

Sent: 22 September 2017 10:48

To: info@semperfidelisconsultancy.co.uk

Cc: Spriggs, Fred; Licensing; Bartlett, Jenny (Cllr); xxxxx@xxx; xxxxxxxxxxx@xxxxxx;
xxxxx@xxxxx

Subject: Application for variation of premises License The Duckers

Dear Nick Semper

Thank you for the meeting with the applicant and members of the South Street Residents Association. Also please can you thank the applicant for reducing the hours and agreeing the other points that we spoke about in our meeting.

I have now spoken to other residents in five properties surrounding 11 South Street about these changes to the variation of Premise License and we agree with the reductions and conditions to licensable activities as they are detailed in this email. We can confirm that we would rather see a successful business at 11 South Street, that is mindful of the needs of the residents surrounding the property. That we will support the application provided that our conditions are met (detailed 1-9 below and in the attached document) are attached to the premises license at 11 South Street The Duckers, which are:

1. No entry to the garden before 9am any day (**Application asked for 7am**)
2. No entry or re-entry to the pub after **11:30 pm** on any day of the week except in a welfare emergency in which case this will be logged with the reason, which will be accessible to view by all parties by request. (*Application originally asked for 1am Sunday – Thursday and 2am Friday – Saturday*)
3. No entertainment including live, amplified and recorded music Sunday to Thursday after **11pm**, and Friday to Saturday after **midnight**. (*Application originally asked for midnight and 1am. Sunday 11:30pm is too late*)
4. The stopping of all trading including the sales of drinks at **midnight** Sunday – Thursday and **1am** Friday – Saturday and also New Years Eve. (*Application originally asked for 1am and 2am*)
5. Late night refreshment Sunday – Thursday till **11 am** , Friday – Saturday **midnight**

In addition the residents want the following conditions to be attached :

5. No consumption of drinks in the garden, this area is to be used for smoking only.
6. No doors or windows open into the garden at any time any day of the week.
7. Sound proofing measures in the pub including acoustic insulating curtains/blinds, and an additional exit set of doors installed into the garden to create an acoustic barrier, so that customers have to go through a porch and the second set of acoustic doors to enter and exit the garden.
8. No speakers in the garden
9. The quiet dispersal by staff of customers leaving the premises after 10pm

With kind wishes to you and the applicant
South Street Residents Association

From: Nick Semper [mailto:info@semperfidelisconsultancy.co.uk]

Sent: 22 September 2017 14:55

To: XXXXXXXX

Cc: Spriggs, Fred; Licensing; Bartlett, Jenny (Cllr); xxxxxxxx; xxxxxx@xxxxx; xxxxx@xxxxx

Subject: RE: Application for variation of premises Licence at 'The Ducker'

Dear xxxxxxx,

Thank you very much for sight of the below proposals.

I have discussed the contents with the new management team at the Ducking Stool.

I am pleased that, through negotiation and concessions made by my client, we have reached some general consensus on items 1-5 below.

However there were a further five conditions specified in your email below that we did not fully discuss, numbered 5-9 inclusive.

Dealing with each in turn:

5. The outside area is an important component of the Ducker's offering, and forms part of the licensable area. We have already offered no drinks in the area after a certain hour. Therefore we are not agreed.

6. The applicant has already ensure that there are no windows that open onto the back yard anymore, so as to mitigate any noise issues. The doors are a main source of fresh air into the pub. Clearly the noise and vibration Conditions No 1 & 2 in the Prevention of Public Nuisance Section covers noise pollution. Therefore we are not agreed.

7. This has already been offered by my client and is a work in progress.

8. The external speakers are disconnected and actually being removed today. Therefore we are agreed.

9. Customer dispersal is covered in the original application. Condition 6. states "Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quietly." Clearly there is a pastoral role for the management, staff and SIA employed at the premises ensuring, to their best endeavours, that customers leave quietly. However the extent of the terms proposed by the SSRA are too broad to be clearly defined and/or enforceable. Therefore we are not agreed.

I therefore regret to report that we are not agreed and that we will all progress to the Hearing on Monday along the terms of the original application.

However I would like to stress that the meeting and resultant process has been extremely useful as we have all been able to engage in a meaningful discussion, been able to table our concerns and reach a general consensus in some areas. For that my client and I thank you all very much.

Kind regards as always,

Nick SEMPER

Semper Fidelis Consultancy

Email: info@semperfidelisconsultancy.co.uk

Web: www.semperfidelisconsultancy.co.uk

Office: 01432 373603

Mobile: 07890 105387

Rural Enterprise Centre,
Vincent Carey Road,
Rotherwas Business Park,
HEREFORD
HR2 6FE



South Street residents Association 22nd September 2017

Application for Variation of Premises License 'The Duckers'

I saw five other residents yesterday, I have emailed another and I am seeing another today at 9am

They agree with the amendments tables at our meeting which were:

1. No entry to the garden before 9am. **(Was 7am)**
2. No entry or re-entry to the pub after **11:30 pm** on any day of the week except in a welfare emergency in which case this will be logged with the reason, which will be accessible to view by request. *(Application asked for 1am Sunday – Thursday and 2am Friday – Saturday)*
3. No entertainment including live, amplified and recorded music Sunday to Thursday after **11pm**, and Friday to Saturday after **midnight**. *(Application asked for midnight and 1am, Sunday 11:30pm is too late)*
4. The stopping of all trading including the sales of drinks at **midnight** Sunday – Thursday and **1am** Friday – Saturday and New Years Eve. *(Application asked for 1am and 2am)*
5. Late night refreshment Sunday – Thursday till **11 am** , Friday – Saturday **midnight**

In addition the residents support the following conditions:

5. No consumption of drinks in the garden, this area is to be used for smoking only.
- 6 .No doors or windows open into the garden at any time any day of the week.
7. Sound profiting measures in the pub including acoustic insulating curtains/blinds, and an additional exit set of doors installed into the garden to create an acoustic barrier, so that customers have to so through a porch and the second set of acoustic doors to enter and exit the garden.
8. No speakers in the garden
9. The quiet dispersal by staff of customers leaving the premises after 10pm