

Tanya Broadhurst

Subject: Rebuttal info

From: yates.hereford@stonegatepubs.com
Sent: Thursday, 16 April 2015 11:06
To: [Alison Rogers](#)
Cc: jim.fahay@stonegatepubs.com, [Paul Wright](#)

Good morning.

I have been asked to agree the operational procedure below and send these across to you.

Kind Regards

Paul

1. Opening hours will be:

(a) 9am - 2am Thursday to Saturday and Bank holiday weekends.

(b) 9am - 11pm Sunday to Wednesday, on the basis that these evenings you have fewer customers and it is not economical for you to remain open until 2.00am so therefore you will close the pub earlier but reserve the right to remain open beyond 11pm if customers are still drinking.

(c) If we plan to apply for a TEN we will give the residents 2 weeks' notice

2. The outside bar (garden):

(a) Will close the Outside bar 00:30

(b) You will start advising people to move inside from 00:30

(c) Where the outside bar is open SIA licenced door staff will be employed to supervise this area.

(d) You will not allow any drinking vessels outside after 1am.

(e) There will be no outdoor music or entertainment past 9pm

3. You will re-soundproof the side and rear exit doors.

4. Notices (in not less than 32 font bold) will be erected in clear sight of the public:

(a) At all rear and front exits to the premises stating - 'You are in a residential area and we ask that you please respect the needs of local residents and to leave the premises and the area quietly'.

(b) Around the outside bar (garden) area stating - ' You are in a residential area and we ask that you please respect the needs of the local residents. Any one causing any noise, nuisance or disruption will be asked to leave the premises'.

(c) In your A Boards, on evenings when customers are queuing in Commercial Street waiting to enter the pub stating - ' You are in a residential area and we ask that you please respect the needs of the local residents and queue quietly'.

5. Dispersal:

(a) You will provide door staff to supervise people as they leave ensuring that they leave quietly without causing any nuisance or disturbance to the residents.

(b) You have said that ordinarily, customers start to filter out between 1am and 2am and that you will endeavour to close the pub by 2.15am latest.

6. Residents Meetings:

(a) These meetings will be held at Yates Pub, Hereford.

(b) The first meeting will take place in May 2015 and thereafter every three months.

(c) Paul Kneads will invite all Residents who have submitted objections to the licencing application (hereby referred to as Commercial Road Residents Association) to attend regular meetings to enable them to raise and

discuss any matters or issues (excluding anything frivolous or vexatious) of concern to them relating to Yates.

(d) These meetings will be open to any other residents who make themselves known in the area and who wishes to attend.

(e) The holding of these meetings do not prevent residents raising any concerns or complaints relating to Yates that may occur in between meetings and any matters that are raised must be logged by Yates and reported to the Residents Association at the next meeting.

(f) All meetings will be minuted.

From: Alison Rogers [REDACTED]
Sent: 16 April 2015 09:18
To: Yates, Hereford
Cc: Jim Fahey
Subject: Re: Yates, Hereford - Licence

Good Morning Paul & Jim ,

Having considered the verbal proposals suggested last night, it is clear that Yates are attempting at this early stage to step outside of the conditions already set by the licencing committee. As an example your amended proposals include temporary licences beyond 2am, entertainment in the outside area and removal of the residents' knowledge of their right to apply for a review.

I have attempted to work with you on this outside of the appeal process but on review, our discussions and the proposals do not in reality address fully the impact of a 2am licence and an outside bar on the residents. The residents I have been able to contact have stated they do not want to endure the disruption and disturbance a 2 am licence will bring. You say Yates will not budge on the 2am licence or the outside bar so we are gaining nothing.

Also, you have said your head office stated that appeal should not be lodged until next week as there are a few more days, I do not believe this is correct, it is misleading and I believe they are using this as a stalling tactic.

For those reasons I will be seeking legal advice as to our options.

Regards

Ali Rogers
Sent from Windows Mail

From: yates.hereford@stonegatepubs.com
Sent: Wednesday, 15 April 2015 19:01
To: [Alison Rogers](mailto:Alison.Rogers)
Cc: jim.fahey@stonegatepubs.com

I'm just awaiting a reply and I'll get it back to you ASAP.
Paul

On 15 Apr 2015, at 18:59, Alison Rogers <[REDACTED]> wrote:

Hi Paul,

Reference our telephone conversation and your proposed alterations, can you please let me have this by return email so I may put it forward to the residents for their consideration this evening.

Regards

Ali Rogers
Sent from Windows Mail

From: [Alison Rogers](#)
Sent: Wednesday, 15 April 2015 16:15
To: jim.fahey@stonegatepubs.com
Cc: yates.hereford@stonegatepubs.com

Hi Jim

Thank you for your email.

As I said during our phone call earlier, I entered into discussions with you in good faith and I am disappointed that you made an agreement with me on Monday which you now tell me you did not have the authority to make. It seems you have also failed to pass this on to those in a position to make such a decision. Had you stated this at the meeting, I would have asked you to refer it to someone who did have authority immediately.

I therefore presume that since we have had our phone conversation today that the person or committee who is able to make the decision have already received my email below and are considering it now. I would remind you that tomorrow is the last day for the appeal to be lodged and if you are unable to honour what has been agreed with a document signature or email confirmation to me that it is acceptable, then regrettably I will be left with no alternative but to proceed with the appeal.

I trust that this will not become a problem and we can move forward on the basis that we agreed. I would highlight that there are no fundamental changes to the licencing conditions that were granted but merely clarification of operational procedures to reassure residents that you are serious when you say you are willing to listen and work with us not against us.

I wait to hear back from you by 10am in the morning.

Regards

Ali Rogers
Sent from Windows Mail

From: jim.fahey@stonegatepubs.com
Sent: Wednesday, 15 April 2015 14:35
To: [Alison Rogers](#)

Hi Alison,

As per our telephone conversation I will get back to you on this by 10am tomorrow .

Regards
Jim fahey

From: Alison Rogers [REDACTED]
Sent: 14 April 2015 17:42
To: Jim Fahey; Yates, Hereford
Subject: Yates, Hereford - Licence

FOA Jim Fahey & Paul Kneads, Yates, Commercial Street, Hereford

Dear Jim & Paul

Further to our meeting and discussions on Monday regarding the residents intention to lodge an appeal against the Council Decision in respect of your application to vary your licence conditions. As you are aware Yates gave no consideration to the residents prior to submitting the application, no contact was made with the residents, and at the hearing we were prevented from producing key evidence supporting the objections put forward by the residents (including a noise report and other factual evidence). We have strong grounds for appeal and a strong case against the application.

However, we wanted to extend to you the courtesy that was not offered us and sit with you to discuss your intentions regarding the trading of the pub and see if we could come to a sensible compromise between us outside of the appeal process. I believe this was achieved, we had a very informative meeting, you both made assurances that it is your intention to listen to concerns and work with the residents.

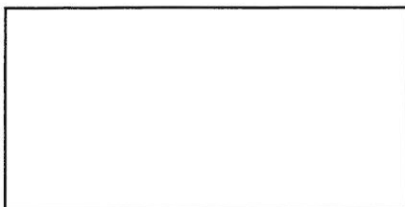
From that, we were able to agree a format on which we could all move forward, and, under conditions to which you both agreed. So on the basis that you have undertaken to honour matters as agreed between us in our meeting, which I detail hereunder from the list we compiled, the appeal will not be lodged. I look forward to hearing back from you to confirm this is what was agreed and I will call in to see Paul early afternoon (around 2pm) to discuss suitable dates for the first meeting and residents contact details.

Ali Rogers
Sent from Windows Mail

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 - (b) 9am - 11pm Sunday to Wednesday, on the basis that these evenings you have fewer customers and it is not economical for you to remain open until 2.00am so therefore you will close the pub earlier but reserve the right to remain open beyond 11pm if customers are still drinking.
 - (c) You will not apply for any temporary licences to trade beyond 2.00am.

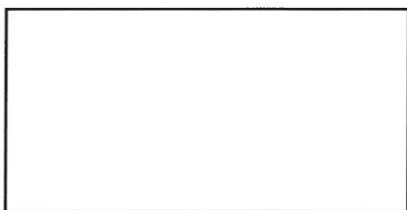
2. The outside bar (garden):
 - (a) Will close at 12.30am.
 - (b) You will start ushering people inside from 12.30am.
 - (c) Where the outside bar is open SIA licenced door staff will be employed to supervise this area.
 - (d) You will not allow any drinking vessels outside after 1am.
 - (e) There will be no outdoor music or entertainment at any time.

3. You will re-soundproof the side and rear exit doors.
4. Notices (in not less than 32 font bold) will be erected in clear sight of the public:
 - (a) At all rear and front exits to the premises stating - 'You are in a residential area and we ask that you please respect the needs of local residents and to leave the premises and the area quietly'.
 - (b) Around the outside bar (garden) area stating – ' You are in a residential area and we ask that you please respect the needs of the local residents. Any one causing any noise, nuisance or disruption will be asked to leave the premises'.
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5. Dispersal:
 - (a) You will provide door staff to supervise people as they leave ensuring that they leave quietly without causing any nuisance or disturbance to the residents.
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 - (d) These meetings will be open to any other residents who make themselves known in the area and who wishes to attend.
 - (e) The holding of these meetings do not prevent residents raising any concerns or complaints relating to Yates that may occur in between meetings and any matters that are raised must be logged by Yates and reported to the Residents Association at the next meeting.
 - (f) All meetings will be minuted.
7. The Residents reserve the right to apply for a review of the licence at any time should there be any breaches of these or any of the licencing conditions.



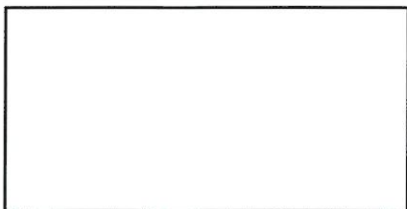
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