

Appendix C
Representations Responsible Authorities

Julie Dwan

From: Alexander Moore <Alexander.Moore@hertfordshire.gov.uk> on behalf of Public Health <PublicHealth@hertfordshire.gov.uk>
Sent: 14 February 2024 13:16
To: Julie Dwan
Subject: [External] RE: Application for Grant of a Premises Licence - Rookery Yard, 70 High Street, Stevenage
Categories: AWAITING INFORMATION, To Do

Thank you for notifying us about this application.

Hertfordshire County Council has the following representation to make:

Although the applicant mentions Challenge 25 and the training of staff, under the section 'the protection of children from harm' Public Health requests the applicant provides further detail around the checking of identification and holding a refusal log for example. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport. This should bear the customer's photograph, date of birth and integral holographic mark or security measure.

Alex Moore

(he/him/his)

Support Officer | Business Support | Public Health

Hertfordshire County Council

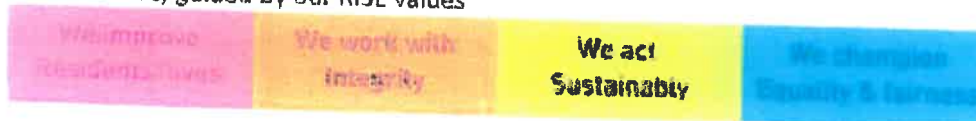
Address: County Hall, Pegs Lane, Hertford SG13 8DE. Postal Point: SFAR232

T: 01992 555160 (25160) E: alexander.moore@hertfordshire.gov.uk

Working at Farnham House on Wednesdays and Thursdays; home most other days.



Our vision is to create a cleaner, greener and healthier Hertfordshire, guided by our RISE values





Licensing Act 2003

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES
Stevenage Borough Council LICENSING AUTHORITY

Responsible Authority: Hertfordshire Constabulary

Your Name	Gillian Akroyd
Job Title	Senior Licensing Officer
Postal address	Stevenage Police Station Lytton Way Stevenage Herts, SG1 1HF
Email Address	Gillian.akroyd@herts.police.uk
Contact telephone number	015438 757370 or 07734496130

Name of the premises you are making a representation about	Rookery Yard	
Address of the premises you are making a representation about	70 High Street, Stevenage	
Is this the first objection in respect of these premises	Yes	<u>Brief details / cross reference</u>

Hertfordshire Constabulary, being a nominated Responsible Authority under the Licensing Act 2003, wish to make representation to this application.

Our representation(s) are made in consideration to the below licensing objectives, as we believe the operating schedule does not adequately demonstrate how you, the applicant will best support this.

Licensing Objections

Which of the four licensing Objectives does your representation relate to?	Yes Or No	Evidence supporting representation or reason for representation. Please use continuation sheet as required
To prevent crime and disorder	Y	<p>The timings requested – (11pm - 3am) are not conducive to the Night Time Economy of Stevenage High Street at this time, as there are currently two large premises open until 3am, and there is not capacity to have a further late licence in the High Street. The concerns by Police (due to this being a ‘new venture’ and described as ‘being a ‘Social Space’), is that it appears experimental and does not negate this being opened as intended, but transforming into a nightclub style, due to the hours applied for and the demographic at that time.</p> <p>To prevent Crime and Disorder, a staggered exit from High Street premises is required, when customers leave at various times, and would not clash with other customers from the two late night venues closing at the same time.</p> <p>Due to recent events experienced in the High Street, when three late night venues closed at the same time, this may be repeated and cause a mass exodus out onto the public thoroughfare, which does not have the capacity to disperse crowds easily by public transport at that time.</p>
Public safety	Y	<p>As above – It is not acceptable to Police for the premises to be closing at the same time as other late venues, which are already proven over some years and are experienced in dealing with the Stevenage NTE, as there would be the likelihood of mass crowding in the high street area outside the entrance to Rookery Yard, <u>which is located directly behind the Taxi Rank.</u></p>
To prevent public nuisance	Y	<p>From experience– late closing would add to the amount of people exiting venues at the same time, onto the High Street, which may cause more crowding onto that small area. This would promote the likelihood of more noise and disturbance and may contribute to complaints from close neighbouring residents, who have previously complained about disruption from that building at that time of the morning.</p>
To protect children from harm	N/A	N/A

The below additions to the Schedule as provided at Part 4 of the application, identifies those matters that we believe are necessary, to promote the licensing objectives.

Suggested conditions that could	Police would accept an earlier start to the opening times for
--	--

be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.

the Bar, and to reduce the lateness of the finish, both during week days and at weekends and would recommend the Alcohol finish timings be brought back to:

- Sunday - Wednesday 12am close at 12.30am
- Thursday - Saturday 1am close at 1.30am

Once an acceptable period has been completed, with no problems being experienced with regard to the above concerns, by Police, within or outside the immediate vicinity (caused by customers from this venue), consideration be given to extend the hours by an extra hour on a Friday and Saturday.

***In addition to this we would like the following conditions included in the licence:**

ANNEX 2 – CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

- 1) There shall be no entry or re-entry into Rookery Yard Bar after 12.00hrs on Thursday - Sunday
- 2) The Premises Licence Holder or Designated Premises Supervisor shall install and maintain a comprehensive CCTV system covering the whole of the premises, including all entry and exit points.
- 3) The Designated Premises Licence Holder shall ensure that the CCTV system shall continually record whilst the Premises is open for licensable activities and during all times when customers remain on the Premises. All recordings shall be **stored for a minimum period of 30 days with date and time stamping.**
- 4) A minimum of two persons shall be trained **AND AT LEAST ONE SHALL BE AVAILABLE IMMEDIATELY** to access and operate **AND DOWNLOAD** the CCTV system and recordings shall be made available within 48 hrs upon the request of the Police or authorised officer of the Licensing Authority, providing such requests are in connection with the prevention or detection of crime. Recordings are to be supplied in the form of digital download burned onto a DVD or CD disc.
- 5) All faults/defects in the CCTV system must be reported to Hertfordshire Constabulary **immediately the fault is discovered.** The notification must be made to the Hertfordshire Constabulary non-emergency telephone number 101 and a log number obtained from the Police and recorded in the incident book. The Stevenage Police Licensing Unit must also be notified as soon as reasonably practicable.
- 6) All faults with the CCTV system shall be repaired as soon as possible.
- 7) 28 days' notice shall be given to Hertfordshire Constabulary and

the Licensing Authority of any planned special events to be held including full details of the nature of the event and of the promoter.

8) The Premises must implement a "Challenge 25" policy whereby all customers who appear to be under 25 must produce photographic identification in the form of a passport, driving licence or Proof of Age Scheme (P.A.S.S) approved identification before being allowed to enter the Premises whilst licensable activities are taking place.

9) In addition to any other training, the premises licence holder shall ensure all staff is trained in the prevention of underage sales, to maintain the refusals book and to monitor staff to ensure their training is put into practise.

10) A log (which may be electronically recorded) shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the licensing authority at all times whilst the premises are open.

11) The entrance to the Bar will be manned by **AT LEAST 2 SIA** – **THIS IS SUBJECT TO DISCUSSION** approved door staff; a clicker system shall be used to ensure capacity levels are not exceeded.

12) A minimum of 2 SIA approved door staff shall be on duty at Rookery Yard between the hours of

.....
ON Dependant on agreed licensing hours, this will need to be negotiated.

13) A minimum of 3 SIA approved door staff shall be on duty at the on abetween.. .pm and closing time and shall remain at the Club until all customers have left the premises. (Where the number of customers exceeds 150, the number of SIA approved door staff will increase by 1) Dependant on agreed licensing hours, this will need to be negotiated.

14) The designated premises supervisor shall ensure that tables are cleared of all bottles and glasses on a regular basis during trading hours to avoid an accumulation of glassware.

15) The designated premises supervisor shall make arrangements to ensure so far is reasonably practicable that no customers shall be permitted to remove from the premises any open bottles or glasses for consumption or disposal outside the premises.

16) The premises shall be a member of the local Pub watch scheme, a representative from the premises will attend meetings on a regular basis.

17) No smoking shall be permitted outside the front of the premises after 23.00hrs.

18) Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.

Should you require clarification on any matter being made, please contact the named officer to discuss further.

Signed : GKAkroyd

.....

Date: ...4th March 2024.....

Note for Officers:

Please submit this form along with any additional sheets to: Licensing at Stevenage Borough Council or email to licensing@stevenage.gov.uk

This form must be returned within the Statutory Period.

Appendix C

Representations – Other Interested Parties

Dear Sir/Madam

Representation: Rookery Yard, 70 High Street, Stevenage SG1 3EA

I am the manager of Cinnabar, 56-58 High St, Old Town, Stevenage SG1 3EF.

I object to the application for a premises licence for 70 High Street on the following grounds.

The history of the premises

On 12th January 2023 the Licensing Committee revoked the licence of Lounge 72, which previously traded from this address, following a review brought by Hertfordshire Constabulary, supported by Hertfordshire Public Health and the Council's Environmental Health Department. The Police case was based on levels of inebriation, violence and disruption, noise complaints by members of the public and indecent activity on the premises.

The premises therefore have a tainted history, and have attracted a clientele which has caused a detrimental impact in the Old Town as a whole and especially out business in regards to crime and disorder and public nuisance.

As a local manager I very much want to avoid any potential for a return to those days.

The experience of the applicant

It is not clear whether Mr Radak has the experience or expertise to take on late night, alcohol-led premises in a sensitive location and with a difficult history.

The nature of the application

The application is for the supply of alcohol to 3 a.m. on 7 days a week, with closing times also 3 a.m.

The intention is clearly for it to be a late night venue for hours are sought for live music from 11 p.m. to 3 a.m. 7 nights per week.

It is obviously to be an alcohol-led venue because there is no application for late night refreshment.

The application states that there would be a restaurant at one end. However, this will evidently close at 11 p.m. or shortly after. I would have no objection to that. The issue is the late night, alcohol-led bar.

Conditions on the application

The conditions proposed are not appropriate to a late night, alcohol-led venue. They are small in number and general in nature. A number of them are unenforceable. For example: "develop strict policies against illegal activities on the premises." There is a complete absence of the kind of conditions one would expect to see on a new late night premises licence application, e.g. capacities, security provision, last entry etc. This is problematic in its own right, but also suggests that the applicant lacks the requisite experience to operate late night premises in a sensitive area.

The location of the application

The location is Stevenage Old Town, which is a mix of commercial premises and residences. A photograph is below.



Mulberry Tree whose licence permits opening to 12.30 a.m. on Sunday to Thursday and 2.30 a.m. on Friday to Saturday.

A few metres further on is our premises, Cinnabar, with opening hours 2.30 a.m. on Sunday to Wednesday and 4 a.m. Thursday to Saturday.

I take the strong view that a third late premises in this location is inimical to the licensing objectives, particularly given the issues we have referred to above.

Operating licensed premises in the Old Town without harming local amenity takes experience and expertise. I believe that a further late night premises in this location, particularly premises which are alcohol-led, insufficiently conditioned and operated by an inexperienced operator, is inconsistent with the licensing objectives.

I would also note that the hours sought are longer than at Cinnabar on four nights per week, despite the length of our service in the Old Town, understanding of the local environment and joint work with the authorities to promote the licensing objectives. It also longer than at mulberry tree on 7 days per week.

I repeat that the Old Town is a sensitive area, at which there is a delicate balance of leisure and residential at night. I am certain that to grant this application will harm that balance, to the detriment of local residents and other users of the Old Town at night.

Yours sincerely
Sam Stephen

Appendix C
Mediation – Environmental Health

Julie Dwan

From: Dean R <dean@rookeryyard.com>
Sent: 29 February 2024 16:41
To: Julie Dwan
Cc: Sue Bedford
Subject: Re: [External] Re: Application for Grant of a Premises Licence - Rookery Yard, 70 High Street, Stevenage

Dear Julie, Dear Sue,

Yes I can confirm I'm ok with that.

All the best,

/DR

Dean R / Co-founder
Rookery Yard / <https://rookeryyard.co.uk>

dean@rookeryyard.com

M: +44 7880 888 955

A: 70 High Street, Stevenage, SG1 3EA

Sent from my iPhone

On 29 Feb 2024, at 12:11, Julie Dwan <Julie.Dwan@stevenage.gov.uk> wrote:

Dear Mr Radak

Following on from your email exchange with Environmental Health Officer Sue Bedford. Please confirm whether you are happy to amend your application for the grant of a premises licence to include the following conditions to your licence:

1. Music to be played inside the premises only, no music to be played in the outside garden area.
2. All windows and external doors shall be closed when regulated entertainment takes place, except for the immediate access and egress of persons. (Details on how this will be managed to be included in the noise management plan)
3. The premises licence holder shall ensure that the premises operates in accordance with a Noise Management Plan, which will be subject to prior approval of the Council's environmental Health Department.
4. A sound limiting device shall be installed. All electronic equipment used to produce amplified, recorded and live music shall be routed through the sound limiter device. The sound limiter device shall be set to a level which will not cause a public noise nuisance to the nearest noise sensitive receptors and the operating panel shall be properly secured so that it cannot be accessed by any person other than the premises licence holder.

Kind Regards

Julie Dwan
Licensing Officer

Environmental Health and Licensing
Stevenage Borough Council, Daneshill House, Danestrete, Stevenage, SG1 1HN
Email: julie.dwan@stevenage.gov.uk
Direct Line: 01438 242493
Mobile: 07719 910460

<image001.png>

<image002.jpg>

Our Privacy Policy has been updated to reflect changes to data protection legislation and can be viewed at the following link
<http://www.stevenage.gov.uk/privacy-policy>

<image003.png>

From: Sue Bedford <Sue.Bedford@stevenage.gov.uk>
Sent: Thursday, February 29, 2024 7:45 AM
To: Julie Dwan <Julie.Dwan@stevenage.gov.uk>
Subject: Fwd: [External] Re: Application for Grant of a Premises Licence - Rookery Yard, 70 High Street, Stevenage

Sent from Outlook for Android

From: D Private <dprivate76@gmail.com>
Sent: Wednesday, February 28, 2024 9:33:56 PM
To: Sue Bedford <Sue.Bedford@stevenage.gov.uk>
Subject: Re: [External] Re: Application for Grant of a Premises Licence - Rookery Yard, 70 High Street, Stevenage

Dear Mrs Bedford,

It was great to meet you earlier today.

The proposed conditions are acceptable to me, but I do have a couple of notes:

1. Regarding Smoking Shelter regulations, after researching online, it appears that a common requirement is that at least 50% of the shelter's roof must be open air, which aligns with the existing rectangular structure I mentioned earlier. However, I will seek further advice to confirm this. If necessary, we may need to consider alternative options, such as a new shed, there are various out there though and I don't foresee any issues sourcing that.
2. I'm open to your involvement in ensuring that the settings and volumes are appropriate, as long as they allow the venue to function effectively as a late-night bar and social dance space. I understand that the key consideration is minimizing sound leakage rather than just the sound levels within the venue?

All the best,

/DR

Dean R / Co-founder
Rookery Yard / <https://rookeryyard.co.uk>

dean@rookeryyard.com
M: [+44 7880 888 955](tel:+447880888955)

A: 70 High Street, Stevenage, SG1 3EA

Sent from my iPhone

On 28 Feb 2024, at 16:39, Sue Bedford <Sue.Bedford@stevenage.gov.uk> wrote:

Mr Dejan Radak

I refer to our site meeting today, we discussed the following items:

1. Smoking shelter in enclosed garden. You need to look into the requirements for a smoking shelter to ensure the existing structure meets the requirements.
2. You propose to fit a noise limiter as a means of controlling the sound levels within the premises. Once this has been fitted I would like to be involved with the setting of the levels to ensure a suitable level is set.
3. No music to be played outside the premises, you advised that during the summer you might like to have acoustic performers in the garden, this could be done with the use of a Temporary Event Notice or variation, once your business is established & operating without causing problems.
4. We discussed the requirement for all doors and windows to be kept closed during licensable activities, and the management of controlling this to be specified in your noise management plan.

In addition to your proposals in your licence application I will be advising the Licensing officer that the following conditions should be added to the licence:

1. Music to be played inside the premises only, no music to be played in the outside garden area.
2. All windows and external doors shall be closed when regulated entertainment takes place, except for the immediate access and egress of persons. (Details on how this will be managed to be included in the noise management plan)
3. A written Noise Management Plan to be submitted and agreed by Environmental Health.
4. A noise limiting device shall be used in relation to all sound amplification equipment used in conjunction with the premises licence. The noise limiting device shall be properly secured so that it cannot be tampered with.

Please confirm that you are happy with the addition of these conditions to the premises licence, if you are not in agreement with these items they will form the reasons for my representation under the licensing objective of prevention of public nuisance.

Kind regards

Mrs Sue Bedford
Chartered Environmental Health Practitioner
Stevenage Borough Council. Daneshill House. Danestrete, Stevenage. Herts. SG1 1HN
Direct line 01438 242237
Mobile : 07522 233441

Our Privacy Policy has been updated to reflect changes to data protection legislation and can be viewed at the following link
<http://www.stevenage.gov.uk/privacy-policy>

From: D Private <dprivate76@gmail.com>
Sent: Wednesday, February 28, 2024 11:36 AM
To: Sue Bedford <Sue.Bedford@stevenage.gov.uk>
Cc: Licensing <Licensing@stevenage.gov.uk>
Subject: [External] Re: Application for Grant of a Premises Licence - Rookery Yard, 70 High Street, Stevenage

Dear Mrs. Bedford,

Thanks for reaching out.

I really appreciate your input regarding noise levels and managing the garden area at 70 High Street. Your concerns are valid, and I want to assure you that I'm taking them seriously.

From my past experiences, I've learned that keeping an open line of communication with residents is key to handling noise issues effectively. I plan to establish a direct channel of communication with the community to address any concerns promptly.

Regarding the garden area's closing time and the smoking policy, I completely understand the need to comply with regulations while also considering the impact on our business. It's important to adapt to our customers' needs to ensure their satisfaction and loyalty. I'm considering various solutions, including allowing smoking in the garden area, with strict monitoring to ensure it's done responsibly.

Additionally, it has come to my attention that previous complaints were more related to the previous tenants and their management, rather than issues with the space itself? Rest assured, I'm committed to running 70 High Street differently and addressing any concerns head-on.

Furthermore, I envision 70 High Street catering to a slightly more mature demographic, with a target age group of 30+. To align with this demographic, we plan to curate a music selection featuring classics from the 80s and 90s, creating a nostalgic and enjoyable atmosphere for our patrons.

I'll make sure to review the word document you provided thoroughly and incorporate any relevant recommendations.

Thanks again for bringing these matters to my attention. Please bear with me and I'll get back to you later on today or tomorrow morning at the very latest with a more detailed response after considering everything you've mentioned.

Kind regards,

D Radak

Dean R / Co-founder

Rookery Yard / <https://rookeryyard.co.uk>

dean@rookeryyard.com

M: [+44 7880 888 955](tel:+447880888955)

A: 70 High Street, Stevenage, SG1 3EA

On 27 Feb 2024, at 17:18, Sue Bedford <Sue.Bedford@stevenage.gov.uk> wrote:

Dear Mr Dejan Radak

I have reviewed your application for the premises Licence for Rookery Yard, 70 High Street and have concerns regarding the licensing objective (d) The prevention of public nuisance. You have stated the following in your application:

- 1, Establish clear policies and procedures for handling customer behaviour to prevent nuisance and other disruptions.*
- 2, Collaborate with local authorities to address and resolve any noise related concerns promptly.*
- 3, Not have outdoor garden open during later than 22:59. Recorded music wouldn't be present outdoors after 9pm.*

To assist in my response to licensing on your application can you please provide responses on the following matters, your prompt response will be appreciated :

1. Can you please elaborate and provide specific details of the policies and procedures for handling customer behaviour to prevent nuisance and other disruptions.

1. This premises is in a noise sensitive area and complaints regarding noise from loud music have been received by environmental health in the past. I am grateful to see that you intend to collaborate to address & resolve any noise related concerns promptly. I am concerned about breakout of music from the premises that will give rise to complaints from neighbouring residents. To this end I suggest that the playing of music is restricted to within the premises only, with no music played in the garden area. This was a condition on the premises licence of the previous business operated from this premises. I will request this condition is added to the licence, please confirm you are happy with this restriction.

1. Can you please advise how you propose to prevent breakout of music from the social dance space through the doors marked saloon doors on the plan. I note that access to the garden area will cease at 22.59, however breakout of loud music before this time is likely to give rise to noise complaints.

1. Can you please confirm the arrangements for smoking at the premises, is the smoking shelter in the garden area? Does this mean there will be no access to the smoking shelter after 22:59?

These items plus others could be covered in a Noise Management Plan for the premises demonstrating your effective control of the premises and measures in place to prevent public nuisance. I Have a document on writing a Noise Management Plan for your information.

I look forward to hearing from you on these matters that would form my representation, should agreement not be reached and the application heard at a hearing.

Kind regards

Mrs Sue Bedford
Chartered Environmental Health Practitioner
Stevenage Borough Council. Daneshill House. Danestrete, Stevenage. Herts. SG1 1HN
Direct line 01438 242237

Mobile : 07522 233441

Our Privacy Policy has been updated to reflect changes to data protection legislation and can be viewed at the following link <http://www.stevenage.gov.uk/privacy-policy>

The information in this E-Mail is intended for the named recipients only. It may contain privileged and confidential information. If you are not the intended recipient you must not copy, distribute or take any action or place reliance on it. If you have received this E-Mail in error, please notify the sender immediately by using the E-Mail address and then delete the message. The views expressed in this message are personal and not necessarily those of Stevenage Borough Council.

Please be aware that E-Mails sent to or received from Stevenage Borough Council may be intercepted and read by the Council. Interception will only occur to ensure compliance with Council policies or procedures or regulatory obligations, to prevent or deter crime, or for the purpose of essential maintenance or support of the E-Mail system.

Our Privacy Policy has been updated to reflect changes to data protection legislation and can be viewed at www.stevenage.gov.uk/privacy-policy

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in reliance on the contents of this information is strictly prohibited and may be unlawful.

This e-mail may contain viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) email security. Providing a **safer and more useful** place for your human-generated content. Specializing in Security. To find out more [Click Here](#).

<Noise Management Plan event advice.docx>

The information in this E-Mail is intended for the named recipients only. It may contain privileged and confidential information. If you are not the intended recipient you must not copy, distribute or take any action or place reliance on it. If you have received this E-Mail in error, please notify the sender immediately by using the E-Mail address and then delete the message. The views expressed in this message are

personal and not necessarily those of Stevenage Borough Council.

Please be aware that E-Mails sent to or received from Stevenage Borough Council may be intercepted and read by the Council. Interception will only occur to ensure compliance with Council policies or procedures or regulatory obligations, to prevent or deter crime, or for the purpose of essential maintenance or support of the E-Mail system.

Our Privacy Policy has been updated to reflect changes to data protection legislation and can be viewed at www.stevenage.gov.uk/privacy-policy

The information in this E-Mail is intended for the named recipients only. It may contain privileged and confidential information. If you are not the intended recipient you must not copy, distribute or take any action or place reliance on it. If you have received this E-Mail in error, please notify the sender immediately by using the E-Mail address and then delete the message. The views expressed in this message are personal and not necessarily those of Stevenage Borough Council.

Please be aware that E-Mails sent to or received from Stevenage Borough Council may be intercepted and read by the Council. Interception will only occur to ensure compliance with Council policies or procedures or regulatory obligations, to prevent or deter crime, or for the purpose of essential maintenance or support of the E-Mail system.

Our Privacy Policy has been updated to reflect changes to data protection legislation and can be viewed at www.stevenage.gov.uk/privacy-policy

