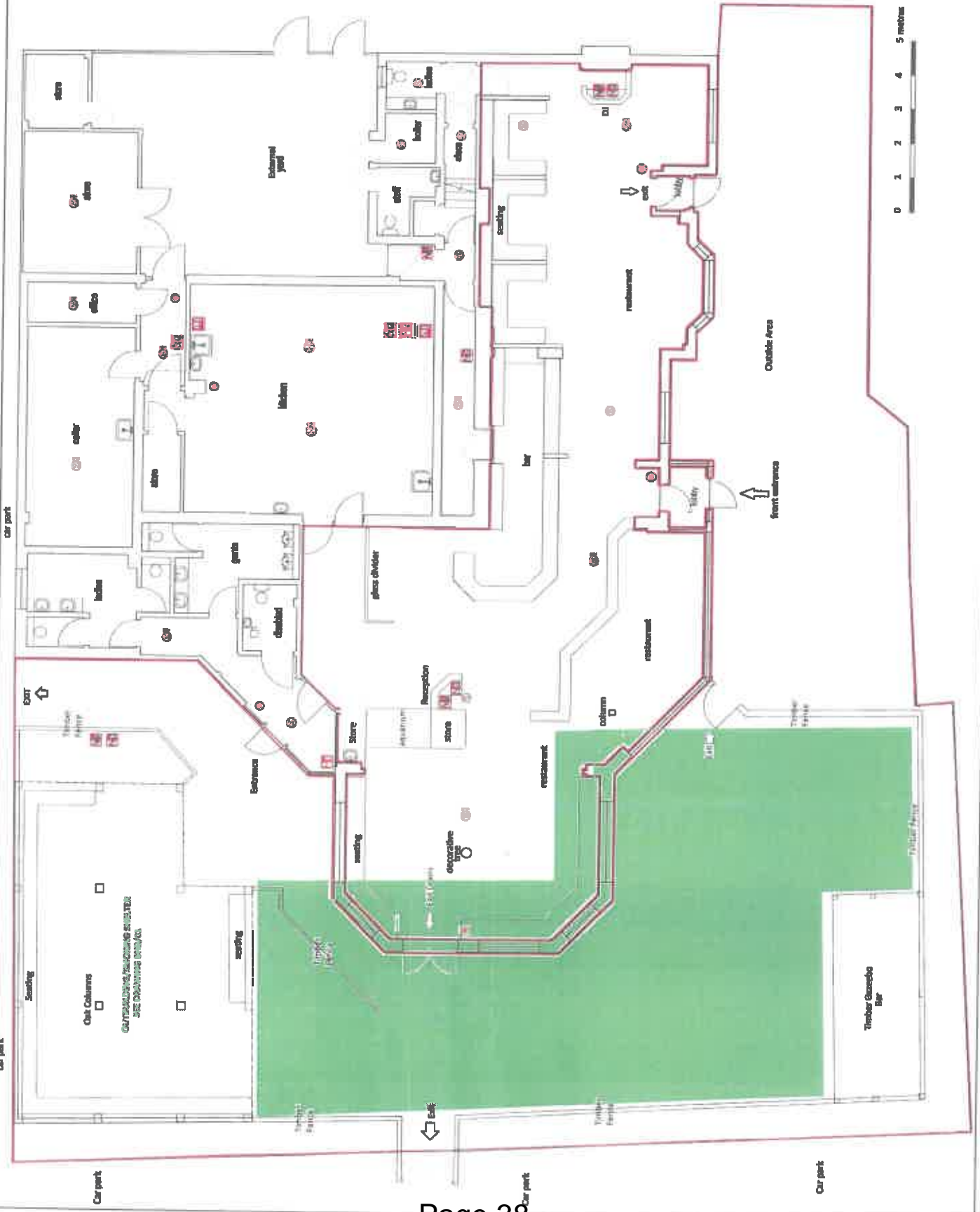
- ① Hand-pouch A&B
- ② Multipoint with sound
- ③ Stained coil
- ④ paint
- ⑤ Wet mounted extender bases
- ⑥ fire extinguisher water
- ⑦ fire extinguisher Co2
- ⑧ Fire Panel
- ⑨ Fire Blanket
- ⑩ Wet Chem

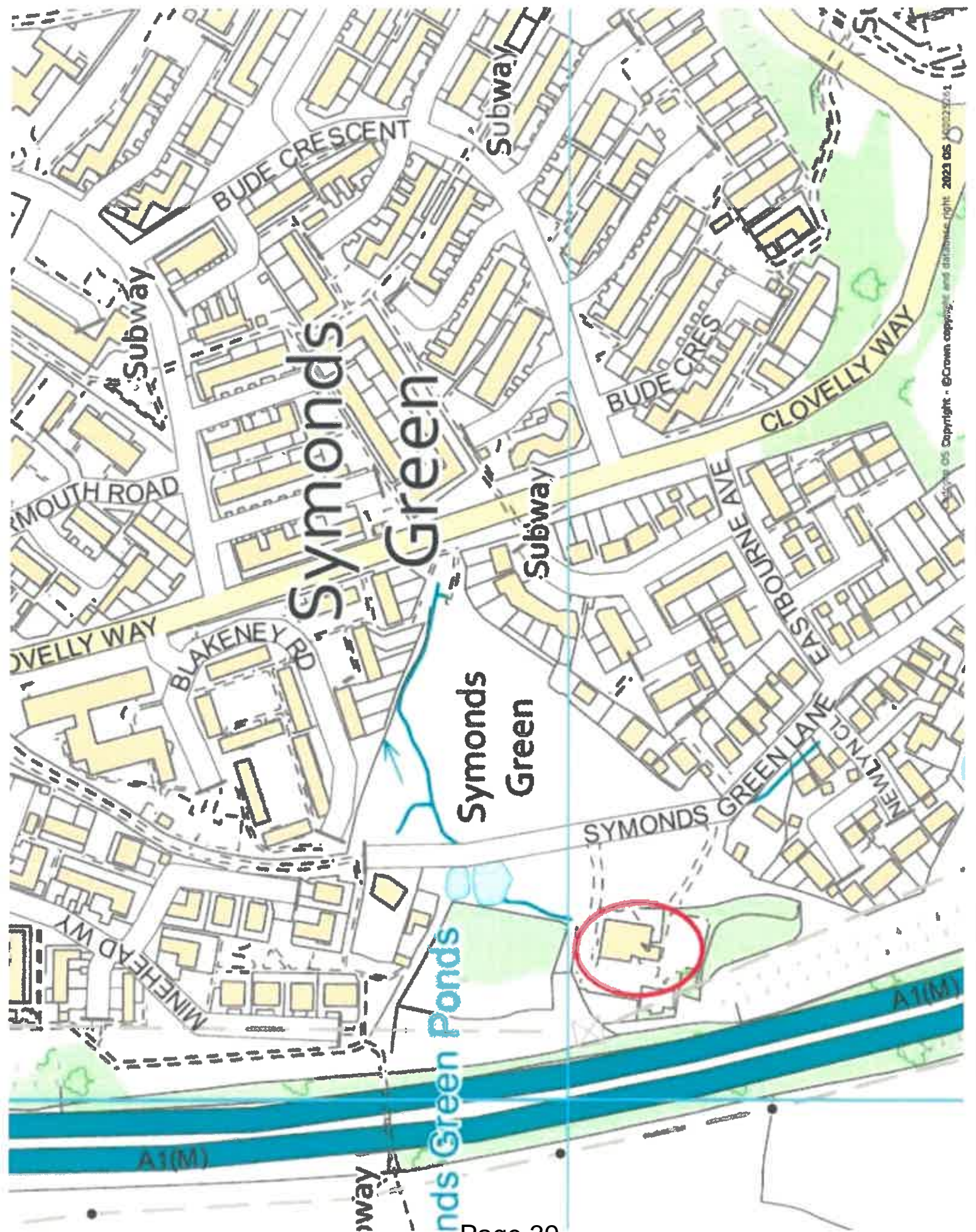
GREEN AREA  
SHOW'S AREA  
CONCRETE 35-4  
TOTAL AFFORDING

Item	Quantity	Notes
Fire Alarm Proposal	1	LM

**Probuild**  
Energy Efficiency Service  
1000 1st St  
San Francisco, CA 94103  
Tel: 415.774.1111  
www.probuild.com

Client: GEORGE DODD  
Job No: 20220111  
Contract: CHRONICLE  
Specialty: Speech Room Case  
Drawing: 501 2/2  
Issued by: LICENSABLE AREA  
Date: 10/11/2022  
1 Sheet  
Scale: 1/8" = 1'-0"  
DWG: 501/2/2/02  
Rev: C





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**Appendix C**  
**Representations from Responsible Authorities**  
i) **Local Planning Authority**

## **Delegated Report**

**APPLICATION NO:** 23/00045/LIC

**DATE OF APPLICATION:** 16 January 2023

**STATUTORY START DATE:** 16 January 2023

### **SITE LOCATION**

Tranquil Turtle, Symonds Green Lane, Stevenage

### **DEVELOPMENT**

Major variation of premises licence.

### **AGENT**

No Agent

### **APPLICANT**

The Licensing Officer  
Stevenage Borough Council  
Daneshill House  
Danestrete  
Stevenage  
Herts  
SG1 1HN

**WARD:** Symonds Green  
**GREEN BELT:** No  
**CONSERVATION AREA:** Yes  
**LISTED BUILDING:** No  
**TREE PRES. ORDER:** No

### **SUMMARY OF RECOMMENDATION**

Raise Objection.

### **APPLICATION SITE AND SURROUNDINGS**

The application site comprises a public house operated by Tranquil Turtle set in a large plot with a large parking area, on the western side of the road, but set well back from the road. At the time of writing this report, it was undergoing refurbishment and was not open to the public. The site itself is located within the Symonds Green Conservation Area and lies opposite the Symonds Green Common.

### **PROPOSAL**

The application seeks a Major Variation of premises licence. Details of the proposed variation are as follows:

- New fencing
- Temporary scaffolding, including cover over part of the external area

Further changes have been applied for by way of a minor variation as follows:

- reconfiguration of the external area to include the external servery
- fixed seating

- locations of fire equipment

In relation to the external bar the applicant has proposed to attach the following conditions:

- The external bar servery will only be used between the hours of 11.00 hours and 22.30 hours daily.
- The external bar servery will be supervised at all times when in use.
- The external bar servery will be inaccessible to customers when not in use to ensure they do not have access to any alcohol.

**RELEVANT PLANNING HISTORY:**

Reference number	Description	Date and outcome
01/00561/FP	Single storey side and rear extension	06.12.2001 PER
13/00272/AD	Installation of 1no externally illuminated totem sign, 1no externally illuminated fascia sign, 1no logo sign, 2no amenity signs, 3no welcome signs, 4no car park sign and 2no storm boards.	13.09.2013 ADGRAN
21/00653/FP	Removal of existing timber structure and replaced with new timber structure with 50% open walls, removal of existing smoking shelter located to the front of the building	29.07.2021 PER
21/01109/LIC	To change the layout and design of the premises in accordance with the submitted plan, drawing number BHB/BA/02. The change is a slight reduction in the bar servery To extend the supply of alcohol Sunday to Thursday until 00.00 (currently permitted until 23.00) and on Friday and Saturday until 01.00 (currently permitted until 00.00) To extend late night refreshment Sunday to Thursday until 00.00 (currently permitted until 23.30) and on Friday and Saturday until 01.00 (currently permitted until 00.00) To allow the premises to open 30 minutes following the end of licensable activity	19.10.2021 CLOSED

**CONSULTATION & RESPONSES**

**Notices**

No Site Notice Required.

No Press Notice Required.

**Summary of consultation responses**

Consulted:

Consultee	Date Consulted
-----------	----------------

Responses:

Consultee	Comment
-----------	---------

## Neighbour responses

In Support	Against	Comments	Neighbours Notified	Contributors Received
0	0	0	0	0

## PLANNING POLICY CONTEXT

A revised National Planning Policy Framework (NPPF) was published in July 2021. This largely reordered the policy substance of the earlier 2012 version of the NPPF albeit with some revisions to policy. The Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up to date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up to date development plan, permission should not usually be granted (para.12).

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Stevenage Borough Council comprises the following documents:

- The Stevenage Borough Council Local Plan 2011-2031 (adopted 2019)
- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014); and
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007).

## Other Policies

Public Sector Equality Duty (PSED)

## ASSESSMENT AND REASONED JUSTIFICATION

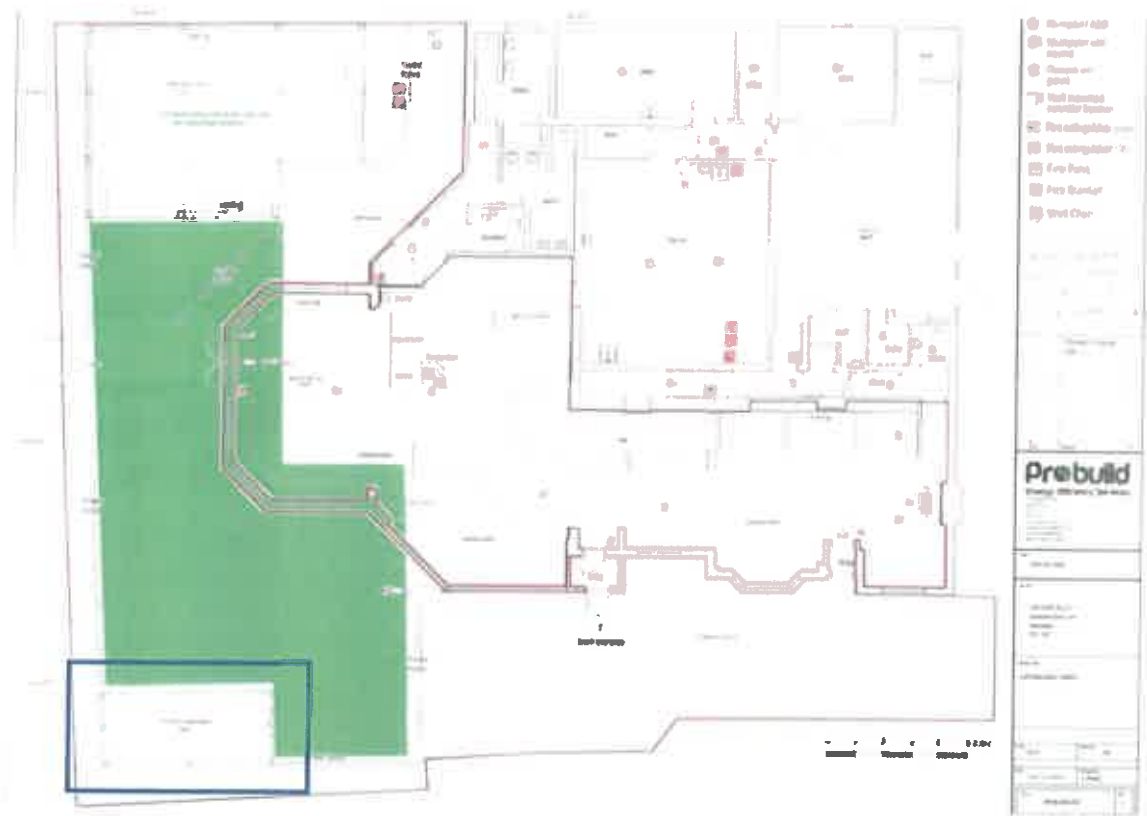
**Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the development plan unless material consideration indicate otherwise'.**

The proposal raises the following key issues:

- The prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- Protection of Children from Harm

## Comments

Following a review of the application submission, the Council as Local Planning Authority has no records of the Timber Gazebo / Bar area as outline in drawing number BHB/BA/02 Rev C (see outlined in the blue on the plan below). In addition, there are no records of planning permission being sought for the existing temporary scaffolding which is currently being utilised to cover the outdoor seating area (Shown green on the plan and in the photograph).



Taking the aforementioned into consideration, the timber gazebo structure will require planning permission. In terms of the temporary scaffolding, if this is to become a permanent structure in order to cover the outdoor seating area from the elements, then for the purposes of planning, this would be classed as development in line with the Town and Country Planning Act 1990 (As amended). Therefore, this structure would also require planning permission from the Council as Local Planning Authority.

Given no permission has been granted for either the timber gazebo / bar area or the scaffolding structure, there is a breach in planning control in this instance. As a consequence of these unauthorised structure being in place, if the timber gazebo is to be used as an outdoor servery for the serving of alcohol in conjunction with the proposed outdoor fixed seating area which will be covered over by the scaffolding structure as detailed in the Licensing application, this could give rise to greater public nuisance to nearby residential properties within Symonds Green.

Given the above, the proposal would be in conflict with Policy FP7 of the Stevenage Borough Local Plan 2011-2031 (2019) whereby all development proposals should minimise, and where possible and for the purposes of this licence application noise pollution. The Council as Local Planning Authority is not confident suitable mitigation measures could be put in place to deal with such nuisance if it were to arise due to the level of complaints which have been received with respect to noise and disturbance currently experienced.

### **Conclusion**

In summary, the construction of the timber gazebo / bar area and scaffolding structure will require planning permission which they not benefit from. Moreover, the use of the gazebo as a servery for the selling of alcohol in conjunction with the fixed outdoor seating area which is covered over by the scaffolding structure is likely to give rise to greater public nuisance to nearby residential properties. This would conflict with Policy FP7 of the Stevenage Borough Local Plan 2011 - 2031 (2019).

### **RECOMMENDATION**

Object to variation of licence.

### **INFORMATIVES**

1. This determination refers to the following plans:
  - Application form
  - Premises plan
  - Consent form

Case Officer Details: James Chettleburgh

**Appendix C**  
**Representations Responsible Authorities**  
ii) **Environmental Health**

## **Application to vary premises licence SBCL0136; Tranquil Turtle , Symonds Green Lane**

I refer to the above applications and confirm that I wish to make a representation based on the grounds **Prevention of Public Nuisance** on behalf of the Environmental Health Team of Stevenage Borough Council, acting as a Responsible Authority.

### **Complaint History**

Since April 2022, Environmental Health have received noise complaints from residents living in Symonds Green Lane, Scarborough Avenue, Eastbourne Avenue, Newlyn Close, Minehead Way, Yarmouth Road and Bude Crescent.

There were two incidents when multiple complaints were received from a number of residents on 8/8/2022 and 3/10/2022. The Noise App recordings that were submitted for the incidents on 7/8, 1/10 and 8/10 had very loud music, clearly audible. These recordings where the music is very loud, appear to have been taken outside, as other outside noises were noted such as road traffic noise, birdsong and the recordings affected by wind.

Whilst the initial complaint recordings taken from 7/8/22 were clearly very loud and affected the local neighbourhood, the determination of a statutory nuisance is made from the complainant's property and their living areas. The effect of the noise from the Tranquil Turtle was not witnessed and a nuisance was not determined. After these initial complaints were received, there were intervention visits by both Environmental Health and Licensing officers. The management put measures in place such as monitoring the boundary noise levels, ensuring the outside speakers faced away from the residential areas. Advice was also given to the management to consider a noise management plan for the premises so as to foresee and control the volume of escaping noise and to enclose the premises by way of an acoustic fence.

There was another multiple complaint event on Saturday 1/10/22. The management confirmed that both of these events (7/8 & 1/10) were private parties with the party organiser DJ bringing in their own equipment, including speakers, and the outside area was set up by the party organiser's DJ. Following this second incident, the management developed a Music & Event Agreement to be completed with the party organiser, which outlines the management's action should the sound system be deemed too loud.

The outside area was roofed using scaffolding at some point after Officer intervention on 10/8 and before 13/10/22.

A second meeting on 13/10 discussed the recent noise complaints and the premises confirmed that customers were moved inside at 23:00 and the premises closed at 01:30. The officer recommended that the premises develop a noise management plan for how they intend to provide music that does not affect the wider residential community. The premises were notified that monitoring will commence using noise equipment and officers.

Residents have continued to submit Noise App recordings up to 28/01/23. Most of these recordings have been taken outside as the outside environment can be heard such as road traffic noise. When assessing the noise complaints for nuisance we consider the noise that is experienced in the living areas of a home (bedroom and living room); during better weather, the outside garden area is also deemed a living space. As such, the recent Noise App recordings do not indicate the likelihood of a statutory nuisance being caused by the Tranquil Turtle. Other considerations involved in determining



a statutory nuisance include regularity, noise level, duration, time of day and the effect on the 'reasonable person'.

Although the majority of the Noise App recordings have been taken outside, the level of music noted on the recording has dropped significantly since the initial complaints.

Officer monitoring has also been underway. Attending on a non-event evening on 15/10/22 the officer noted that the outdoor area was in use, where drumbeats and occasional vocals could be heard from the officer's vehicle parked at the end of the driveway to the premises. The officer relocated to Symonds Green Lane between Moules House and Oakmead House and music was unable to be easily heard. A bass beat was heard, but this was hardly discernible. The overarching sound was from the traffic on the A1(M). The officer did not attend the Tranquil Turtle.

On 29/10/22 the Officer attended the Tranquil Turtle and monitored for noise nuisance.

- The Officer attended the premises and identified that during events, the premises also provide external entertainment in the beer garden area. This comprises of a DJ playing music and free-standing speakers being used. The Halloween event was underway inside the premises.
- Parking on the Green, the officer could hear music and the DJ, but not clearly. The music was coming from the external area of the premises. Moving to the corner of the Green, between Moules House and the Thatched Cottage, the officer could hear music and particularly the bass and drums. The song 'All Night Long' was able to be heard.
- At 20:40, the officer contacted a complainant who resides very close to the premises and discussed the ongoing sound affecting her. In that conversation, the complainant advised that she was enjoying T.V. and was not hearing the pub. She commented that 'they must know they are being monitored'. The officer requested that the complainant contact them if the sound increased.
- At 21:34, the officer contacted another complainant, whose home overlooks the Green. The complainant commented that there is a noticeable difference for noise levels tonight and can clearly identify when the doors are left open. The complainant commented that the premises were quiet because they were being monitored. The officer advised the complainant to return their call later in the evening should the sound get louder.
- At 22:57 the Officer was parked on the Green close to residential properties and was able to clearly hear a drum beat and bass beat travelling from the outdoor area. The officer met the Manager, Brad Kelly who was taking noise readings from the road on the Green.
- At 23:10 the Officer noted that smokers use the front door of the premises to access outside to smoke. It was noted that the volume level in the vicinity increases when the door is opened.
- The officer was unable to state that the noise levels witnessed escaping from the premises were excessive and were unlikely to amount to a statutory nuisance. The evening temperature was warm, enabling residents to use/access their outdoor space.

There is clearly some music still heard outside the resident's homes currently as the Noise App recordings indicate this.

Noise monitoring equipment was set up in a complainant's property from 16-28/11/22. Upon return, it was established that due to a fault, the equipment had not kept the recordings made by the complainant. The case officer has requested that the equipment be placed in the premises again. This has been declined and other complainants have been approached.

### **Comments**

I am of the opinion that at certain times of the year when the outside area is in regular use, the Tranquil Turtle may affect residents due to outdoor noise levels from both music and people noise. In the Spring, Summer and Autumn, residents are more likely to have their windows open, enjoy their outdoor space and be adversely affected from noise from the Tranquil Turtle. I am concerned that the roof structure will enable the outdoor area to be used routinely as the premises' events can commence in all weathers. It is possible that a statutory nuisance may be realised.

### **Recommendations/proposed conditions to the Licence to prevent public nuisance**

1. Provide additional acoustic attenuation to the outside seating area, such as a suitable acoustic fence, to reduce the sound generated from the amplified music, DJ commentary and from customers.
2. The Management of the premises must ensure that the double doors to the lobby to the main entrance to be kept closed during opening hours, when not in immediate use (not secured in the open position). If the existing ventilation system is unable to maintain a comfortable temperature during busy periods, consideration should be given to provision of air conditioning in the bar area (to prevent breakout of sound from noise generated within the building).
3. A noise management plan should be devised and be put into operation at the premises. This should document all of your measures to minimise the impact of noise affecting noise sensitive premises;
  - Boundary checks for audibility of music and use of the sound system
  - Control of noise in the car park
  - Requesting people to leave quietly
  - Ensuring that windows and doors are kept closed
  - The use of the garden area
  - Responding to direct neighbour complaints and
  - Any other actions that would assist in reducing the possibility of nuisance caused to the surrounding area.

Christine Walker-Wells  
Commercial & Licensing Manager  
8 February 2023

Appendix D  
Representations from Local Residents

i)



## Alex Marsh

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**From:** [REDACTED]  
**Sent:** 19 January 2023 13:06  
**To:** Env. Health; Jackie Hollywell; Julie Dwan; Licensing; Zayd Al-Jawad  
**Subject:** [External] Objection to Planning and Licensing changes proposed by Tranquil Turtle Symonds Green Lane SG1 2HP

**Categories:** Bernie

Hello,

Please accept this email as an official objection to the latest planning and license modification requests of the Tranquil Turtle business on Symonds Green Lane of which has a deadline of 30th January for objections to be made (incl LAPRE2).

Continuing from my lengthy email concerning my current objections/complaints I have sent all recipients previously the current and proposed planning licence changes would further add and enhance the frustrations and detriment the business is already causing myself and the neighbouring residents of Symonds Green.

It is clear that the Tranquil Turtle is trying to legitimise current unplanned and unlicensed activities which are causing material stress and hardship for those who have to live around it (Residents, retired and working, children, Wildlife and pets). This includes the structure which they have erected to the side of the building with extensive scaffolding and coverage to host music events and also the bar and shisha area which was constructed without planning (they are trying to legitimise this further). Having an outside bar will only fuel further noise complaints in warmer weather as the business continues to neglect any sensible approach to sound levels it imposes on nearby residents. The venue was also promised not to be a dance/entertainment venue (Julie Dwan to [REDACTED] yet continues to operate more in this direction and further away from being a high tier restaurant.

It appears that through the process the council are happy to look at further detrimental changes they wish to make as opposed to rectifying where the business has already fallen foul of expectations in regards to due process on planning. A human error was made on their license granted initially - what has been done to rectify this? We are still waiting to hear??

With many noise complaints being made officially to the council (Env Health) it is clear to see what impact further changes on outside activity would have on the neighbourhood. Main concerns being:

-Noise (highly documented)

-Anti social behaviour (numerous police calls already documented) -Inadequacy of parking (cars now being parked on the green during night and day events -Design and appearance of materials (the unplanned structure is hideous and is ruining the landscape of the protected area) -Highway safety -Loss of privacy (i have a picket fence. The council have demanded this to ensure my house meets visual expectations of being bordered on the green...where are these same constraints on the Tranquil Turtle? I do not want outside diners looking into my property which is what will be the case).

-Nature Conservation - is anyone actually thinking of the animals here? This is Stevenage's conservation area and wildlife should be at the centre of all decisions taken on the green).

-Previous license obligations being ignored by the owners -Single road access - with a drinking fuelled and partying change of business model is this sensible to allow an outside bar to promote more drinking on a single road in and out that parents and children frequent all year round?)

Lastly - the business has decided to liquidate its previous limited company wiping out debts owed to numerous other local business whilst opening under a new entity with the same people behind it. It has lost the good faith of its local community. They have also spat in the face of the council bodies who we have been assured have visited

them on numerous occasions to speak about noise and other issues yet they still operate in the same way regardless.

Myself and many others have moved to this area (ignore the pun) for its Tranquillity, being a protected area which is safe and QUIET in order to bring up a family. The Tranquil Turtle has made this anything but peaceful for us and is causing us continued stress, anxiety and ruining our enjoyment of the areas surroundings.

We urge the council to do the right thing in not granting the requested planning and license changes and actually acting on the noise reports a lot of residents including ourselves have submitted on the app whilst also taking swift action on the points mentioned where they have already breached planning process.

Kind Regards,



**Appendix D**  
**Representations from Local Residents**

ii)



## Alex Marsh

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**From:** [REDACTED]  
**Sent:** 20 January 2023 12:12  
**To:** Env. Health  
**Subject:** [External] Objection to minor and full variation to latest plans concerning the tranquil turtle symonds green lane stevenage

**Categories:** Helen

I would like to officially object to the above proposed changes  
This new variation will add further nuisance and unbearable noise which we already suffer from and we have complained about this to yourselves the police the local Councillor etc  
This proposed change will add further detriment to symonds green residents young and old.  
This is causing hardship stress anxiety to us all including the local wildlife in this beautiful conservation area  
We have lived next to this establishment since 2000 and in fact I worked there for green king for about 14 years  
We never had outside discos or music  
It was always inside with doors and windows shut so as not to annoy the neighbours  
The occasional saxophone player on a sunny afternoon was playing outside but just for a couple of hours at a respectable volume and time

They have already been using the unauthorised plastic scaffolding eyesore structure for outside music and events numerous times all day and late into the evening  
The volume of the music at full pelt with very large speakers facing our houses the djs Microphone on full volume  
The bass very loud could hear it through our double glazing  
and screaming shouting partygoers not leaving quietly and throwing up down the lane.  
It has been unbearable reducing us to tears and severe anxiety  
As the weather gets warmer this will intensify  
It was licensed to be a high end restaurant not an ibiza disco!!  
They had a fight on their patio area where a so called man beat up his girlfriend and this case was documented in the comet newspaper  
A break in Occured at the weekend apparently  
So we are all very worried for our safety and well-being  
Our main concerns are as follows

**NOISE** highly documented and bloody unbearable .causing some much nuisance you have been furnished with many noise app recordings from the local residents

**HIGHWAY SAFETY** very small access lane to the tt used by walkers horses children and adults on bikes dog walkers.lots of speeding cars been reported and consumption of bottomless brunches does not bode well and a serious accident is about to happen

**ANTISOCIAL BEHAVIOUR** parking lots of cars on protected green small car park  
Fighting police were called  
People leaving the establishment screaming and shouting and being sick outside people's houses and down the lane  
The poor wildlife have nowhere to hide from all this mayhem

**REPUTATION** this business went into liquidation recently and left many local business men /companies/ etc with debts unpaid and have wiped off their debts apparently lot of bad feeling incurred

which hasn't gone down well in this respectable law abiding community  
They have reopened apparently under new management but with the same motley crew at the helm

They have continued to flaunt at authority when they promised the council visitors they would control the noise keep the music inside etc  
When approached by local residents they have been downright rude

We cannot think of any other licensed venue in Stevenage that has been allowed an outside bar disco area

We are in a conservation

area with many homes and families nearby

Please please listen to all the local people that have all these grievances

We feel powerless at times but as a unit we feel stronger and pray you investigate very deeply into this ongoing nuisance which is severely affecting many people

Thank you for your time

Please forward my email to the following

[Licensing@stevenage.gov.uk](mailto:Licensing@stevenage.gov.uk)

As I can't seem to do this on my phone

Thank you



Appendix D  
Representations from Local Residents

iii) 

## Alex Marsh

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**From:** [REDACTED]  
**Sent:** 20 January 2023 12:42  
**To:** Env. Health  
**Cc:** Licensing  
**Subject:** [External] Objection to minor and full variation - Tranquil Turtle  
**Categories:** Bernie

>

[REDACTED]  
> To whom it may concern.

>

> I would like to put forward my objection to the licence changes at the aforementioned public house.

>

> My reasons are as below.

>

> The amount of noise they produce at their outdoor rave events is having a detrimental affect on mine and my childrens health.

>

> They have been operating the "outdoor servery" for quite some time already and the noise levels and antisocial behaviour is already way out of hand the outdoor bar and fixed seating has already been there since the summer so I can only assume it has been being used illegally - another point you clearly have to look into.

>

> They have a large polythene structure which is highly dangerous and cannot be legally allowed in a conservation area where previous tenants of said public house were not even allowed to house a satellite dish.

>

> The knock on effects to wild life on what is a conservation area should also be considered.

>

> They use a public green to fly tip their unwanted furniture and park cars which again is not legally allowed.

>

> In whole I find the fact this very change in licence to be insulting to those who live nearby like myself who bought property in the area based in its surroundings.

>

> The venue clearly operates as a nightclub not the restaurant it is listed as trading as and I am absolutely in shock that this has not already been addressed by a) the council b) environmental health and c) the company who operates and grants their licence.

>

> Look forward to your response

>

> Kind regards

>

**Appendix D**  
**Representations from Local Residents**



## Alex Marsh

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**From:** [REDACTED]  
**Sent:** 20 January 2023 13:32  
**To:** Licensing  
**Subject:** [External] The Tranquil Turtle PH  
**Categories:** Bernie

Dear sirs,

I wish to lodge a formal objection to the full and minor applications made for changes to the licensing arrangements for the above mention property on Symonds Green Common.

The late night music and dancing events that have been taking place are loud enough to be heard inside my house even with the windows closed and have prevented us from sitting in our garden during fine weather, the noise has affected many people whose properties surround the common.

The activities at the Tranquil Turtle are not what they originally advertised prior to their opening and I believe are contravening their original license issued by yourselves. Approaches have been made to the management of the pub to reduce the volume of the music but has been completely ignored and the landlord stated that he could do what he wanted.

We are very concerned with the way things have changed since the opening of The Tranquil Turtle just over a year ago, and it looks as though they are planning more events and changes which will be detrimental to the area and all who live around the boundary of the common.

I hope that you will take our concerns seriously as they seem to be ignoring all the conditions that applied to the original license approval.

Yours

[REDACTED]

Sent from [Mail](#) for Windows

Appendix D  
Representations from Local Residents

v)



**From:** [REDACTED]  
**Sent:** 20 January 2023 23:12  
**To:** Env. Health  
**Cc:** Licensing  
**Subject:** [External] Objections to minor and full licensing and planning applications from The Tranquil Turtle

To who this may concern,

Please accept this correspondence as formal notice that [REDACTED] strongly oppose both the minor and full variations to the current licensing and planning applications from The Tranquil Turtle.

It is our understanding that the purpose of the minor application is to include, 'a reconfiguration of the external area' and this is to include, 'fixed seating.' I wish to state at this point that in the only written response to residents from the council, it was stated that the temporary structure, if you can even call it such, has in fact been erected without permission. This structure is hideous, is not in keeping with the conservation area and is also a health and safety risk.

It is also observed that notice of the minor variation did not come to light until Wednesday 17<sup>th</sup> January 2023. This states that representations must be made by 30<sup>th</sup> January 2023.

With regard to the full variation, which we understand is to legitimise the current eyesore – the scaffolding and plastic sheeting, there has been no formal notice given of this. A resident happened to stumble across this on the council website.

I therefore wish to ask the following questions to which I am expecting a response:

- 1) Why has the council not demanded the immediate removal of this structure? Residents have already highlighted this is a breach of various rules and the council has admitted such.
- 2) Why are residents being expected to oppose the application to fixed seating and the structure in this outside area when the structure is not permitted in the first place?
- 3) Please clearly state the requirements for notice of a variation. Your response should include how many days' notice residents need to be given to object to a variation and where notice should be displayed.
- 4) Why has there been no notice of the full variation? Is the full variation request valid if the correct procedure has not been followed?
- 5) In light of the fact that the council are more than aware of resident's complaints, why were we not given the decency of being notified rather than having to stumble across this by chance?
- 6) It was also admitted by the council that the Tranquil Turtle had no permission to display advertising boards at the entrance to Eastbourne Avenue or at the roundabout by the business park yet they still remain. Why has this been allowed to happen?

Firstly, we respectfully request that the council address the concerns already raised by the neighbourhood before even contemplating considering variation requests for this establishment. We feel that if anything, there should be a review of the initial licence. The lack of action and enforcement from the council is giving the impression to the Tranquil Turtle that there are no consequences. It is clear that the council failed to carry out due diligence when granting the licence in the first place so now is an opportunity to show residents that they will do the right thing. Surely common sense should prevail here?

In our view this is a retrospective application to legitimise what they are already doing. Residents have been complaining for months about the noise nuisance and the advertising from the pub and social media images and videos online clearly demonstrate that this was always intended to be more of a nightclub vibe rather than the high end restaurant it claimed it would be. Despite residents' complaints and many having sent recordings on the noise app, none of us have had

a response to these. In addition, whilst the council did instal recording equipment at The Thatched Cottage, we were later informed that it had not worked. One could be forgiven for wondering if there are some favours going on here. I therefore wish to ask the following for which again, I require written responses:

7) Why have residents not had any feedback in relation to the recordings submitted on the council noise app?

8) What, if anything, have the council been doing to determine whether there is public nuisance at play? In your response you should clearly state who is responsible for this part of our complaint so that we have a point of contact.

9) Is it usual for sound equipment to not work? Was this tested at the point it was installed and if not, why not?

Should the council still entertain these applications, we object on the following grounds:

Primarily, this legitimises the outside partying which has been going on for months already and which has not been addressed by the council and will only lead to an increase in noise complaints. My children should be able to sleep in their beds at night without waking up to the thudding of base or to drunk partiers shouting and slamming taxi doors outside [REDACTED]

[REDACTED] which appear to be pick up points at the end of the evening. We cannot believe that this structure has been erected, that the council have not demanded that it comes down and has a devastating impact on the beautiful conservation area surrounding it. An overriding rule of development in a conservation area is to, 'preserve or enhance the area.'

10) I would like a written response as to how the council feels the current requests from The Tranquil Turtle would comply with this?

11) Have all those with decision making powers at the council actually viewed the premises?

We would also be very interested to know if the temporary structure complies with fire regulations given all the plastic.

I draw your attention in particular to the following grounds for objection from your own website:

Parking – Cars have been unlawfully parked on the common

Archaeology – The pub itself has been a historical landmark in this area for years. The erection of the scaffolding and plastic and the vain in which the council have allowed the current management to conduct their affairs is spoiling the area.

Conflict with planning policies – the council have admitted the structure has been erected already without permission and has not taken enforcement action.

Design appearance and materials – covered above. A historical landmark currently sits next to metal poles and plastic sheeting.

Effect on listed building and conservation area – the local community walk dogs and gather around the common to enjoy the peace, and, excuse the pun, tranquillity that the area provides. The noise, attitude of the management, and cars racing up and down are destroying what the area has always provided.

Highway Safety, Road Access and Traffic Generation – the amount of traffic along the lane outside our property has increased significantly since the pub has been operating in the current manner. The lane is not wide enough for two cars, we have had people drive across our grass, they go far too fast and this is a lane frequently used by dog walkers and those with young children to ride their bikes and scooters. One has to consider the outcome of excessive drink in the mix bearing in mind the nature of the events held such a bottomless brunches. There will be a nasty accident if action is not taken. The business model that the pub operates, despite their reassurances to the contrary is not compatible with this area.

I could continue with almost all the reasons for objection on the council website which overlap in many respects with the above.

It has also come to the attention of residents that in addition to all the above, the initial entity trading as the Tranquil Turtle, BHB Resources Limited, has already gone into liquidation and are now trading under a new name so they can avoid their liabilities. In addition to the misery they are causing local residents, they also owe substantial amounts of money to other local small

businesses, those with families trying to make an honest day's work to put a roof over their heads. How is the continuation of this establishment in the public interest? Surely the council has a duty here to weigh up the interests of all parties concerned?

In view of the point above, I wish to have an answer to the following:

12) In view of the fact that the initial licence was granted to BHB Resources Limited trading as the Tranquil Turtle, is the licence still valid now they have a different trading name?

Finally, this area was our saving grace during covid. We would walk from our property at the time in Skegness Road and come to the pond to reap the positives for our mental health with our three young children. We spent our life savings on our dream home when we purchased [REDACTED] in October 2021. We have a right to the peaceful enjoyment of our property and to have a good quality of private and family life. This should be our safe haven for us and our little ones and you have the power to enable us to have this back.

I will await your written responses to the above.

Yours,



Appendix D  
Representations from Local Residents

vi)



## Alex Marsh

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**From:** [REDACTED]  
**Sent:** 22 January 2023 17:55  
**To:** Zayd Al-Jawad  
**Cc:** Matthew Partridge; Tom Pike; Env. Health; Christine Walker-Wells; James Chettleburgh; [licensingeasternarea@herts.pnn.police.uk](mailto:licensingeasternarea@herts.pnn.police.uk); Licensing; PlanningPolicy\_SBC; Sharon Taylor; Michael Downing; Sandra Barr; Jackie Hollywell; [stephen@stephenmcpartland.co.uk](mailto:stephen@stephenmcpartland.co.uk); Graham Lawrence; Simon Speller; Richard Henry; Margaret Notley  
**Subject:** [External] Application Reference LAPRE2 Nightclub at Tranquil Turtle Symonds Green Lane SG12HP  
**Attachments:** Tranquil Turtle.pdf  
**Categories:** Bernie

Having lived peacefully on the green for 47 years next to the old Crooked Billet now the (not so) Tranquil Turtle until these recent months, I therefore wish to object to the night club application because:

- . Still awaiting for a proactive response to 23 October complaint.
- . This is an increased residential area as well as a conservation area with a lot of visiting animals encouraged to visit the green, pond and trees.
- . The awful and unlawfully constructed scaffolding with plastic covering is a complete fire hazard especially to the property it's attached to.
- . With this in mind you have two listed buildings (one thatched) within a hundred yards of the TT.
- . Unable to have windows and doors open
- . Family life has been affected and not having grandchildren stay over.
- . Unable to entertain family and friends in our own purchase houses and gardens.
- . Have witnessed fly tipping within the vicinity.
- . Speeding traffic already been an issue, with residence witnessing and enduring severe drunkenness in and around their properties.
- . Speeding traffic threatening local residents, children playing and walkers with animals and general visiting wild life.
- . This would be just a drinking venue with no regular security and policing.
- . This is an area that does not have awaiting taxis, buses for all areas or trains within walking distance.
- . Having to endure uncooperative, rude and offensive behaviour from the company and in some cases being threatened.
- . The abominable company behaviour to all the businesses they owe money too already.
- . The amount of businesses the company have bankrupted and now the TT is part of that as well.....a my the rate and tax payer expense.
- . Its licence is for an up market FAMILY restaurant with specific regulations but the company are already ignoring that and running it as a nightclub.....therefore we can't use it for an all age family gathering already!
- . This is not the area for a night club.
- . The proposed TT application is more suited to the Leisure Park which was built specifically for all types entertainment venues and has the security, policing and transport routes on the door step.
- . Photographic evidence available if requested.

.I really hope, we the residents get the satisfactory conclusion to this whole unpleasant scenario.

In anticipation

[REDACTED]

23rd October 2022

**FAO: Sent by email**

Matt Partridge – CEO SBC - [matthew.partridge@stevenage.gov.uk](mailto:matthew.partridge@stevenage.gov.uk)

Tom Pike – Deputy CEO SBC [tom.pike@stevenage.gov.uk](mailto:tom.pike@stevenage.gov.uk)

Environmental Health – [env.health@stevenage.gov.uk](mailto:env.health@stevenage.gov.uk)

Julie Dwan – Licensing Officer SBC – [Julie.Dwan@stevenage.gov.uk](mailto:Julie.Dwan@stevenage.gov.uk)

Christine Walker-wells – Licensing/Environmental Health [Christine.Walker-wells@stevenage.gov.uk](mailto:Christine.Walker-wells@stevenage.gov.uk)

Zayd.Al-Jawad – Planning SBC – [zayd.al-jawad@stevenage.gov.uk](mailto:zayd.al-jawad@stevenage.gov.uk)

James Chettleburgh – Planning – [James.chettleburgh@stevenage.gov.uk](mailto:James.chettleburgh@stevenage.gov.uk)

Police Licensing Authority - [LicensingEasternArea@herts.Pnn.police.uk](mailto:LicensingEasternArea@herts.Pnn.police.uk)

SBC Licensing Department - [Licensing@stevenage.gov.uk](mailto:Licensing@stevenage.gov.uk)

SBC Planning policy Department – [planning.policy@stevenage.gov.uk](mailto:planning.policy@stevenage.gov.uk)

Sharon Taylor – Ward Councillor Symonds Green – [Sharon.Taylor@stevenage.gov.uk](mailto:Sharon.Taylor@stevenage.gov.uk)

Michael Downing – Councillor - [Michael.Downing@stevenage.gov.uk](mailto:Michael.Downing@stevenage.gov.uk)

Sandra.barr – Mayor SBC – [Sandra.barr@stevenage.gov.uk](mailto:Sandra.barr@stevenage.gov.uk)

Jackie.Hollywell – Counsellor – [Jackie.Hollywell@stevenage.gov.uk](mailto:Jackie.Hollywell@stevenage.gov.uk)

Stephen McPartland – Local MP Stevenage – [stephen@stephenmcpartland.co.uk](mailto:stephen@stephenmcpartland.co.uk)

## **Official complaint: Residents of Symonds Green v Stevenage Borough Council and Tranquil Turtle**

This letter is in line with the Stevenage Borough Council ('SBC') official complaints procedure to be treated as an escalated complaint given the nuisance and distress this matter is causing, unlawfully.

We write to you today as residents of Symonds Green within the vicinity of the Symonds Green Conservation Area nearby where the licensed restaurant Tranquil Turtle ('TT') is operating. We have written to the Council previously about the disruption and negative impact the business is causing to residents and the conservation area.

Residents, including ourselves, were warm to welcome TT, a premises which is licensed as a Restaurant on the Green after the previous Crooked Billet had been dormant for some time. The business introduced itself as an upmarket high-end steak house and cocktail bar. As per previous complaints lodged it quickly morphed into a club, highlighting and conducting the following activities to draw in their customer base: Club with DJ, Shisha Bar and indoors and outdoors Party Venue and most recently a waffle house. The business has quickly lost its identity and in this journey has breached the spirit of the license it has been granted by the Council.

Residents are having to endure extremely loud music and vibration invading their households for extended periods of time while the protected nature of the business's surroundings are also being impacted, namely the wildlife. Muntjac Deer's, Bats, Ducks, Rabbits and Amphibian wildlife are now rarely seen. The extreme levels of music, crowd noise and cars (also being parked on the protected green) are forcing wildlife out of the area. Given the clear sign the SBC displays on the Conservation Area advising visitors it is a protected area, it is alarming that SBC are allowing TT to operate as they are; yet residents must have clear regard to the wildlife and newly built properties have strict governance on for example, fencing and bat boxes. Even a common-sense approach has gone amiss here by the SBC and TT.

Residents have reported the volume of music beyond a quarter of a mile from the premises. It has become clear that the business has in fact been a Trojan Horse – introducing itself as a restaurant but operating as a club which contravenes both the good faith of the community and also the licensing authorities. Residents have been enduring these events for months on end now.

Furthermore, we write again to highlight a monstrosity of an extension to the building TT have erected through scaffolding and tarpaulin, which has been used to accommodate over sold club daytimers/nights in their inside/outside music venue business model. This is against several of SBC's own guidelines on the protection of the conservation area and its image and character. It appears SBC are on the backfoot on the active management of a business which should in fact be carefully managed given the ground and special responsibilities it inherits operating in a conservation area.

Most recently, on the night of the 22<sup>nd</sup> October, there was another clear breach with a live PA and music being played at unreasonable levels with venue doors open allowing the escape of music. Julie Dwan previously gave residents written assurances that the venue was not intended to be a dance venue.

The TT's own advertising campaigns on social media, namely Instagram, Facebook and their own website show the focus TT have on club days/nights as opposed to being a venue that offers food and drink. All of their adverts are focussed on DJ's, club nights and daytimers, and live entertainment. They have recently held a mini music festival. The next club event is a Halloween focussed event advertised from 7pm till late.

Julie Dwan, Environmental Health and the Police have been in receipt of the communities' complaints officially, and the neighbourhood have been following policy using the noise app to record the level of disruption to our daily lives. The complaints appear to be received and responded to slowly, which has prompted further thought into why the license was granted to a business in a protected area governed by legislation so quickly and blindly by SBC. Julie and Christine Walker Wells also assured us of monitoring happening on the weekend of the 22<sup>nd</sup> October at yet another club night, and it appears that even under this level of scrutiny the business still continues to operate against its license granted in a protected area.

Moreover, the venue has caused great debate within the online community of Symonds Green, dividing the community and causing extreme levels of disrepute resulting in two forums on Facebook now representing the community.

As residents of Symonds Green, we, along many of our neighbours, are now living in frustration and anxiety, unable to continue with our normal lives due to how this "restaurant" is operating. Symonds Green Conservation Area is not suitable for a premises operating as a club.

This letter now formally outlines our objectives and requested outcomes, supported with evidence.

## Objectives

Consider an immediate license suspension whilst your investigation is carried out.

SBC to revoke the variation to license that was given to TT in the knowledge that the location of the building and premises is within protected conservation land, with a future occupier of the premises to continue with the same licensing conditions given to its Freeholder under the original license.

Or;

TT to operate within the grounds and spirit of the license they have been granted i.e. restaurant not club with clear, active enforcement from the SBC.

Both of the above objectives *must* take into consideration the Conservation Area and that SBC has a duty to share with neighbouring properties how the Conservation Area will be protected, *immediately*. This naturally, aligns with the objectives of the residents who bought into a residential area that represents the English Heritage rules and regulations.

Given the seriousness of this matter, this letter has been addressed to all relevant parties for you to come together to resolve this problem promptly.

## Outcomes

The outcome we and neighbouring residents are seeking is the following:

1. Official apology
2. To take an action and make a decision which should have happened before i.e. license to operate only as a restaurant not a club
3. Re-consider a decision which was not taken properly i.e. granting of the license in the first instance in a protected conversation area, revoke variation to license
4. Improve procedures i.e. the contents of this letter should be the roles and responsibilities of all authorities in the Council responsible for granting/objecting to this license. Please share written improved procedures on how the Council will in future review license applications in Conservation Areas
5. Consider enforcement action against an unauthorised building i.e. impose enforcement with TT and do so swiftly

## Next steps

Given the next event at the club TT is on the 29<sup>th</sup> October, we humbly request a written response from SBC by the 27<sup>th</sup> October.

Should a response not be received, we will continue to escalate our complaint in line with the SBC complaints procedure and consider to take the following action:

- Issue a letter before action
- Share our views on the matter with the following parties:
  - Local Media
  - Animal and Wildlife Protection groups
  - Conservation Area protection groups
- Local Government Ombudsman:
  - Maladministration claims on the basis of: i) failure to take any actions, ii) failure to follow procedures or the law, iii) misleading or inaccurate statements, iv) inadequate consultation, and iv) broken promises
  - Injustice on the basis of: i) hurt feelings, ii) distress, iii) worry, iv) inconvenience, v) loss of right or amenity, vi) time and trouble in pursuing a justified complaint (our first written complaint was made on the 8<sup>th</sup> August 2022. The chance for SBC to investigate the complaint in a reasonable timeframe falls under an exception that it appears that an entire administrative system has broken down)

## Evidence and required information/clarification from SBC

In support of the this letter, please find below a list of evidence along with supporting summaries and questions for the SBC to answer as part of this complaint.

The following Google Drive (<https://drive.google.com/drive/folders/1WlJgsAEqDclb-offagnuQBF50vxiOco0V?usp=sharing>) contains this list of evidence:

- SBC signage for conservation land – clearly depicting what is and is not permitted on / nearby conservation land
- Symonds Green Conservation area management plan
- TT License
- Video footage showing the unreasonable, inhumane and anti-wildlife damage and nuisance being caused by the activities of TT
- Evidence of events (flyers) on various social media platforms including Facebook and Instagram, showcasing the activity that TT are undertaking which is clearly a breach of their license terms and conditions
- Written promises made by Julie Dwan regarding the category under which the license falls should be restaurant and not a dance venue
- SBC statement of licensing policy 2020-2025
- Dispositionary first lease application provided priority date 17<sup>th</sup> October 2022 – application received as priority protected – please can SBC kindly provide a copy of this lease application and explain why it is priority protected?
- Pending application for registration against title number as of 23<sup>rd</sup> October 2022 – please can SBC kindly provide a copy of this application?

### TT License

Variation of DPS is disputed by residents on the basis that the TT is creating a nuisance in terms of noise (as evidenced in noise nuisance diaries) and anti-social behaviour by way of guests or visitors of TT trespassing private land, littering the conservation area and damaging the area with cars being parked on the green itself, as highlighted to the police by residents.

Can all stakeholders of the Council that are in the process of reviewing the license, confirm that they have considered the points raised in this letter as part of their review when granting the license to operate?

Can the SBC provide all documents in relation to the license applications of TT which include but is not limited to:

1. The variation to the license from crooked billet (Freeholder to TT as Leaseholder)
2. The vary of DPS
3. All documents or local surrounding information that the Council considered when approving the current license.
4. Freedom of information request (internal emails/communication) around license being granted, key words and any variations of – Tranquil Turtle, Symonds Green, Symonds Green Conservation Area.

The evidence provided in the form of video footage, noise nuisance diaries and witness statements to Julie Dwan are evidence of the following licensed activities being breached:

1. Performance of live music indoors Fri-Saturday 6-12am
2. Playing recorded music both indoors and outdoors Monday to Sunday 12-12
3. Late night refreshment Sunday-Thursday 11-12am
4. Late refreshment Friday – Saturday 11-1am
5. A sign will be displayed at each exit from the premises asking customers to respect the right of nearby residents to not be disturbed
6. All windows shall remain closed during regulated entertainment except for access and egress
7. A dispersal policy will be drawn up and implemented to ensure that as far as practicable customers leaving the premises at the end of each night's trading session do so quickly and

- quietly. The policy will be disseminated to staff as required to ensure it is properly implemented and a copy kept on the premises for inspection
8. No rubbish including bottles shall be moved removed or placed in outside areas between 22:00-08:00

### SBC Licensing Policy

In accordance with the SBC Statement of Licensing Policy 2020-2025.

It is evident that SBC and its Licensing Authority have breached the following policy clauses:

- 1.2 Prevention of public nuisance
- 2.1 Environmental protection act 1990, The Noise Act 1986, The Clean Neighbourhoods and Environment Act 2005
- 2.4 Planning policy guidance
- 4.1 and 4.2 Regulated activities
- 13.3 Consideration given to the impact of the activities taking place at licensed premises on members of the public living, working or engaged in normal activity on the vicinity of the premises
- 15.4 Detailed assessment taking into consideration the prevention of crime and disorder
- 15.16 Detailed assessment in the prevention of public nuisance
- 16.4 The Council is committed to accord with the principles of good enforcement
- 17.1 License reviews

### Conservation Area

Unlawful license granted for use of premises in a Conservation Area.

In reference to the Symonds Green Conservation Area Management Plan developed an appraisal by BEAMS in 2009 upon instruction of the SBC as guidance on the Management of Conservation Areas 2006 and Understanding Place: Conservation Area Designation, Appraisal and Management 2011 on the basis the Council has a duty to *only* allow developments in a conservation area that preserve or enhance its character or appearance.

It is evident that SBC and all stakeholders involved in granting the license to Tranquil Turtle have not considered this Conservation Area Management plan *specifically* designed for Symonds Green in granting the varied license.

As per above the Licensing Authority must consider as the responsible person all relevant laws, regulations, policies and conditions affecting neighbouring properties when granting a license. Clearly the SBC nor its relevant authorities considered the conservation area as a property that would be effected.

In light of this the SBC have breached the following clauses of the Symonds Green Conservation Area Management Plan:

- 1.2, 1.3 and 1.6 Understanding the importance of English Heritage when granting planning permission
- 2.1 - 2.5 Planning procedures in conservation areas
- 2.1.1 Enforcement of special planning procedures
- 3.1 Objectives of the management plan to ensure that the character and appearance of the conservation area will be maintained through the effective management of change
- 5.2 The Crooked Billet Public House providing an attractive focal point to the area (...which) depicts its rural character

- 6.2 The strengths of the conservation area namely the ponds, hedges, trees and range of wildlife living in the area. The retention of the layout and small village feel of the area
- 9.1 All development in the conservation area, or which falls part of its setting, must respond to its immediate environment and context
- 9.21 Common land requires favourable management and increased protection to conserve the variety of habitats and the species that rely on a diverse landscape. The Green has considerable local importance for wildlife. The Commons Act 2006 aims to protect areas of common land, in a sustainable manner delivering benefits for (...) public access and biodiversity
- 9.39 and 9.40 Pre-application discussions:
  - 9.39: Any proposed works within a conservation area require special consideration and all applicants are encouraged to seek pre-application advice prior to submission. For extensions, alterations and significant development proposals, applicants are advised to employ the services of an agent or architect with extensive knowledge of working in conservation areas.
  - 9.40: Proposals for development which fall within the conservation area, or which affect its setting, including views into and out of the area, will not be permitted unless they include a detailed assessment which identifies how the proposals will preserve or enhance, or otherwise complement the special character and appearance of the area. We will pay particular regard to Appraisal to the Symonds Green Conservation Area when considering development proposals in, or adjacent to, the area.
- 9.41 Enforcement - Local planning authorities have a duty to consider taking enforcement action where they believe there to have been a breach of planning control. Key aspects of the enforcement service are to investigate alleged breaches of planning control, listed building control and advertisement control. Wherever possible the Council will seek to resolve breaches without the need to take formal action.

### Charges affecting the land

In accordance with official copy register and title deed number HD309147:

Can SBC kindly confirm if the following charges have been breached, and if not on what basis or procedure is the council following to ensure such breaches have not and do not occur:

1. That no part of any dwelling house building or other erection which may at any time be upon the said property shall be so constructed or placed as to be within Twelve feet of the conductors mentioned in the Schedule hereto when the same are at maximum temperature and/or maximum swing and that no tree or coppice wood shall at any time hereafter be planted on the said property under the electric lines or within distance of Ninety feet of either side of the route of the
2. (29.07.1993) A Transfer of the land edged blue on the title plan dated 21 September 1984 made between (1) Stevenage Borough Council (Transferor) and (2) Greene King (Biggleswade) Limited (Transferee) contains the following covenants:-  
"THE Transferee hereby covenants with the Transferor for the benefit and protection of the adjoining and neighbouring land of the Transferor not to use or permit or suffer to be used the said land for any other purpose other than as a car park and to fence the said land where necessary and to maintain all the boundaries to the said land".
3. Can SBC share a copy of the lease for TT and confirm if any breaches of lease have occurred?

Yours sincerely,  
Residents of Symonds Green



Appendix D  
Representations from Local Residents

vii)



**Alex Marsh**

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**From:** [REDACTED]  
**Sent:** 23 January 2023 08:04  
**To:** Env. Health; Licensing  
**Subject:** [External] Objections/representations to: 23/00030/LAPRE5 Minor Variation of Premises Licence and 23/00031/LAPRE2 Full Variation of Premises Licence  
Premises: Tranquil Turtle Symonds Green Lane Stevenage Herts SG1 2HP  
**Attachments:** Objections to 2 applications Tranquil Turtle 22-01-23.pdf  
**Categories:** Bernie

Dear Sirs

**Objections to:**

**23/00030/LAPRE5 Minor Variation of Premises Licence and**

**23/00031/LAPRE2 Full Variation of Premises Licence**

**Premises: Tranquil Turtle Symonds Green Lane Stevenage Herts SG1 2HP**

Please find attached our objections/representations to 23/00030/LAPRE5 Minor Variation of Premises Licence and 23/00031/LAPRE2 Full Variation of Premises Licence  
Premises: Tranquil Turtle Symonds Green Lane Stevenage Herts SG1 2HP

Yours faithfully

[REDACTED]

To:

Stevenage Borough Council  
Licensing Authority  
Daneshill House  
Danestrete  
Stevenage SG1 1HN

By email:

[env.health@stevenage.gov.uk](mailto:env.health@stevenage.gov.uk)

[licensing@stevenage.gov.uk](mailto:licensing@stevenage.gov.uk)

22 January 2023

Dear Sirs,

**Representations / Objections to:**

**23/00030/LAPRE5 Minor Variation of Premises Licence  
and  
23/00031/LAPRE2 Full Variation of Premises Licence**

**Premises: Tranquil Turtle Symonds Green Lane Stevenage Herts SG1 2HP**

We hereby make the following representations, objecting to 23/00030/LAPRE5 Minor Variation of Premises Licence and 23/00031/LAPRE2 Full Variation of Premises Licence:

**1. prevention of public nuisance**

- 1.1 These are both retrospective applications. The reconfiguration of the external area, the external server, the "temporary" structure and cover over the external area have already been done in breach of the existing premises licence. As a result, there have been persistent repeated extremely loud noise nuisance due to the way the Premises has been traded and the use of the external area.
- 1.2 There has been frequent excessively loud noise emanating from the Premises due to the loud music, the DJs, customers in the outside garden area and customers exiting the premises, including on the following dates:
  - a. 7 August 2022 (before we downloaded the Environment Health app);
  - b. 13 August 2022 (before we download the Environment Health app);
  - c. 1 October 2022 (hundreds of people / multiple DJs R&B and Garage music festival); (submitted readings to the Environmental Health noise app);

1. 8 October 2022 (submitted readings to the Environmental Health noise app and also called Councillor Downey on this night);
2. 29 October 2022 (submitted readings to the Environmental Health noise app – Tranquil Turtle held its Bottomless Thriller Brunch and evening Day of the Dead Event);
3. 12 November 2022 (submitted readings to the Environmental Health noise app);
4. 26 November 2022 (Bottomless Brunch and after party) (submitted readings to the Environmental Health noise app);
5. 10 December 2022 submitted readings to the Environmental Health noise app; and
6. 17 December 2022 (submitted 5 readings to the Environmental Health noise app).

We have also contacted Christine Walker-Wells and Julie Dwan of Stevenage Borough Council Licensing Authority and attended and raised this at the local council surgery on 10 January 2023 with the 3 Councillors for Symonds Green.

We are also aware that numerous other residents have registered multiple noise complaints as well.

**1.3 Please find attached:**

**1.3.1 as Appendix 1:**

- i. Photograph of the existing outside bar in breach of the existing premises licence.
- ii. Photograph of the existing outside area in breach of the existing premises licence.

**1.3.2 As Appendix 2: 2 photographs of the "temporary" Scaffolding Area and cover over external area;**

**1.3.3 As Appendix 3: Adverts for several events at the Tranquil Turtle including:**

- a. Sound Suite Festival (R&B Garage DJs) on 1 October 2022 – this was a large and extremely noisy event attended by hundreds of people;
- b. Shisha in the Tranquil Gardens with DJs (outside);
- c. Examples of the regular Bottomless Brunch events:
  - i. Bottomless Brunch advert (30 April 2022) referring to "After party in the Tranquil Gardens";

- ii. Advert from the Tranquil Turtle “don’t forget the party continues in the Tranquil Gardens.”
- iii. Bottomless Brunch 14 January 2023.
- iv. Bottomless Brunch dates January – April 2023.
- d. Advert from the Tranquil Turtle: “Tranquil Turtle Presents Day of the Dead 29 October 7pm until Late”.
- e. Advert from the Tranquil Turtle (6 January 2023): “Evening settings in the Tranquil Gardens”;
- f. Advert from the Tranquil Turtle (25 September 2022): “Chilled Ibiza Sundays . . .relax in the Tranquil Gardens . . . DJ Set 8pm onwards”.

The loud music, noise and voices from customers emanating from the outside area and gardens of the Premises held and the after events held in the evenings after the Bottomless Brunches frequent noise nuisance. This has been exacerbated by the outside servery and covered outside area and is now happening in all weathers.

#### 1.4 Litter nuisance and anti-social behaviour.

As a result of the use of the outside area in particular, I have on several occasions spotted and disposed of empty bottles of prosecco that have been thrown, onto the Symonds Green Common and nearby properties’ front gardens.

## 2 prevention of crime and disorder.

2.1 The outside servery combined with the events held at the Premises make it easier for excessive alcohol consumption to frequently occur.

2.2 Due to the location of the Premises, people pre-dominantly drive to it. I witnessed a near fatal accident in the Summer 2022, when a car leaving the Premises after one of the bottomless brunch events, at speed, narrowly missed a young child on a push scooter, their mother and myself (who were all using Symonds Green Lane lawfully). I had to jump out of the way. The driver was clearly heavily over the influence as after the incident they continued at speed, forgot to turn left into Eastbourne Avenue and had to do an emergency stop.

I am also aware that other people have witnessed and experienced similar incidents.

### 2.3 Litter and anti-social behaviour

As a result of the way the Premises is being traded and there being an inside and outside bar, I have on several occasions spotted and disposed of empty bottles of prosecco that have been thrown on to Symonds Green Common and nearby properties' front gardens that have clearly been taken out of the Premises after the Bottomless Brunch events.

### 2.4 Parking in Breach of s34 of the Road Traffic Act 1988 which makes it unlawful for a person to drive or park a motor vehicle on any common land without lawful authority and the Common Byelaws.

When large events have been held at the Premises and outside area, there are more cars than the car park for the Premises has capacity for and so people are parking on Symonds Green common in breach of section 34 of the Road Traffic Act 1988 and the Common Byelaws. This has been exacerbated by the increased capacity with the outside servery, bar and covered area.

### **3. The "temporary" scaffolding including cover over the external area breaches planning and conservation area consent.**

It is retrospective and has been in place in breach for over 4 months.

In addition to being in breach of the existing premises licence it is in breach of planning and conversation area consent (the Premises are located in the Symonds Green Conversation area) and the ugly structure is detrimental to the special character of the area as a conversation area.

It is also used to extend the use of the external area, increasing the noise nuisance, risk to crime and disorder in all weathers. For example, it increased the capacity of the large multiple DJ music event held on 1 October 2022 (one of the adverts for which, see Appendix 3 refers to it being: "covered, enclosed and heated").

Please find attached as Appendix 2 photographs of the "temporary" scaffolding and cover of the external area.

### **4. Application 23/00030/LAPRE5: Not a minor variation**

The application 23/00030/LAPRE5 Minor Variation of Premises Licence whilst it has been submitted as a minor variation of Premises Licence is not a minor variation. This is not a small change and goes beyond what should be dealt with as a minor variation.

### **5. No advert displayed for Application 23/00031/LAPRE2**

In breach of licensing law no advert is being displayed for the full application 23/00031/LAPRE2. The only advert on display is for the minor variation: 23/00030/LAPRE5 Minor Variation of Premises Licence.

This representation has been made within the time period for representations.

Yours faithfully



**Appendix 1:**

- a. Photograph of the existing outside bar in breach of the existing premises licence.**
- b. Photograph of the existing outside area in breach of the existing premises licence.**







**Appendix 2: "temporary" Scaffolding Area and cover over external area:**

- a. Photograph taken on 30 September 2022**
- b. Photograph of the front of the Tranquil Turtle showing the structure**



### Appendix 3: Advertisements for Events at the Tranquil Turtle

#### a. Adverts for the large, multiple DJs garage and R&B extremely noisy music festival attended by hundreds of people on 1 October 2022:

The screenshot shows an email advertisement for 'Sound Suite UK'. At the top left, there is a small red and white logo. Below it, the text reads 'Sound Suite UK' in a large, bold, black font. Underneath, it says 'Tranquil Turtle, Stevenage, United Kingdom • 1 October 2022 20:00 - 2 October 2022 01:30' and 'Garage • R&B • Soul'. To the right of this text is a small red and white image with the text 'Part Don't miss the next one' and a 'Join Mailing List' button. Below this, there is a section with the heading 'Past' and a paragraph of text: 'This event has already taken place, join our Mailing List and we will keep you up to date with priority access to tickets, discounts and exclusive deals & offers via email.' To the right of this text is a small image of a DJ setup. Below this is another 'Join Mailing List >' button. Further down, there is a section titled 'Sound Suite Festival Uk Reunion' with a paragraph: 'After a hugely successful event on the island of Sardinia, we invite you to an exclusive event in the sublime surroundings of The Tranquil Turtle.' This is followed by another paragraph: 'Our resident DJ's Brian Jay and DJ Batch are joined by Pete Precise and DJ Lawless bringing you the best in Soulful Vocal House, RnB, Pioneering Garage and our signature Suite Sounds from the island!' Below this is the text 'TICKET PURCHASE ENTERS YOU INTO A PRIZE DRAW FOR TWO FULL WEEK WRISTBANDS TO SOUND SUITE FESTIVAL 2023!' and 'LAST ENTRY MIDNIGHT.' At the bottom left, there is a small red and white logo with the text '2022' next to it. To the right of this is a small red and white image with the text 'Part Don't miss the next one' and a 'Join Mailing List' button.



Festicket



**SATURDAY 1 OCTOBER 2022 8PM-LATE** [WWW.SOUNDSUITE.CO.UK](http://WWW.SOUNDSUITE.CO.UK)

**Sound Suite UK (SARDINIA reunion) STEVENAGE 1/10/22**

Sat 1 Oct 2022 8:00 PM - 1:30 AM EDT The Tranquil Turtle, SG1 2NF

After a hugely successful event on the island of Sardinia, we invite you to an exclusive event to witness our recordings of the Tranquil Turtle Stevenage.

The Tranquil Gardens, Conservatory and Lounge (covered, enclosed and heated) and inside the venue (after 11.30pm) provide the perfect backdrop for our event.

Our resident DJs Brian Jay and DJ Batch are joined by Pete Precise and DJ Lawless bringing you the best in Sardinia soul-jazz, RnB, Pioneering Garage and our signature Sardinia Sounds from the island!

ADVANCE TICKET PURCHASE ENTERS YOU INTO A FREE DRAW FOR TWO FULL WEEK TICKETS TO SOUND SUITE FESTIVAL 2023. No cash alternative. Names of winners must be confirmed within one month of announcement. Open 18+ only at Festival events.

[Join waiting list](#)

[View this event](#)

[We'll call you if you accept](#)

[Contact the event organiser](#)

**b. Shisha in the Tranquil Gardens (with DJs)**



**c. Examples of Bottomless Brunch events**



**Bottomless Brunch**  
**NAUGHTY'S 00**  
**DJ Panico**  
*Millennium Era of Music.*  
**Saturday 14<sup>th</sup> January**  
 2PM - 4PM  
**2 HOURS BOTTOMLESS**  
**2 COURSE SHARING PLATTER**  
**£50 PER PERSON**

BOOK NOW  
 CALL US ON 01273 501000 OR VISIT US ON WWW.NAUGHTYS00.CO.UK  
 THROUGH OUR ONLINE PLATFORM £53.50PP

**TRANQUIL TURTLE**  
**2023 Brunch Dates**  
**RESERVE NOW**  
 Due to high demand, we have now released our 2023 brunch dates


- Saturday 14th January
- Saturday 4th February
- Saturday 4th March
- Saturday 1st April

£50pp - Live Entertainment -  
 Themed Events - Pre-Bookings available

**d. Advert Tranquil Turtle: Day of the Dead 29 October 2022**



**e. Advert from the Tranquil Turtle (6 January 2023)**

 \_tranquilturtle is at \_tranquilturtle. ...  
6 January at 16:00 · Stevenage · 🌐

Evening settings in the Tranquil Gardens 🍷 Are you joining us this weekend?

Reservations:  
[www.Tranquil-Turtle.co.uk](http://www.Tranquil-Turtle.co.uk)  
01438 576 300... See more



**f. Advert from the Tranquil Turtle (25 September 2022)**





**Appendix D**  
**Representations from Local Residents**

viii)



## Alex Marsh

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**From:** [REDACTED]  
**Sent:** 26 January 2023 14:15  
**To:** Env. Health; PlanningPolicy\_SBC  
**Subject:** [External] Official objection to Minor and Full Variation of licensing and planning for Tranquil Turtle for attention of Ben Marsh

**Categories:** Jackie

Good afternoon,

Official objection to Minor and Full Variation of licensing and planning for Tranquil Turtle Symonds Green

Please accept this email as an official objection to the Minor LAPRE 2 variation and the Full Variation to vary license/planning based on the points below.

The Tranquil Turtle is trying to legitimise current unplanned and unlicensed activities which are causing material stress and hardship for those who live around it (Residents, retired and working, children, Wildlife, and pets). This includes the structure they erected to the side of the building with extensive scaffolding and coverage to hosting music events and the bar and shisha area, which was constructed without planning (they are trying to legitimise this further). Adding further fencing and fixed seating will have a detrimental "modern and unfitting" aesthetic to what is a preserved and historical look as dictated by the Symonds Green Management Plan - the building upgrades, including copious LED lighting, have already made this a move in the wrong direction - further development needs to stop. Having an outside bar will only cause further noise complaints in warmer weather as the business neglects any sensible approach to sound levels it imposes on nearby residents.

The venue was also promised not to be a dance/entertainment venue (Julie Dwan to [REDACTED] yet continues to operate more in this direction and further away from being a high-tier restaurant, and the latest changes, if allowed, will enhance this further. Through the process, the council are happy to look at further detrimental changes they wish to make instead of rectifying where the business has already fallen foul of expectations regarding the due process of planning. A human error was made on their license granted initially - could you tell me what was/has been done to fix this?

With many noise complaints and calls to the police being made officially to the council (Env Health), it is clear to see the impact further changes on the outside activity would have on the neighbourhood. The main concerns are:

- Noise (highly documented)
  - Anti-social behaviour (numerous police calls already documented)
  - Inadequacy of parking (cars are now being parked on the green during night and day events)
  - Design and appearance of materials (the unplanned structure is hideous and is ruining the landscape of the protected area)
  - Highway safety
  - Nature Conservation – There is a wide range of wildlife in the area which have been affected – muntjac deer, rabbits. Protected Bats are affected by light and high volume, which is illegal. This business is affecting the natural aesthetics of the Symonds Green Common. This is Stevenage's conservation area, and wildlife should be at the centre of all decisions taken on the green.
  - Previous license obligations are being ignored by the owners related to the previous management.
  - Promotion of high alcohol intake with the promotion of Bottomless Brunches. (Drink as much as you like!) to attract business.
- Lastly - the business has decided to liquidate its previous limited company wiping out debts owed to numerous other local businesses whilst opening under a new entity with the same people behind it. It has lost the good faith of its local community. The disrespect in the face of the council bodies, which we have been assured have visited them on numerous occasions to speak about noise and other issues, yet they still operate in the same way regardless.
- Many tenants moved to this area for its serenity, a protected area that is safe and quiet to bring up our families. The Tranquil Turtle has made this anything but peaceful for us and is causing us continued stress and anxiety and ruining our enjoyment of the area's surroundings.
- We urge the council to do the right thing in not granting the requested planning and license changes and acting on the noise reports many residents, including myself, have submitted. Taking swift action on the points mentioned where they have already breached the planning process.
- Kind Regards,

**Appendix D**  
**Representations from Local Residents**

ix)



**Alex Marsh**

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**From:** [REDACTED]  
**Sent:** 29 January 2023 13:24  
**To:** Env. Health  
**Cc:** [REDACTED]  
**Subject:** [External] Opposition to Minor Variation of Premises Licence - Tranquil Turtle SG1 2HP

**Categories:** Jane

Dear Sir/Madam,

RE:  
Tranquil Turtle Tranquil Turtle Symonds Green Lane Stevenage Herts SG1 2HP  
**Ref. No: 23/00030/LAPRE5** | Status: Open for Consultation | Applicant Name: Greene King Retailing Limited

Tranquil Turtle Tranquil Turtle Symonds Green Lane Stevenage Herts SG1 2HP  
**Ref. No: 23/00031/LAPRE2** | Status: Open for Consultation | Applicant Name: Greene King Retailing Limited

I wish to register my opposition to the above plans.  
Apart from these applications being particularly vague in detail (I have been unable to find any detailed plans and there are no links to these in the notices). I also take issue with how they were made available to the public. Previous notices could be seen on a lamppost in Symonds Green. However, these are on a board right outside the premises, in a place where you wouldn't normally walk past and you can barely see from the road. I only found out as a neighbour physically pointed it out to me.

I live in Minehead Way , close to Symonds Green.  
This premises' previous form of outdoor "events" has shown their complete lack of consideration for the surrounding area and residents. Unfortunately I see an expansion of the outside area as an opportunity for more of these events.  
Last summer there were a number held where unacceptable levels of noise (music) was banging out all afternoon and into early hours of next morning. We could not enjoy time in our own back gardens, let alone Symonds Green itself. Stevenage Environmental health were informed and subsequently attended. I see nothing in the application stating what their plans are regarding noise controls.  
I don't see how anyone can consider the middle of a housing estate is a sensible place for an events venue. Some traffic to and from the premises have also not considered the road through Symonds Green is also for pedestrians.

The mentioned 'temporary' scaffolding is hardly temporary. It has been in place has been there 4 or more months already and not used for actual building works as I initially (and wrongly) assumed.  
How long is the intention to keep this in place, surely it is more than "temporary" already? None of this is mentioned in the applications/plans I've been able to find on [stevenage.gov.uk](http://stevenage.gov.uk) website. Apart from being a hideous eyesore I don't believe is a safe place to have guests underneath - I understand laws regarding scaffolding use requires checking of scaffolding every 7 days while it's up to make sure it's safe , from the point of public safety is this being adhered to?

Thank you for your time.

**Appendix D**  
**Representations from Local Residents**

x)



**Alex Marsh**

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**From:** [REDACTED]  
**Sent:** 31 January 2023 15:56  
**To:** Plan Devcon; Licensing; Env. Health; Jackie Hollywell  
**Subject:** [External] OBJECTION TO VARIATION OF LICENSE AT THE TRANQUIL TURTLE, SYMONDS GREEN LANE, STEVENAGE

[REDACTED]

29 January 2023

OBJECTION TO THE VARIATION OF PREMISES LICENCE REF 23/00031/LAPRE2.

Dear Sir

I'm writing to you to formally object to the above licence variation in respect of the Tranquil Turtle in Symonds Green Lane, Stevenage which I feel is inappropriate for the following that apply.

- adequacy of parking, loading, and turning
- archaeology
- conflict with planning policies
- design appearance and material
- disabled access
- effect on listed building and conservation area
- hazardous materials
- highway safety
- landscaping
- loss of privacy
- loss of trees
- nature conservation
- noise and disturbance resulting from use
- road access
- smells
- traffic generation
- visual amenity (but not loss of private view)

The application appears to be retrospective and seeks to regularise the current situation, with the additional variation added on. Scaffolding was erected around the middle of 2022 and covered with polythene on the sides with a metal roof. On asking I was informed this was to allow work to be undertaken to the side of the building, although the building had only been refurbished in 2021 before it opened. The fact that this structure is clad in polythene appears to be a fire and health and safety issue, as well as an eyesore in a conservation area.

During last summer 'events' took place, which involved the bringing in outside DJs with their own following. Unfortunately, as these events take place under the scaffolding but outside of the main building, noise was a major issue. On this occasion the police were called later, as residents phoning the premises were not able to speak to anyone inside the premises. The

noise was excessive, starting at 2pm and continuing all day up until around midnight, and families were not able to relax, enjoy their gardens or go to sleep. (I'm also aware of an assault last November, in which the Police were called, such incident appearing in the local Comet newspaper). This also meant there was an increase in cars, day, and night, along Symond's Green Lane, which is a single bridleway, not well lit and not suitable for substantial traffic flows. Pedestrians leaving were also not quiet on exit, thus passing houses with residents being disturbed. During the day people are walking along that bridleway with children and animals. I and my dog have had to move off the road to avoid being taken out, as some drivers do not slow down when they see pedestrians. Allowing an external bar surgery to operate from 11.00 AM until 22.30 daily will only give rise to more noise and "events" in the general vicinity, which is unwelcome, accompanied or not by music. During an event last year, cars were parked on Symonds Green common in direct contravention of the by-laws advertised on a sign situated thereon.

The Tranquil Turtle was originally put forward as a restaurant and cocktail bar to bring the London pizzazz to the locals. However, these "event" occasions are advertised further than the local area, and are hash tagged as far as Enfield, Broxbourne, Luton, Epping, Essex, Watford, St Albans, Buntingford and other areas on Instagram, and will attract traffic and people that are not local. Due to the premises having a late licence in the week and a later one at the weekend then it stands to reason there will be traffic movement late at night, into the morning with associated noise and inconvenience to the locals and maybe intoxicated drivers. I cannot see how the premises can operate as a restaurant when you have Ibiza style beach events taking place at the same time on the other side of the wall. It would hardly seem a place to go for a romantic meal and in the summer, I expect more events will be happening if this variation goes ahead. Why can't it just be a restaurant and cocktail bar as was the intention or was it.

This property is in a conservation area and the appearance of this scaffolding, is unsightly and excessive noise it will give off does not seem conducive to the status of conservation nor the wildlife who are not able to speak for themselves. The enjoyment and tranquillity of the area has been affected, and I wonder what will happen next should this go through uncontested. This is a residential area and has been for many years, it is made-up of elderly people and people with families and young children. I think it is most unfair and disrespectful that they should have to put up with this change in circumstances. I'm already dreading it should these proposals go through, and my anxiety levels are rising. There are probably people who are unaware of these applications and who would object if they knew about them. Personally, I have not seen any notices attached to lamp posts, indeed the only notice I have seen has been affixed to a board outside the premises off the highway, which people walking by would not see, and a tiny one in the Comet. An all-day outside servery would do nothing for the local area and cause distress to the residents with constant background noise and traffic movements. This is not the right area for this type of venture.

For the reasons above, I object to the Minor and Full Variation of the License, and to the continued existence of the scaffolding, all of which is out of keeping with the surroundings. I also find it odd that we are being asked to comment on a variation of a license that includes a temporary structure that shouldn't be being used in the manner it is in the first place. People have paid a lot of money for their houses and ongoing council tax and should not have to endure this intrusion.

Kind Regards





LICENSING ACT 2003  
**PREMISES LICENCE**

**SBCL0136**

LICENSING AUTHORITY



**Daneshill House  
Danestrete  
Stevenage  
Herts  
SG1 1HN**

Part 1 - Premises Details

**Tranquil Turtle  
Symonds Green Lane  
Stevenage  
Herts  
SG1 2HP**

**Telephone Number: 01438 722558**

**Where the Licence is time limited the dates: - 31 December 9999**

**Licensable Activities authorised by the licence:**

- E - Performance of Live Music**
- F - Playing Recorded Music**
- H - Anything Similar falling within E,F or G**
- I - Late Night Refreshment**
- J - Sale of Alcohol**

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

**E - Performance of Live Music (Indoors)**

	<b>From:</b>	<b>To:</b>	
Sunday-Thursday	18:00	23:00	
Friday-Saturday	18:00	00:00	
Good Friday	18.00	01.00	
Easter Saturday	18.00	01.00	
Easter Sunday	18.00	00.00	
Easter Monday	18.00	00.00	
St Patrick's Day (17th March)	18.00	00.00	Until 01.00hrs if on Fri/Sat
St Georges's Day (23rd April)	18.00	00.00	Until 01.00hrs if on Fri/Sat
Bank Holiday Saturdays	18.00	01.00	
Bank Holiday Sundays	18.00	00.00	
Bank Holiday Mondays	18.00	00.00	
Christmas Eve	18.00	00.00	Until 01.00hrs if on a Fri/Sat
Christmas Day	18.00	00.00	Until 01.00hrs if on a Fri/Sat
Boxing Day	18.00	00.00	Until 01.00hrs if on a Fri/Sat
New Years Eve	18.00	23.00	Until 00.00hrs if on Fri/Sat
New Years Day	18.00	00.00	Until 01.00hrs if on Fri/Sat
Publicly Declared Holiday	18.00	00.00	Until 01.00hrs if on Fri/Sat

**F - Playing Recorded Music (Indoors and Outdoors)**

	<b>From:</b>	<b>To:</b>	
Monday-Sunday	00:00	00:00	24hrs

**H - Anything Similar falling within E,F or G (Indoors)**

	<b>From:</b>	<b>To:</b>	
Sunday-Thursday	18:00	23:00	
Friday-Saturday	18:00	00:00	
Good Friday	18.00	01.00	
Easter Saturday	18.00	01.00	
Easter Sunday	18.00	00.00	
Easter Monday	18.00	00.00	
St Patrick's Day (17th March)	18.00	00.00	Until 01.00hrs if on Fri/Sat
St Georges's Day (23rd April)	18.00	00.00	Until 01.00hrs if on Fri/Sat
Bank Holiday Saturdays	18.00	01.00	
Bank Holiday Sundays	18.00	00.00	
Bank Holiday Mondays	18.00	00.00	
Christmas Eve	18.00	00.00	Until 01.00hrs if on a Fri/Sat
Christmas Day	18.00	00.00	Until 01.00hrs if on a Fri/Sat
Boxing Day	18.00	00.00	Until 01.00hrs if on a Fri/Sat
New Years Eve	18.00	23.00	Until 00.00hrs if on Fri/Sat
New Years Day	18.00	00.00	Until 01.00hrs if on Fri/Sat
Publicly Declared Holiday	18.00	00.00	Until 01.00hrs if on Fri/Sat

**I - Late Night Refreshment (Indoors and Outdoors)**

	<b>From:</b>	<b>To:</b>	
Sunday-Thursday	23:00	00:00	
Friday-Saturday	23:00	01:00	
Good Friday	00.00	01.00	
Easter Saturday	23.00	01.00	
Easter Sunday	23.00	00.30	
Easter Monday	23.00	00.30	
St Patrick's Day (17th March)	23.00	00.30	Until 01.00hrs if on Fri/Sat
St George's Day (23rd April)	23.00	00.30	Until 01.00hrs if on Fri/Sat
Bank Holiday Saturdays	23.00	01.00	
Bank Holiday Sundays	23.00	00.30	
Bank Holiday Mondays	23.00	00.30	
Christmas Eve	23.00	00.30	Until 01.00hrs if on Fri/sat
Christmas Day	23.00	00.30	Until 01.00hrs if on Fri/Sat
Boxing Day	23.00	00.30	Until 01.00hrs if on Fri/Sat
New Years Eve	23.00	05.00	
New Years Day	23.00	00.30	Until 01.00hrs if on Fri/Sat
Publicly Declared Holidays	23.00	00.30	Until 01.00hrs if on Fri/Sat

**J - Sale of Alcohol (Alcohol is supplied for consumption both on and off the Premises)**

	<b>From:</b>	<b>To:</b>	
Sunday-Thursday	11:00	00:00	
Friday-Saturday	11:00	01:00	
Good Friday	11.00	01.00	
Easter Saturday	11.00	01.00	
Easter Sunday	11.00	00.00	
St Patrick's Day (17th March)	11.00	00.00	Until 01.00hrs if on Fri/Sat
St Georges's Day (23rd April)	11.00	00.00	Until 01.00hrs if on Fri/Sat
Bank Holiday Saturdays	11.00	01.00	
Bank Holiday Sundays	11.00	00.00	
Bank Holiday Mondays	11.00	00.00	
Christmas Eve	11.00	00.00	Until 01.00hrs if on Fri/Sat
Christmas Day	11.00	00.00	Until 01.00hrs if on Fri/Sat
Boxing Day	11.00	00.00	Until 01.00hrs if on Fri/Sat
New Years Eve	11.00	00.00	
New Years Day	00.01	00.00	Until 01.00hrs if on Fri/Sat
Publicly Declared Holiday	11.00	00.00	Until 01.00hrs if on Fri/Sat

**The opening hours of the premises: From: To:**

Sunday-Thursday	11:00	00:30	
Friday-Saturday	11:00	01:30	
Good Friday	11.00	00.30	
Easter Saturday	11.00	01.30	
Easter Sunday	11.00	00.30	
Easter Monday	11.00	00.30	
St Patrick's Day (17th March)	11.00	00.30	Until 01.30hrs if on Fri/Sat
St George's Day (23rd April)	11.00	00.30	Until 01.30hrs if on Fri/Sat
Bank Holiday Saturdays	11.00	01.30	
Bank Holiday Sundays	11.00	00.30	
Bank Holiday Mondays	11.00	00.30	
Christmas Eve	23.00	00.30	Until 01.30hrs if on Fri/Sat
Christmas Day	23.00	00.30	Until 01.30hrs if on Fri/Sat
Boxing Day	11.00	00.30	Until 01.30hrs if on Fri/Sat
New Years Eve	11.00	00.00	
New Years Day	00.01	00.30	(Next Day) Until 01.30hrs if on Fri/Sat
Publicly Declared Holiday	11.00	00.30	Until 01.30 if on a Fri/Sat

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

Alcohol is supplied for consumption both on and off the Premises

Part 2

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

Greene King Retailing Limited  
Westgate Brewery, Bury St Edmonds, Suffolk, IP33 1QT,

01284 714140

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

Greene King Retailing Limited

05265451

Name address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Liam Liskus  
3 North Street  
Sudbury  
Suffolk  
CO10 1RB

Personal Licence number and issuing authority of Personal Licence held by Designated Premises Supervisor (where the premises authorises for the supply of alcohol):

**Personal Licence Number:** BPA 1209  
**Licensing Authority:** Babergh District Council

## **ANNEX 1 – MANDATORY CONDITIONS**

1. No supply of alcohol may be made under the premises licence –
  - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
  - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) 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.  
  
(2) 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).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (1) 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.  
  
(2) 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.  
  
(3) 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—
  - (a) a holographic mark, or
  - (b) an ultraviolet feature.
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: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml

(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.

7. A relevant person 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 -

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "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 amount 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;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

8. Where the permitted price would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

9. (1) Sub-paragraph (2) applies 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.

(2) 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.

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

1. All staff who have direct dealings with customers shall be trained in the following:

- (i) Licensing law and in particular that relating to the sale of alcohol;
- (ii) The Challenge 21 policy;
- (iii) The premises licence and its conditions.

A record shall be kept of this training which will be refreshed no less than every 6 months and this record shall be available for inspection by the Licensing Authority or Police upon request.

2. An incident and refusals log ('the log') will be kept and maintained at the premises and all incidents and refusals of sales of alcohol shall be recorded in it. As a minimum, the log will record the date and time of the incident/ refusal, the name of the person making the entry, the nature of the incident/ refusal and any actions taken.

3. The DPS or suitably nominated colleague to regularly attend Pubwatch or other similar scheme, where in operation.

4. The DPS/ manager will undertake a weekly inspection of the public areas of the premises to identify anything that might present an identifiable risk to public safety. Any risks identified that are deemed to be unreasonable must be rectified at the earliest possible opportunity.

5. A sign will be displayed at each exit from the premises asking customers to respect the rights of nearby residents not to be disturbed.
6. All windows and doors shall remain closed during regulated entertainment, except for access and egress.
7. A dispersal policy ('the policy') will be drawn up and implemented to ensure that as far as practicable customers leaving the premises at the end of each night's trading session do so quickly and quietly. The policy will be disseminated to staff as required to ensure that it is properly implemented and a copy kept at the premises for inspection by licensing or other responsible authority officers on request.
8. A challenge 21 policy shall operate in the premises in relation to the sale of alcohol.
9. Children are to be supervised by a responsible adult at all times.
10. No deliveries may be made to the premises between 22.00hrs and 08.00hrs
11. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 22.00hrs and 08.00hrs

**ANNEX 3 – CONDITIONS ATTACHED AFTER A HEARING**

Not applicable.

**ANNEX 4 – AUTHORISED PLANS**

One plan attached: drawing number BHB/BA/02 - dated: 06.08.2021



**Zayd Al-Jawad Zayd Al-Jawad**  
Assistant Director, Planning & Regulation

**Date: 6th October 2022**

**PREMISES LICENCE  
SUMMARY**



**Daneshill House  
Danestrete  
Stevenage  
Herts  
SG1 1HN**

**1. Premises Details**

**Tranquil Turtle  
Symonds Green Lane  
Stevenage  
Herts  
SG1 2HP**

**Telephone Number: 01438 722558**

**Where the Licence is time limited the dates: - 31 December 9999**

**Licensable Activities authorised by the licence:**

- E - Performance of Live Music**
- F - Playing Recorded Music**
- H - Anything Similar falling within E,F or G**
- I - Late Night Refreshment**
- J - Sale of Alcohol**



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

**E - Performance of Live Music (Indoors)**

	<b>From:</b>	<b>To:</b>	
Sunday-Thursday	18:00	23:00	
Friday-Saturday	18:00	00:00	
Good Friday	18.00	01.00	
Easter Saturday	18.00	01.00	
Easter Sunday	18.00	00.00	
Easter Monday	18.00	00.00	
St Patrick's Day (17th March)	18.00	00.00	Until 01.00hrs if on Fri/Sat
St Georges's Day (23rd April)	18.00	00.00	Until 01.00hrs if on Fri/Sat
Bank Holiday Saturdays	18.00	01.00	
Bank Holiday Sundays	18.00	00.00	
Bank Holiday Mondays	18.00	00.00	
Christmas Eve	18.00	00.00	Until 01.00hrs if on a Fri/Sat
Christmas Day	18.00	00.00	Until 01.00hrs if on a Fri/Sat
Boxing Day	18.00	00.00	Until 01.00hrs if on a Fri/Sat
New Years Eve	18.00	23.00	Until 00.00hrs if on Fri/Sat
New Years Day	18.00	00.00	Until 01.00hrs if on Fri/Sat
Publicly Declared Holiday	18.00	00.00	Until 01.00hrs if on Fri/Sat

**F - Playing Recorded Music (Indoors and Outdoors)**

	<b>From:</b>	<b>To:</b>	
Monday-Sunday	00:00	00:00	24hrs

**H - Anything Similar falling within E,F or G (Indoors)**

	<b>From:</b>	<b>To:</b>	
Sunday-Thursday	18:00	23:00	
Friday-Saturday	18:00	00:00	
Good Friday	18.00	01.00	
Easter Saturday	18.00	01.00	
Easter Sunday	18.00	00.00	
Easter Monday	18.00	00.00	
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Bank Holiday Sundays	18.00	00.00	
Bank Holiday Mondays	18.00	00.00	
Christmas Eve	18.00	00.00	Until 01.00hrs if on a Fri/Sat
Christmas Day	18.00	00.00	Until 01.00hrs if on a Fri/Sat
Boxing Day	18.00	00.00	Until 01.00hrs if on a Fri/Sat
New Years Eve	18.00	23.00	Until 00.00hrs if on Fri/Sat
New Years Day	18.00	00.00	Until 01.00hrs if on Fri/Sat
Publicly Declared Holiday	18.00	00.00	Until 01.00hrs if on Fri/Sat

**I - Late Night Refreshment (Indoors and Outdoors)**

	<b>From:</b>	<b>To:</b>	
Sunday-Thursday	23:00	00:00	
Friday-Saturday	23:00	01:00	
Good Friday	00.00	01.00	
Easter Saturday	23.00	01.00	
Easter Sunday	23.00	00.30	
Easter Monday	23.00	00.30	
St Patrick's Day (17th March)	23.00	00.30	Until 01.00hrs if on Fri/Sat
St George's Day (23rd April)	23.00	00.30	Until 01.00hrs if on Fri/Sat
Bank Holiday Saturdays	23.00	01.00	
Bank Holiday Sundays	23.00	00.30	
Bank Holiday Mondays	23.00	00.30	
Christmas Eve	23.00	00.30	Until 01.00hrs if on Fri/sat
Christmas Day	23.00	00.30	Until 01.00hrs if on Fri/Sat
Boxing Day	23.00	00.30	Until 01.00hrs if on Fri/Sat
New Years Eve	23.00	05.00	
New Years Day	23.00	00.30	Until 01.00hrs if on Fri/Sat
Publicly Declared Holidays	23.00	00.30	Until 01.00hrs if on Fri/Sat

**J - Sale of Alcohol (Alcohol is supplied for consumption both on and off the Premises)**

	<b>From:</b>	<b>To:</b>	
Sunday-Thursday	11:00	00:00	
Friday-Saturday	11:00	01:00	
Good Friday	11.00	01.00	
Easter Saturday	11.00	01.00	
Easter Sunday	11.00	00.00	
St Patrick's Day (17th March)	11.00	00.00	Until 01.00hrs if on Fri/Sat
St Georges's Day (23rd April)	11.00	00.00	Until 01.00hrs if on Fri/Sat
Bank Holiday Saturdays	11.00	01.00	
Bank Holiday Sundays	11.00	00.00	
Bank Holiday Mondays	11.00	00.00	
Christmas Eve	11.00	00.00	Until 01.00hrs if on Fri/Sat
Christmas Day	11.00	00.00	Until 01.00hrs if on Fri/Sat
Boxing Day	11.00	00.00	Until 01.00hrs if on Fri/Sat
New Years Eve	11.00	00.00	
New Years Day	00.01	00.00	Until 01.00hrs if on Fri/Sat
Publicly Declared Holiday	11.00	00.00	Until 01.00hrs if on Fri/Sat

**The opening hours of the premises: From: To:**

	<b>From:</b>	<b>To:</b>	
Sunday-Thursday	11:00	00:30	
Friday-Saturday	11:00	01:30	
Good Friday	11.00	00.30	
Easter Saturday	11.00	01.30	
Easter Sunday	11.00	00.30	
Easter Monday	11.00	00.30	
St Patrick's Day (17th March)	11.00	00.30	Until 01.30hrs if on Fri/Sat
St George's Day (23rd April) if on Fri/Sat	11.00	00.30	Until 01.30hrs
Bank Holiday Saturdays	11.00	01.30	
Bank Holiday Sundays	11.00	00.30	
Bank Holiday Mondays	11.00	00.30	
Christmas Eve	23.00	00.30	Until 01.30hrs if on Fri/Sat
Christmas Day	23.00	00.30	Until 01.30hrs if on Fri/Sat
Boxing Day	11.00	00.30	Until 01.30hrs if on Fri/Sat
New Years Eve	11.00	00.00	
New Years Day	00.01	00.30	(Next Day) Until 01.30hrs if on Fri/Sat
Publicly Declared Holiday	11.00	00.30	Until 01.30 if on a Fri/Sat

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

Alcohol is supplied for consumption both on and off the Premises

15/10/22

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

Greene King Retailing Limited  
Westgate Brewery, Bury St Edmonds, Suffolk, IP33 1QT

01284 714140

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

Greene King Retailing Limited

05265451

Name of designated premises supervisor where the premises licence authorises the supply of alcohol:

Liam Liskus

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

No Children to be allowed on site after 10pm  
Other restrictions by virtue of Licensing Act 2003



Zayd Al-Jawad  
Assistant Director, Planning & Regulation

Date: 6th October 2022

