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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

ii necessary.			
You may wish to keep a copy of the con	npleted form for your records.		
I Cllr Belinda Ridout			
(Insert name of applicant)			
	ence under section 51 / apply for the review of a on 87 of the Licensing Act 2003 for the premises applicable)		
Part 1 – Premises or club premises details			
Postal address of premises or, if non Wine Bar (Rocky's Bar) Queen Street	e, ordnance survey map reference or description		
Post town GILLINGHAM	Post code (if known) SP8 4DZ		
Name of premises licence holder or o	club holding club premises certificate (if known)		
Charles Carter Group Ltd	nub notating clab premises certificate (ii known)		
1 The Centre			
The High Street			
Gillingham Dorset SP8 4AB			

Number of premises licence or club premises certificate (if known)

NDPL0298

Part 2 - Applicant details

l am Please tick ✓	yes	
1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)	X□	
2) a responsible authority (please complete (C) below)		
3) a member of the club to which this application relates (please complete (A) below)		
(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)		
Please tick ✓ yes		
Mr Mrs X Miss Ms Other title (for example, Rev)		
Surname First names		
RIDOUT BELINDA		
Please tick ✓ yes X X	i	
Current postal address if different from premises address		
Post town Post Code		
Daytime contact telephone number		
E-mail address (optional)		

(B) DETAILS OF OTHER APPLICANT

Name and address	
Talanhana numahan (if anu)	
Telephone number (if any)	
E-mail address (optional)	
(C) DETAILS OF RESPONSIBLE AUTHORITY APP	LICANT
Name and address	
Name and address	
Telephone number (if any)	
E-mail address (optional)	
,	
This application to review relates to the following li	censing chiective(s)
This application to review relates to the following in	containing objective(s)
	Please tick one or more boxes ✓
1) the prevention of crime and disorder	x□
2) public safety	
3) the prevention of public nuisance	x□
4) the protection of children from harm	X

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

Residents contacted me as their Dorset Council Gillingham Ward councillor to discuss how their lives are impacted by ongoing anti-social issues brought about by the behaviour of patrons of the licensed venue known as Rocky's Bar, Queen Street, Gillingham, Dorset SP8 4DZ. I have met with the neighbours on several occasions since last summer, to hear their concerns.

The issues relate to the adverse effects of the licensed premises on the promotion of licensing objectives, namely:

- The prevention of crime and disorder;
- The protection of children from harm; and
- The prevention of public nuisance.

The operation of the Premises Licence undermines these three licensing objectives.

The issues raised tend to be more prevalent during the better weather, ie from Spring to late Summer, when customers utilise the rear outdoor space/beer garden and to the front of the premises, on Queen Street.

Queen Street is essentially a residential street, consisting of young families and the elderly, along with Rocky's Bar, a newly opened Tai/fish & chip takeaway, an extra-care facility under construction for the over 55's and an old Chapel currently being refurbished, offering 8 new apartments directly opposite Rocky's bar.

Residents have explored all avenues to resolve recurring issues amicably with the manager of Rocky's Bar since the bar opened with 'Night-Club' hours in August 2021. Residents have been in regular contact with Katheryn Miller, Dorset Council Licensing & Darren Naraine from the Environmental Health Team and Penny James of the ASB team, who installed a CCTV camera on 7th August 2023 outside the premises, and have kept and submitted diaries/records, as requested, of all incidents. Details being in the residents' personal statements attached.

Residents held meetings with the manager, Mr Rock and business partner, Charlotte, in August and September 2022. However, I am informed that continued direct communication with Mr Rock has since been difficult and any initiatives by Mr Rock to resolve issues have not been very successful.

Despite the rear garden being closed to customers at 11pm, immediate neighbours have still endured high levels of amplified, recorded and customer noise from both the bar and the rear outdoor area and also to the front of the premises, on Queen Street. This is still an ongoing monitoring exercise.

As customers spill out onto Queen Street to drink and smoke from late evening, into the early hours, residents have witnessed loud, abusive and violent behaviour, with the Police being called on several occasions. Residents have witnessed the front entrance to the premises being left unattended by Security during a violent incident on the street outside the premises, one of two incidents in September 2023, another in December 2023 and again on New Years Day, 1.1.24. Details of these incidents are included within the residents' statements.

Residents have made significant effort since 2021 to report and keep records as requested by Environmental Health and the ASB team. It is now approaching Spring 2024, with residents fearing the next season, with concerns still unresolved. As mentioned earlier, this is a residential street with families with young children. Residents should not have to put up with the noise nuisance and the seasonal barrage of anti-social behaviour, including shouting, swearing, fighting, urinating and vomiting in the street and on private property. As well as the consequential littering and inconsiderate parking issues. From all the evidence I have seen, it is clear that there are significant failings with the Security arrangements at Rocky's Bar, which has led to the untenable situation residents are having to endure, leading to feelings of anxiousness, intimidation and general unhappiness in their own homes and gardens for a significant part of the year. Residents need the re-assurance that stricter conditions and improved Security is put in place immediately, and along with regular Policing, to ensure customers' behaviour is properly monitored and upheld.

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

Resident statement by

I consent that my name and statement to the above, can be used within a Licencing Review meeting.

As an immediate neighbour to Rockys Bar (2 Doors) Since February 2021, having first hand experience with exposure to so much anti social behaviour and harassment unfortunately, after persistent attempts to address concerns regarding the unresponsible, inadequate operation of this Business with the current Tennant /Manager Mr Rock, Gillingham Town Council, Dorset Police, Environmental Health and the Anti Social Behaviour Team nothing has yielded any positive results, we are therefore, prompting this urgent Licence Review.

Overview

From August 2021 with the new opening and now operating "Night Club" business hours (Fridays & Saturdays 2am/3am Closing times and New Years Eve 4am) My first reports of inappropriate anti social behaviour along with poor management to Mr Rock, Dorset Police and Gillingham Town Council was just 13 days of operating under the new Night Club business hours. There had been two nasty, violent & vicious incidents that had involved the Police, with customers being arrested. Other residents were then, also making complaints to the Police as & when incidents broke out and to Mr Rock.

Late Spring & Late Summer months

(March onwards to October)

We as residents, are more affected by the better weather from the Spring & Summer seasons of this establishment.

Customers will gather to the front of the Bar onto Queen Street.

Moving into 2022 come the Spring and the Summer months when, the establishment peaks with amplified and audible noise levels to both the Beer Garden & to the front of premises onto Queen Street.

Some neighbours were now speaking with the Environmental Health team (Darren Naraine) who then started to complete Noise Monitoring Forms.

The problem with this is, Environment Health can only deal with amplified noise not people/customer audible noise.

Should the form monitoring stop being submitted to the Environmental Health/ASB teams after a month, the file/case will close., marked "No longer a requirement".



(all of this is still an ongoing monitoring exercise)

Photo – Rockys Bar situated within a narrow residential street. Directly opposite is Churchbury House (old chapel) being converted into 8 apartments).

Queen Street allows only vehicle traffic one way therefore, after 7pm onwards the danger of high volumes of traffic is very little.

Residents have tried to communicate with Mr Rock (As Mr Rock suggested at Residents meetings)

We would directly message and call into the bar to speak with Mr Rock regards to complaints/concerns for the noise levels both amplified & customer noise/containment outside on main frontage of Queen Street. The Use of the Beer garden, the extensive rubbish left behind in the immediate area and customers parking their cars across resident's driveways.

By early August 2022 and due to the high number of concerns/complaints within the neighbourhood, a meeting for the 30th August 2022 and a follow up meeting was held in September 2022 this was very much welcomed and organised via another neighbour/resident (who has since sadly passed away)

This involved both Mr Rock and his then business partner Charlotte, as concerns were already being flagged up to the disruptive nature of the business and customers.

This gave all parties their opportunity to try to meet and resolve, as things moved forward with various suggestions from both residents & Mr Rock.

There were lots of issues and concerns to a variety of area's involving managing of the business that also incorporated Mr Rocks Business Plan of the Night Club "Feel" with late night operating hours, to create and cater for the 18-25 year market, that then creates, large group gatherings to the frontage of the Bar/Queen Street.

NOTE - I have passed Cllr Belinda copies of both of these meetings 30/8/22 & a second 13/9/22. Notes of 13/9/23 meeting attached.

The Prevention of Crime & Disorder:

*Managements Polices, Procedures & Risk Table -

I understand Mr Rock submits the premises Door Security team arrangements, names, dates etc on a monthly basis to Dorset Council Licensing Review teams, to be logged.

Do these submissions get reviewed, as ongoing reported incidents have occurred within the neighborhood & with the increase of resident's complaints? How is this measured?

Previous experience has found that both Dorset Council/Licence department & Mr Rock tend to act to reactive situations.

Mr Rock may react/re-think the situation only after another Disorder/Physical Assault has occurred within & outside the premises, impacting on Queen Street. The last review Mr Rock made was June 2023 after another incident of a violent Fight and Anti Social behaviour had broken out.

Mr Rock advised residents, he was going to initiate of a new rule of Door Security, asking customer not to take they're alcoholic drinks onto Queen Street. This can only be applied with the consent of the customer, this can not be forced upon customers.

I do not believe this policy has worked or been managed as it is a voluntary decision by the customer.

Door Security / Venue Design Layout -

Door Security is notably very weak. With Door Security operating mainly from approximately 7pm until 2am. Would it be Mr Rock be providing door security ongoing until 3am/4am?

How is this monitored by the Licensing teams?

Door Security tends to be placed on the main front access entrance doorway to premises.

It was agreed from the Residents meeting with Mr Rock the Garden is closed at 11pm to customers. (This is a general recommendation for most County/Borough Councils)

Therefore, customers will leave at the main entrance to drink/smoke on Queen Street. Security challenges persist at this point.

Due to a high number of altercations that happens to the front of the premises of Queen Street, customers not only spill out onto Queen Street but also to the right and left of the venue. Door security would need to leave the front access of the bar, unattended.

As one example of occurrence can be noted on 2/9/2023 (Reported to Police) Anti Social Behaviour violent altercation brakes out. A Customer is accused of a crime by a party of ladies and pursues accused person further along Queen Street into Bay Road where, both Security personnel & Mr Rock attended the scene. This leaves the main entrance to the premises unattended by Security.

Another incident occurred & not reported to Police on the evening of 30/9/2023 - Customers out side of venue became involved in a very violent altercation, this continued along Queen Street towards High Street with a residents car being damaged and another resident who found their Front Door to their house covered in someone's blood. I believe this was reported thereafter via the Dorset Police portal. Mr Rock & Door Security were at the scene of this happening.

Impact Queen Street?

As customers are being allowed to use the outside of the Bar with the consumption of alcohol, they become louder, shouty and aggressive.

Ladies tend to start screaming within groups, the and the noise levels echo out, and can be heard up & down Queen Street.

It has been noted up to 20 patrons of the Bar are gathered outside.

Friends then arrive in their vehicles and it becomes another social scene.

No last access times to the Bar are advertised therefore, customers can arrive & have

access as they wish. Creating further people noise also as & when they leave the premises getting into and driving off in vehicles.

PLEASE NOTE: Some local residents within Queen Street and surrounding roads, chose not to walk up/down Queen Street, avoiding having to walk past Rockys Bar. Using the main road Le Neubourg Way as frightened, of the large crowds that gather drinking outside the premises...

Complaints being raised to GTC & the Police from August 2021 -Advised to deal with Environmental Heath Team to start completing weekly noise monitoring sheets. Personally, I have sent in c 24 weekly noise monitoring sheets to Environmental Health and Anti Social Behavior Team from April 2023

*NOTE: Due to a family death from January 2022 we were living in another location providing care to my late Mother.

<u>Breach of: Anti Social Behaviour - Common Assault - Harassment-Putting People in Fear of Violence</u>

Nuisance Behaviour By Groups Of People - Street Drinking - As pointed out earlier:

Alcoholic drink (or drugs) are involved this will lead to disruptive noise. This can then escalate into aggressive, violent or lewd behaviour, such as intimidation or verbal abuse of passers-by, fighting or urinating in public. All of which are offences.

If people are drinking or taking drugs they may leave litter behind, including hazardous materials such as needles, syringes, swabs, wraps and gas canisters. This is a particular concern as it can pose a health risk to other members of the public, pets and wildlife.

Trespassing/Harassment -

Urinating/ Other Body Fliuds/ Disorderly Behaviour: Unfortunately, I was not aware until a conversation with Darren Noraine from the Environmental Heath team, this was a Public Offence and needed to be reported to Dorset Police on every occasion. The urinating & vomiting events did become regular occurrence with certain individuals ensuring they were highly visible to the "Ring Doorbell" camera we had installed to our side entrance to ensure, full view of their behaviour. Since June 2023 - Reported 6 incidents to Police. NOTE: This only came to a stop after I received a personal call from PC Craig on October 28th 2023 apologising, to the slow response of our evidence & to say, he had a "Personal Word" with Mr Rock

Police Reporting -

about these incidents.

Violence/ Fighting - Personally contacted the Police x 6 times - Including one call being made at 20:30 in the summer months, in view of a family walking past the establishment.

Trespassing/ Urinating/ Vomiting - Reported to Police x 5

NOTE: Other incidents have occurred involving customers using threatening behaviour with fighting breaking out. These were defused and not reported to

Police.

Queen Street Residents - Many will not report incidents to the Police as too fearful. Police & Licencing Review Teams - have made on & off visits to the Bar over the last 3 plus years but Queen Street Residents still have ongoing problems.

Nuisance Behaviour By Groups of Customers:

Rowdy and inconsiderate behaviour including vehicle noise is generated by customers along with, loud amplified music from inside the Bar.

Groups gather on the outside pavement then would spill over the road to the empty Chapel (now under renovation) using the steps as a seating area, creating more excessive noise.

Using the side of the Chapel into Tomlins Lane to urinate.

Litter/ Broken Glass

Public pavement is never swept or cleaned and is strewn with discarded cigarette ends.

There was an agreement with Mr Rock, a street sweep & litter pick would happen after the Bar closed late at weekends unfortunately, this was not upheld.

A number of residents, over time have litter picked discarded, empty plastic beer cups, empty cans, cleared up broken glass in & around the premises.

Halloween Pumpkin - Placed outside of Bar 31/10/23 - Eventually after a brief chat with the local Councillor this was cleaned up 10/01/24.

Messages Sent to Mr Rock -

From 08/08/23 ongoing, regular reports to the ASB team of Mr Rocks barking dogs in Beer garden at unsociable hours that wake me & other up.

From January 2023 - I had sent 11 messages with pictures of customers cars parked over our driveway, asking for them to be moved. (Ongoing problem)

Number of polite request, to have the music volume turned down after

01:00/02:00am

Urinating customers using our driveway.

Street Cleaning/Litter picking.

Harassment- Putting People in Fear of Violence Overview -

A number of residents have decided to install "Ring" Doorbells as a means to feel safer in Queens Street and can monitor the unfortunate violent behaviour that can be generated from this establishment.

This method also allows us residents to protect & report incidents to other elderly neighbours & families who live within the vicinity.

This shows customers who spill out onto Queens Street with alcohol, who sit on neighbour's doorsteps with no regards to thinking, it is another person's home.

NOTE: Some residents are fearful to what happens in Queen Street and will not approach Mr Rock because of this.

Those that have tried to communicate their concerns with Mr Rock regards to, loud music, noisy shouty customers & litter/broken glass, only to receive lip service and

usually advised, "it is others who happen to be walking past the premises and has nothing to do with him".

How Does This Impact Queen Street?

By the number of Anti Social Behavior incidents and calls to Police for this venue, this must reflect on Mr Rock's poor and unprofessional Management with this business. Rowdy, nasty behaviour and a general nuisance caused by customers, with collated information from this venue which is totally out of character for this compact residential street impacts the neighbourhood.

Residents become agitated, as we have had such little response and help from Gillingham Town Council plus, a lack of regular Policing to the area.

CCTV - This preventative was temporarily installed in Queen Street in August 2023 after some months of providing significant form monitoring of evidence.

As you will see from the pictures presented to Councillor Ridout, Queen Street is a narrow, compact & residential in which, Rockys Bar is nestled.

Residential properties are opposite the premises and following the street both up & down towards the High Street & Bay Road.

We feel we had to ask for the need of CCTV as we believe, due to various reasons Gillingham Town Policing is down to two Police Officers.

Therefore, when incidents have broken out & emergency calls are made, we are often advised, no Police will be dispatched as no availability. CCTV provides some form of re-assurances that Anti Social Behaviour would be monitored.

As a Gillingham resident, when you read the below statement and are told by Dorset Police, Gillingham is a very low crime rated Town, yet the trading of this establishment with its poor management & 24 hour License with Nightclub hours has created a concerning place to live.

Dorset Council Website Statement:

help prevent, detect and reduce crime, disorder and anti-social behaviour including drug and alcohol related violent crime. provide the Police, the council, and other authorised organisations with evidence upon which to take criminal and civil actions in the courts including identifying witnesses.

Public Safety - (I understand, this applies within the premises only).

The premises offers situated in the Beer Garden a Children's Climbing Apparatus/Frame. I understand, this is aimed at children around a suitable age of 3 years plus.

Most weekends in the dryer weather months, the garden & climbing equipment's is often in use, predominately by male parents on a Saturday & Sunday.

The children tend to be from the ages of 6 years plus with friends & siblings. These children will be left to play either on their own or with others.

Us immediate neighbours will have screaming, excitable, upset, crying, fighting siblings/friends or injured children for a minimum of 3 plus hours a day at weekend's.

This is after having had a broken night's sleep with noise levels, late night revellers & outbreaks of violence from the early hours of Saturday & Sunday mornings.

I would question the Adult Supervision offered as the Bar is televising Sports. Environmental Health advise, as this is not audible noise, nothing can be done. The climbing frame is not in a fenced off part of the garden. Mr Rock has two dogs which use the garden. Should this not be fenced off, for health & Safety reasons? Unsure if premises CCTV offers the monitoring of Play areas? Under Hospitality Law, please see the below:

https://www.hospitalitylaw.co.uk/about-us/

The Prevention Of Children From Harm/Prevention of Public Nuisance

Queen Street as noted earlier, is a narrow compact residential Street with families with children of varying ages from younger teenagers, toddlers and babies who, are exposed to customers from these premises who occupy the frontage of the Bar using poor and lewd language. This can be heard from the immediate residential homes and bedroom windows.

People Noise

Environmental Heath are only able to deal with Amplified Music. There has been a number of occasions Mr Rock has been directly asked by neighbours to have the music turned down after 01:00 am.

Again, exposure to customers using the front pavement of the Bar along with their shouty & lewd language.

As residents we did ask Environment Health to physically visit the Bar after 00:30am to see & hear for themselves the output of both amplified & people noise. This was declined. It would have been a very useful exercise to have had the Team understand the close proximity of the Bar to homes. (See pictures below)

Beer Garden -

Despite, Mr Rock closing the Beer garden at 11pm in the evenings as immediate neighbours, we are subjected to a high level of noise when the weather is good. Since taking over the premises in 2021 the Beer garden was much more extended with the group tables more spread out. Should we wish to use our back gardens that adjoin, we would be subjected to loud lewd language, upset children, cigarette smoking and ball games.

https://www.hospitalitylaw.co.uk/pubs-bars-restaurants-keep-the-volume-down-on-your-summer-events/

Neighbours

It is clearly better to manage noise levels before they become unacceptable to neighbours and you fall foul of the law, which can lead to a licence review and fines. If local residents make complaints against outlets about late night noise (louder than the permitted level and after 11pm) these can be acted on immediately. Following a complaint a Local Authority can immediately issue a Warning Notice which comes into effect 10 minutes after it is issued. "Premises" covers all land specified within the licence and could include the outdoor area. Noise from customers chatting loudly past 11pm in the beer garden or outdoor area even after the live music has finished could be covered by this.

If the noise continues to exceed permitted levels then a £500 fixed penalty can be given and if this continues the licensee can be convicted and fined up to £5,000. If your current licence has conditions attached to it which aim to limit noise, for example not allowing crowds to gather on the pavement outside, then it is essential to continue to observe these.

https://www.ndml.co.uk/articles/noise-complaints-know-your-rights/

Please note: This is a very extensive article. I would suggest it is read, as I do not think any of the recommendations or guidance are adhered to.

To Summarise:

Queen Street is narrow, compact and residential. To have a Sports Bar operating as a Nightclub with closure between 2am- 4am with the focus market being 18 to 25 year olds is not conducive to the average working family or retired residents. Evidence provided of Anti Social Behaviour of all aspects, poor management, continuous incidents involving the Police and people safety, for this one residential Street.

CCTV being installed as a security deterrent.

Blight on Queen Street -

NOTE: As an immediate Neighbour, how this establishment personally impacts me. I feel very anxious when I decide to have a weekend away or take a holiday obviously, this usually overlaps a Friday & Saturday night (Nightclub night) Having been away for the weekend Saturday 3rd June 2022 and we had our House Pet Sitter staying that weekend who, encountered a very violent incident involving customers from Rockys Bar. Unfortunately, our Home Pet Sitter refuses to stay in my home during the late Spring & Summer months now.

This incident left my Pet Sitter extremely frightened and afraid of the rowdy, lewd crowds that had gathered outside the Bar, spilled to the frontage of Woodcock Court & customers urinating in our driveway. How embarrassing is that!

Overnight Visitors -

Note: Unfortunately, I have stopped asking friends & family to come and visit and enjoy a stayover during the late Spring & Summer months again, as this usually falls over a weekend.

In the winter months, we would move bedrooms to accommodate guest, as the back of the house as a little quieter as the Beer garden closes at 11pm.

I could not possibly have guest using the front bedroom, as they would be completely disturbed by customers using the frontage of Rockys Bar.

Could Residents sell their homes -

By law residents/homeowners have to declare disputes with neighbours as part of the Conveyancing process.

Is Queen Street seen as a "blighted street" should this business be allowed to continue as under this 24/7 License and Nightclub hours?

Overall: Why do us residents have to be made to feel, we are being an absolute

nuisance? We have all worked together for so long providing solid information regarding how this establishment simply does not work in this environment. So bad have things got, CCTV had to be installed!

Residents are fearful to call the Police or take other means of action such as, Noise Monitoring Form completing as they feel they are not being listened too and conclude, it is a waste of time.

It is easier for residents to think "It's easier to close our windows & try to block out the noise"

QUESTION: Why should we??

Before moving to Gillingham we had spent a happy 7 years living in a large Town Centre, opposite a Nightclub with Sports Bars and Restaurants all within eyesight. Because of the professional standard of Policing provided and working alongside Licencing Review meetings, involving the Nightclub Managers, rarely did incidents occur.

What was very evident, customers were not allowed to be outside the venue on the pavement area after a certain time and upon closing hours, they had to swiftly leave the premises immediately.

NOTE: Rockys Bar as advertised 31st December 2023 opening till 4am - Due to violence breaking out onto Queen Street c11:40pm - Police were called by another resident. They were advised, Dorset Police were unable to attend as no availability. When the caller mentioned, one of the group was using threatening behaviour and waving a Hammer, it was decided to send Police from Somerset Constabulary. When arriving, made swift arrest of the perpetrators and second Police vehicle patrolled the area until the Bar closed c00:45 am

Should the Licencing Review Team feel fit to continue with the current arrangement of the operating of Nightclub hours, we would then expect to have a plan of action moving forward along with re-assurance of regular Policing be provided from Midnight until closure of the Bar, to ensure customer behaviour is properly monitored and upheld.

Yours Sincerley,



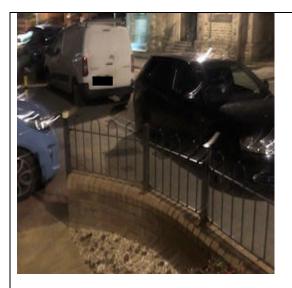
To indicate how close our gardens are to Rockys Bar, Beer Garden and rear terrace entrance.



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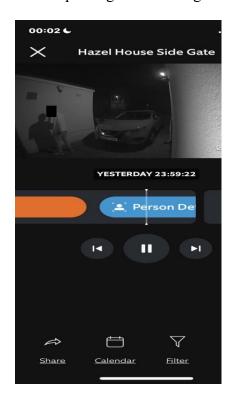


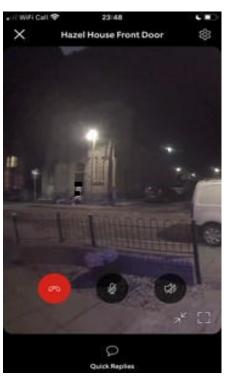
Intoxicated customer being helped by others from Rockys Bar. Note: This is outside the homes of an elderly neighbour and a family with young children





Above photos. Car parking and blocking driveways in Queen Street

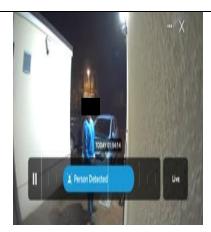




Above:

- Man urinating in driveway of Hazel House Customers gathered outside the old Chapel opposite Rockys bar





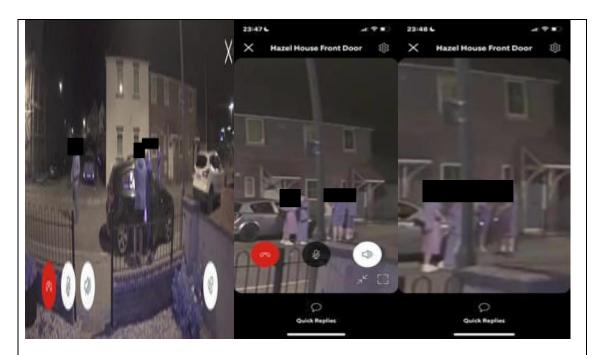
Above:

- Lady vomiting in driveway of hazel House
- Man urinating in driveway of hazel House



Above:

- Circulating customers opposite the Bars entrance onto the property of the Chapel. (photos 1 & 2)
- Urinating man (Customer) to the side of Chapel in Tomlins Lane (photo 3)



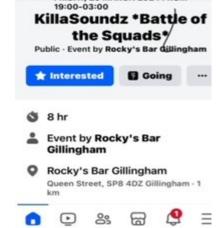
Above:

- Socialising customers with friends in vehicle in Queens Street (photo 4)
- Socialising customers and vehicle parked up outside No2 Tomlins Court. Note: This property belongs to an elderly lady who, is intimidated by the establishment. (photos 5 & 6)



Left: This event did not go ahead as a letter from Councillor Mark Walden to the Licensing Team raising residential concerns to this event.

Licensing team, asked for the event to be cancelled as not appropriate for a variety of reasons.



FRIDAY, 29 MARCH 2024 FROM

Right: Event scheduled for March this year

Minutes of Residents Meeting held at Vicarage School room, St Marin's Square, Gillingham $7.00pm - 30^{th}$ August 2022

This is to document the concerns and joint suggestions and ideas which were forthcoming from this evening's local neighbourhood meeting chaired by Richard Barrington, an immediate neighbour of the bar. Residents attending were drawn/invited from local neighbourhood around Rockys Bar, located at Queen Street, Gillingham, Dorset.

Those in attendance were made up of those voicing concern over recent music noise and late night noise & anti-social behaviour coming from customers leaving the bar and also from supporters — although not necessarily patrons — of the bar as a much-needed local business in the area.

There were emotive but generally well proposed and received dialogue from both sides during the meeting.

Charlotte, the co-owner and partner of Scott from Rockys Bar opened the discussion by putting forward their joint heartfelt statement on how they have worked hard to start a new business during what has been for all, exceptional and very tough times. That their door is always open to anyone who has an issue with any aspect of their business and that she appealed to the room for their understanding and for this to be the start of positive dialogue to find a mutual way through current concerns. She then had to leave to return to running the bar and this document is for her and her partner's benefit as well as those whose email had been supplied to Richard at the close of the meeting. It is hoped that these main suggestions and ideas form the basis of discussion for the next meeting which will include the owners so that they can feed back on the points below, to put in place, build on or action as they see fit.

Noise – music and general beer garden noise.

- 1. Immediate neighbour, who cares for an elderly relative with Alzheimer's has a problem with direct noise vibration transference through the adjoining wall.
- 2. Some neighbours in the immediate vicinity of the bar complaining that they can no longer use their gardens for recreational use during Friday/Saturday afternoon/evening most weekends due to a mixture of loud noise from the beer garden or *live music and that they have to keep windows/doors closed despite high temperatures recently.
 - *It was noted that the live music evenings do result in music being turned off come 11pm.

Noise – nuisance & anti-social behaviour reports.

1. Some residents report being woke up in the early hours of the morning (between 1-2.30am) by patrons leaving the premises. Loud shouting/singing or standing around chatting loudly in groups outside the premises waking nearby residents, along with occasional anti-social behaviour such as

- vandalising local parked cars was also reported at the meeting.*
- 2. Litter, glasses etc strewn around the pub, left by patrons leaving.
- 3. reported that on several occasions cars parking on the pavement outside his house which prevents them taking their wheelchair bound elderly relative out.
- 4. Police presence not very good.

*It was noted that Security has been employed by the pub in recent weeks so hopefully this will help to alleviate any bad behaviour in the immediate vicinity of the pub, as well as inside.

Suggestions & ideas proposed for further discussion with the owners were as follows:

Regarding noise - music and general beer garden noise.

- 1. Possible soundproofing/sound suppression to the ceiling and adjoining/exterior wall. Possibly funded by crowd-sourcing/Patron/Fundraising?
- 2. Some kind of object acting as a baffle positioned in front of the rear doors, but not to impede exit in the case of an emergency e.g. a fence panel/screen/hazel-paling/large bush in a pot that will prevent the sound exiting the doors freely to echo around the field.
- 3. Planting of trees/hedging at the rear garden wall to prevent sound travelling over the field to the residences in Barnaby Mead/Bay Fields/Mulberry Close. There were volunteers willing to help with this in the meeting.
- 4. A simple system that monitored decibel levels for live music nights that lit up a red light if a predetermined db level was exceeded. A volunteer electrician and friend of the owners was going to speak with them on the feasibility and cost regarding this idea.
- 5. Requesting that bands with drummers used light sticks or 'hotrods' and then the other musicians will be able to play at a lower volume accordingly.
- 6. Possibly alternating the Friday/Saturday each week so that residence could also enjoy their garden in the summer months.
- 7. It would be good if the owners of the bar informed local residents a couple of weeks ahead via their facebook webpage or by mail shot of any large and noisy events such as the wedding earlier in the month, which will give neighbours a chance to make other arrangements for that date or at least be aware of what was occurring ahead of time.

Regarding noise – anti-social behaviour reports.

- 1. Issue Lollipops to late night leavers proven to work to dramatically lower noise and bad behaviour! See https://www.bridportnews.co.uk/news/4385413.bridport-pub-revellers-given-lollipops-to-keep-them-quiet-on-way-home/
 https://www.worcesternews.co.uk/news/17932350.university-worcester-using-lollipops-help-keep-late-night-noise-down/ for more info there may even be some help via Dorset Council worth asking (see first link).
- 2. Request for the pub to organise a litter run after closing to mop up any glasses etc left on walls etc.
- 3. Let up a polite sign that asks people not to block entrance/exit to his property as it is used for disabled use. It would be good if the pub also kept an

eye out and if anyone was seen parking there that were going into the pub that they were asked to move. (e.g. bands loading/unloading etc)

4. a local Counsellor, volunteered to reach out to local police re making an active presence felt on Fri/Sat nights in the area.

It was agreed that this document outlining the discussions and subsequent suggestions be forwarded to the owners of Rockys Bar, Scott and Charlotte. That another meeting sought at their earliest convenience so that these ideas can be discussed further in a co-operative & conciliatory way to find a mutually agreed path forward to the betterment of all concerned. It must be recorded that while a lot of people were upset at recent noise levels there was also a lot of support for this local business and the couple running it and that all parties wished to achieve an amicable outcome that worked for everybody

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Minutes of Residents Meeting notes re Rocky's Bar - 13/09/2022

Meeting held in the Vicarage School Rooms, 13th September 2022

Apologies from - unable to attend the meeting due to a work commitment.

In brief:

Meeting was arranged by and then chaired by Scott and Charlotte, owners of Rocky's Bar who stepped through the concerns as raised and noted in the previous minutes that were circulated. Scott and Charlotte also kindly paid for the hire of the hall this evening.

Interjection: from next door neighbour, stating the current situation for him and his family was untenable and would welcome any positive steps from Rockys Bar to address this issue. This includes both noise and smoke from the outside smoking area coming into both his garden and house if doors or windows are open. This was noted by Scott.

Scott outlined that the current business model was to provide a disco on a Friday night which catered for the 18 - 25 age group with a nightclub feel.

Saturday night was to provide a live music evening targeting an audience age of 30+ with a mixture of electrified and acoustic sets.

To also provide a venue for televised sport events, quizz nights and poker/card nights. To provide a family friendly local pub and bar to the town where there is little current entertainment or evening social events taking place.

Interjection: interjected to underline her current noise concerns to do with this business model.

Scott informed the audience that a number of actions had been instigated and put in motion as a result of the previous meetings concerns being raised with him.

1. He was now getting a decibel metering and capping system fitted in the coming weeks which will help with monitoring and capping/reducing the volume of the disco if levels go beyond a set amount.

2. The speakers have been repositioned away from adjoining wall to lessen the vibration and noise transference through this wall in the hope it will have a positive effect on and family.
3. Scott had asked bands playing at the bar their feedback on the suggestion made by of drummers using hotsticks to dampen the sound down. Response was not positive here by the bands as they felt it curtailed the ambiance, entertainment and performance value of the gig.
4. Research and possible quotes being sought to put in place some kind of noise screening around the rear doors to the garden area to abate the noise. Scott has stated that the doors are closed at 11pm each evening and that this in itself raises issues of temperature and air quality issues inside the bar as a result of closing them.
5. Patrons to be made aware of the signage around the exit from the bar regarding late night noise and that the lollipop idea was going to be taken up as a way to lessen the noise of people talking as they leave the bar at the end of the evening.
6. Drinking litter will be more regularly monitored and regular litter picking teams which will cover ground from the roundabout at the Co-op through to the Remembrance Garden will take place every weekend. It must be noted that Scott has stated that some of the drinking litter does not originate from his business and that is indeed deposited on-route from pedestrians making their way out from the town.
Parking issue: It was suggested that put up a clear sign stating his driveway access must be kept clear at all times due to disabled use. Scott also offered to continue to respond positively to anyone SMS'ing him a car registration number which would then be announced in the bar and if the owner identified themselves, they would then be asked to move their vehicle.
Interjection: raised further concerns regarding noise and language being heard coming from the beer garden and what can be done to reduce this? Scott will monitor and reiterated that people are brought inside at 11pm and doors closed.
8. Suggestion of using planted Willow by as screening / Soundproofing around certain parts of the Beer garden, Scott said this would be looked into along with the idea of sponsoring a Willow for the bar which was raised - to be looked into.
Interjection: suggested that plant Willow around her garden boundaries in order to lessen the noise being experienced. strongly declined this suggestion.
9. Suggestion of music alternate weekends was not a great idea Scott felt as this would confuse customers as to which weekend was the music weekend. Further suggestions of a mailing list were offered to inform people, again Scott was not convinced of this being a successful method of communication.

10. Bar Security is now employed at weekends and has proved a positive benefit, especially in a recent fracar that happened where a group of friends from out of town visited the bar and upon leaving one of their group attacked another member of the group. Security provided First Aid and both Police and Ambulance were called. Scott has stated,

as a former Prison Officer, he will not tolerate any acts of violence or bullying on his premises. He has identified the individuals responsible for the attack and they now have a life ban from the bar and are no longer welcome there. This will be the standard response to any bad behaviour from any customer frequenting the bar.
11. Scott stated that the outside event of his Brother's Wedding would not be repeated again. And that they had no plans to turn the bar into an outside Wedding Venue.
Interjection: raised further concerns regarding anti-social behaviour and that it could still be an issue. requested that the lolli-pop idea be given time to bed in and to see if it made a notable difference as it had a very positive outcome amongst those who had tried it over the country and had recently been sponsored by West Dorset County Council as a noise abatement initiative.
Interjection: Also concerns raised by and regarding the motorbike noise experienced around the neighbourhood regularly, which are local lads using Queens Street and Le Neubourg Way as part of a circuit and the Co-op on Bay Road as a pit stop for this circuit. It was pointed out this has nothing whatsoever to do with Rocky's Bar - these people are not customers of the bar - and that Scott and everyone agreed this was an ongoing local nuisance issue that needed addressing as a separate issue, and not related in any way.
Interjection: suggested closing the bar earlier on a Friday as a way of abating the noise. Scott pointed out that typically stats show people will drink the same amount in a shorter available time which may actually increase the problem. Currently customers leave the bar in smaller groups throughout the evening from 11pm - 2am rather than a mass exodus at 11pm.
Overall, and in conclusion: everyone felt that Scott and Charlotte were doing their level best to address the concerns recently raised by their neighbours and were putting in place some good initiatives to help curb the noise and anti-social behaviour and litter issues going forward. The points raised here in this follow-up meeting would also be taken on board by everyone and that the group voted to continue to support Rocky's Bar as a much needed local business.
That the current situation would be monitored and that any improvements would be noted in due course.

Statement from on behalf of himself and his wife (which is doors down from Rocky's Bar.

Since Rocky's has opened, we've had considerable disruption from this establishment which has impacted our quality of life within Queen Street. There are two aspects that have impacted this and I think it's important to elaborate on how this has directly impacted us;

1. Excessive noise coming from the bar

This is the lesser impact of the two, but still impacts us, especially during the summer months where they frequently host live music. As you can imagine during the summer months, we often have to open our windows to allow ventilation, especially for our newborn baby, however we've had to close the windows and artificially cool the rooms which is not ideal as the outside noise has frequently waken the baby up. Sleep for newborns is critically important for their development and this has caused considerable concern for us.

The noise is somewhat mitigated by their soundproof walls however due to the busy foot traffic, especially during the summer months the door has frequently been left open for a considerable amount of time.

2. Anti-social behaviour coming out of Rocky's bar

For us, this is the significant aspect which has impacted us the most. As you will be aware, anti-social behaviour comes in many forms and I'll illustrate the types that have impacted us;

• Loitering around the front of Rocky's bar

This shouldn't be allowed for excessive amounts of time. It's clearly stated that the smoking area is at the back and there should be no reason why patrons should loiter at the front of the building. It seems from many occasions that the bouncers at the front make little to no attempt to disperse these groups and as a result we get drunken behaviour spilling out up and down Queen Street. There have been occasions where this behaviour has resulted in the police attending and taking further action. We need to see more robust attempts from staff to move people on before it escalates. In a number of occasions we've also had to clean human sick and urine from

my driveway, often occurring after late-night events that Rocky's are hosting.

• Littering

There have been many occasions where littering has occurred up and down Queen Street from Rocky's. These include plastic cups, bottles (sometimes

smashed resulting in broken glass on the pavement) and cigarette ends which you can clearly see concentrating towards the entrance of Rocky's (despite the smoking area being at the back) - we need to see more action from staff to move people on and not allowing any alcohol to be taken away from the premises. I've also had countless bottles and plastic cups being left on my wall which I've had to clean. From Rocky's themselves, we've had a giant rotting pumpkin that was outside on the pavement for almost 4 months and their waste bins are often overflowing spilling out into the pavement itself.

• Parking and blocking driveways

Patrons of Rocky's (including Scott Rock himself) have been parking outside Rocky's. As you know Queen Street can barely tolerate one vehicle down the road and it also accommodates a frequently used cycle lane which is consistently blocked. This has caused road users considerable difficulty.

This has also caused an issue for us as frequent pram users for our baby as many cars are parked on the pavement causing us to frequently cross the road with the pram as we're unable to pass through the parked cars.

There have been occasions when cars have been parked outside of Rocky's with drivers talking to others from inside of their car and unnecessarily revving their engines which can easily be heard from our house.

We've attempted to consult with Scott Rock himself on a number of occasions, even holding a discussion at the Vicarage Rooms at the top of Queen Street to gather concerns and relaying them to Mr. Rock. A number of suggestions were raised by resident such as;

- Staff to clean/sweep the front of Rocky's including any cigarettes, bottles and plastic cups on Queen Street
- Employing bouncers and ensuring they enforce the above issues
- To consult the residents of Queen Street of any potential disruptive or late events

These requests I feel to be very reasonable and would take very little effort to fulfil. The initial response I had from Mr. Rock was positive, however this has deteriorated. Residents have raised this issue since and have had a 'if it occurs outside of Rocky's then it isn't our problem' type response which I feel is not keeping with the requirements of his licence.

The above statement is an outline of how it impacts us personally as I'm aware there are other statements from other residents of Queen Street. You'll notice we haven't provided any dates and times but if required I'd happily supply these with supporting photographs if required.

Statement from a resident who wishes to remain anonymous.

We are houses down from Rocky's Bar on Bay Road and have been at our property since August 2018. Having first hand experience of many disturbed nights and some frightening moments we have decided along with members of Queen street to review the license.

As said in other statements the "night club" hours and the unprofessional and poorly managed business has caused distress and nuisance to many along Queen street and Bay Road.

<u>Prevention of crime and disorder,</u> <u>Breach of: Anti Social Behaviour - Common Assault - Harassment-</u> <u>Putting People in Fear of Violence</u>

As seen below are some key examples of why Rocky's Bar has caused us distress and nuisance. There have been many but here are the main examples with evidence attached.

12/08/23 2:23am

People hanging out of car windows after a night out, loud groups hanging around or usually arguing. I had watched them come down from Queen Street. Unfortunately, our windows let in lots of sound so heard conversations within the group regarding their night at Rocky's Bar.

13/08/23 1:54 am

Again people hanging around. Chatty loudly, screaming at time, shouting at friends down the road. Some clearly drunk and disorderly.

02/09/**23 23:48pm**

One of the worst nights experienced so far, 101 report done. Mr Rock and security guards involved in fight with at least 6 other customers. Very poorly managed by Mr Rock and the security guards who that evening were not fit for purpose. Especially when the incident was not solved near the bar and ended up erupting 5-6 houses away into a new street.

Events and effects

There has been nights promoted which will cause excessive drinking which then lead to crime and disorder as seen previously such as "Drink the bar dry" (3rd November 2023). This was taken down after a resident from Queen Street had emailed the council and police with concerns this

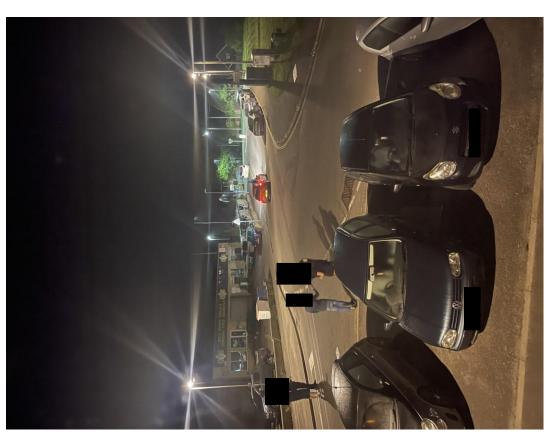
would amount to anti-social behaviour. This just shows what the owner and manager of Rocky's Bar is capable of and the lack of care and respect for not only residents of Queen Street but the public safety for customers.

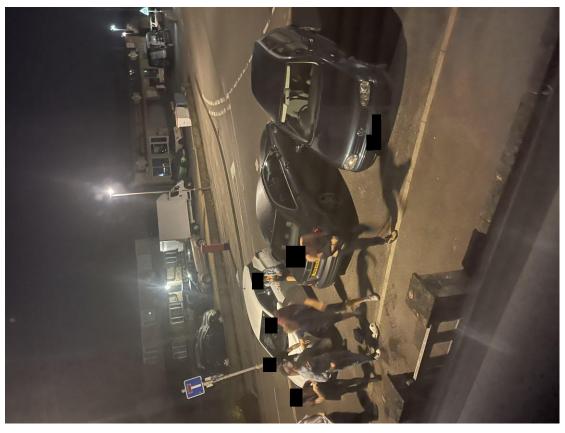
As someone who lives in Bay Road and is a young person who often walks in to town I fear walking pass Rockys Bar in the evening and as a result walk the main road (Le Neurburg Way). This is because of past events which have been mentioned above but also some which have caused people to be arrested (new years eve 2023-24) and physical fights (02/10/23 Queen Street resident door covered in blood).

As someone who has a high pressured job which requires focus I feel not only is my personal life being affected but my work life. This is due to the lack of sleep I am getting on a Wednesday night (poker night), Friday, Saturday and Sunday.

Yours sincerely Annoymous

I attach below evidence of above mentioned events plus a video has been supplied.





On behalf of of the control of the c
Licencing review 'Rocky's Bar'
Background
My wife's family has lived in Queen Street for 4 generations moving from Enmore Green in 1946. Initially was a barbers and general store with my wife's family living above the premises. This closed in the 1970's and since then it has been our family home with up to 3 generations living here.
The premises now known as Rocky's bar is and was first licenced as a pub in the 1980's. Apart from a brief spell in the late 1990's the premises have been well run and caused limited issues for the local community. We rarely had any late-night openings or amplified music and only for specific events – eg Gillingham Carnival.
There have been several attempts to run the premises as a restaurant however these have not been successful as there is no off-street parking and limited passing trade.
The Bar is surrounded on 3 sides by residential properties with the former Methodist chapel opposite being converted into 8 apartments, further isolating the bar from any other retail or commercial premises and outside the 'town centre'.
My wife, and I have lived at for 60 and 35 years respectively and our daughter and and source, now live in the part of the house closest to the bar. Despite installing double glazing costing oseveral thousdand poundswe are regularly disturbed at weekends by the noise of patrons entering and leaving the premises up until 2.30am as well as congregating outside the front to smoke. This hubbub is compounded at weekends by the background thud of the bass of the regular Friday night discos playing till 2am. Most Saturday evenings there is a live band till IRO 23:30 followed by recorded music, again until 2am and audible within our property.
Rocky's has no sound insulation and is an extended farm labourer's cottage with a solid stone wall between it and

Anti-Social Behaviour

There has been low level public order and anti-social behaviour since Mr Rock took over the premises. Despite several requests and incidents reported to Mr Rock, he has failed to make any attempt to engage with the residents or accept any responsibility for the problems we experience most weekends. The problems have included urination against our property, vomiting, and litter including glass, and smoking detritus.

monitoring equipment or invest in any sound proofing and while we have invested

thousands in double glazing it still has an impact on our Quality of life.

The anti-social behaviour occurs to the front and rear of the property. The Beer Garden is open till 23:00 and to the front, in Queen Street, until the early hours most weekends.

Noise Nuisance

We complained about the levels of noise from the clients, disco and bands to Environmental health and despite keeping incident logs over multiple months they did not see this as a priority despite the impact on our quality of life. Copies of the logs are available.

Beer Garden:

The rear of the bar looks out onto the beer garden that is accessed via a raised deck and poorly illuminated steps (it is not accessible). There are patio doors that lead from the bar onto the deck, and during summer months these have been wedged open till 23:00. Even when the doors are closed, their continual use means the noise varies from muffled to a loud wall of sound, that coupled with up to 20 people on the deck & garden means we are unable to enjoy our garden at weekends. Video's and sound files are available.

Queen Street:

The Issues at the front of the property are compounded by the topology of the area. The road is narrow with buildings in close proximity forming a 'canyon effect' that amplifes the noise associated with the bar.

We have over 15 sound and video recordings from 2022/2023 covering between 22:00 to 02:00 to the front of the property that we would be happy to share as evidence of the issues caused. The worst example was the 8th and 9th of September where at one point over 20 people were in the street outside our property. On that occasion there were door staff present but they failed to stop people from entering or leaving the premises and made no attempt to quieten the crowd.

Unfortunately, this is not just a summer problem and we have sound files from across the year to evidence the kind of disturbances we face.

Parking:

While it is not a specific licencing matter, because the bar has no allocated parking, most evenings cars are parked on the pavement for 40M either side of the bar, blocking the cycle route at both ends and sometimes the pavement itself. Our property fronts the pavement so people getting into their cars, slamming doors and driving off in the early hours has contributed to the overall noise nuisance.

Public Order

Over the last 2 years there have been a number of incidents where the police have been called, some resulting in arrests.

Since the start of the new year there have been at least two incidents of note including:

1/1/2024 New Year's Day 00:15 Police were called to an incident involving a hammer and one arrest was made. The anti-social behaviour was so loud, I went out to support the two attending officers as there were IRO 15 people involved and they were 'struggling' to deal with the incident. I tried to calm the girlfriend and sister of the young man in custody and, according to them, the incident started with an assault on a young female within the bar and spilled out onto the street outside. A short video is available as evidence of the noise and disruption caused on what should have been a family celebration.

11/2/2024 23:30-02:30 There were a series of drunken arguments and people in groups standing outside the front of the building to smoke making a lot of noise. Between 01:00 and 02:00 a fight that started inside the bar spilled out into the street to which the police were called, and 3 police vehicles attended the scene.

It should be noted that Mr Rock doesn't always employ door staff for these late nights, however when they are in attendance, they do not seem to ask people to be quiet, and indeed often engage in banter with the clientele adding to the noise nuisance.

Child Safety

Mr Rock has had what appears to be a domestic children's playground built in the beer garden. It is not fenced from the rest of the garden and dogs, including Mr Rocks, are allowed to freely roam and potentially soil the immediate area. Unaccompanied young children are often to be seen playing on the equipment with parents in the bar. On one occasion the slide became untethered while children were playing on the equipment.

In conclusion:

We feel we have become prisoners in our home at weekends. We are unable to sit and enjoy the garden we spent 2 years restoring during lockdown because of the levels of noise, swearing loud music from the rear of the Bar and the Beer Garden. When in doors during the summer months we cannot open our windows at night because of the noise nuisance from the front of the bar that, at weekends, often keeps us awake until the early hours.

	Please tick √ yes
Have you made an application for review relating to the premises before	
If yes please state the date of that application	Day Month Year
If you have made representations before relating to t	the premises please state what they
were and when you made them	

		Ple	ease tick √ yes
autho premi	e sent copies of this form and enc rities and the premises licence ho ses certificate, as appropriate	lder or club holding the club	
	erstand that if I do not comply with cation will be rejected	the above requirements my	x□
IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION			
Part 3 – Sign	atures (please read guidance no	ote 4)	
	applicant or applicant's soliciton note 5). If signing on behalf of		
•	Belinda Ridout		
Date	19 th February 2024		
Capacity	Dorset Council Councillor	representing Gillingham wa	nrd.
	e (where not previously given) vith this application (please read		spondence
Post town		Post Code	
Telephone n	umber (if any)		
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)			

The council has a duty to protect the public funds it administers, and to do this may use the information you have provided on this form to prevent and detect fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes. Where appropriate, and as part of its commitment to improving customer service, the council may also share the information provided on this form with other council services. For more information, see http://www.dorsetforyou.com/fraud or contact Finance Manager on 01305 252292.

Notes for Guidance

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