

## Rocky's Bar General

Rocky's Bar prides itself on being a pub for the community, we try our absolute best to cater for everyone and anyone. We Focus on being a sports bar to allow our customers the greatest opportunity to view all the big football/boxing/rugby and many other events across our screens. We Also have 3 pool teams, 3 darts teams, our own in-house pool league a poker league ran through red tooth poker and regularly run competitions on weekend afternoons. Our poker league is budgeted and has helped multiple attendees who have recovered from gambling addiction and casino habits as it gives them a time to do what they enjoy safely with people who care and can monitor there play, and for some this has been a much needed lifeline of support. Across all our pool/darts/poker teams we have over 80 customers who for some of them their weeknight out is the only free time they get to socialise away from the struggles of work or homelife. We also pride ourselves as a family friendly bar and a safe space for young person's particularly young women who all too often do not feel safe to go out.

We are sponsors of Yeovil Town football club, Gillingham town football club and North Dorset Rugby club as we believe supporting local sports teams in these tough times is a wonderful way to give back to the community. Yeovil town women's team has recently been rebuilt after going bankrupt a few years ago and our sponsorship is partly to thank for this. Gillingham town football club also have a women's team an under 23's team and many other youth teams, all the way down to under 5's, which would struggle to get the funding to operate if it weren't without the help of local business such as us.

We have also carried out raffles in order to raise money for Charity for good causes, one of which was shortly after we opened when we raised money for the Elizabeth foundation which supports families with hearing impaired children.

We have also donated all £250 from ticket sales to one of our paid entry boxing events to a charity called MANUP, who support men's mental health, a charity that is close to my heart xxxxxx

As well as having filled up at least 2 charity pots for Dorset and Somerset air ambulance.

We regularly support local musicians & DJ's by hiring them to play in our bar as part of a band or solo act which for some of these people is their only way to earn an extra income to stay above the cost-of-living crisis.

Yes, on weekends we do opt to stay open later into the night and this is our busiest time. Attached you will find our sales report from 2023 and as you can see almost 30% of our entire takings for the year come between the hours of 11pm and 2am, and a staggering 42.67% come between 10pm and 2am. This is a massive portion of our income and without being allowed to stay open until this time this we would struggle to remain open as a business let alone support all the local sports clubs. Unfortunately, if the business did go bankrupt this would have massive knock-on effects to all our pool/darts/poker players and other regular customers losing their one bit of entertainment for the week.

# Protection of Children from Harm

## **Climbing frame**

The play area in the rear garden of the bar is for use of children under parental supervision. It goes without saying that we do not allow under 18's access to the bar without adult supervision. Therefore any children on the play area are being supervised by a parent/guardian that is within the premises.

The level of supervision is down to the parents, as it is in every aspect of life, parents take their children to playparks, soft plays, swimming pools, beaches etc in everyday life and depending on the age/responsibility of the child the parent/guardian will decide how much supervision their children need. Supervision does not mean 24hr constant watch. If a parent is happy with their children's safety then that is down to them. However as is the law when a person becomes drunk, they will be refused further alcohol sales and asked to leave the bar and would have to take their children with them. We would therefore be protecting the children under their parents' supervision by asking parents to leave and take their children with them before they become intoxicated. Please Note, we have never actually asked a parent in our bar to leave as the families that are patrons of our bar have a designated driver/supervisor of the children that doesn't drink alcoholic beverages at all. Or in the case of single parents, they will drink small amounts of alcohol. Once again as is in any aspect of life, parents are adults and are therefore capable of knowing how to take care of their own children. A statement by resident ... seems to imply that she believes the parents are irresponsible, why does she believe that it is her place to judge other parents.

It has been pointed out by another resident that maybe allowing dogs access to the garden is a dangerous exercise as the dogs may soil the immediate area this is a valid point, however most playparks in the local area do allow dogs access into the area even within the fence line so our park is no different to any other park. We ask all customers that bring a dog into the premises to keep it on lead and clean up any mess it makes, we have a bin in the back garden for disposal of this waste.

The slide did indeed break while children were playing on the play area due to the children jumping on the slide rather than using it for its intended purpose. Upon investigation staff discovered the child was 14 years old and slightly overweight. Although the playpark is deemed fit for up to 50kg this is for proper use and not for jumping onto then slide. The parent of the child was informed of what happened and apologised to the staff on shift. Since then we have deemed our play area out of bounds and have told parents that children may not use it until the slide has been replaced.

**Solution:** Should the licensing authority decide that the play park is unsafe for children we have arranged for the climbing frame to be completely taken down within the first fortnight of May. Please contact ... on ... for confirmation. ... is a patron of the bar with

his own children who he allows to use the play area as he feels it is safe and fun.

### **Underage drinking**

Although I do not believe that any of the statements cover this topic specifically as it falls under the category of protection of children from harm I feel it will be a good insight to see how we operate.

As is the Law persons under 18 years old are not to be served or consume alcohol within our premises. Our staff have all been trained to the highest standards of Challenge 25 policy. We have posters in the bar to this effect and we have a handstamp which we use on busier nights to allow staff to mark young persons that have been correctly ID'd. At 9pm we do not allow anyone, even under adult supervision, to remain in the bar unless they are over the age of 18.

We have a book where the staff write down the name and DOB of persons that have been challenged. This book will be available for inspection on the review day. Unless we have door supervisors on site in which case they will stand at the front door and stamp the hand of anyone they have ID'd. Where the person arrives at the bar for a drink the bar staff will ask to see their stamp.

We regularly refuse service/entry into the bar for anyone not carrying a valid ID. We have also identified several fake ID's attempting to be used and refused entry on these occasions. As an extra measure we have 2 members of bar staff ... (20 years old) and .... (19) Who until recently attended Shaftesbury school and Gillingham School respectively. They are aware therefore of many of the young patrons of our bar and more importantly of their rough ages and siblings. On a few occasions they have been handed an ID of someone they went to school with by a person that is the younger sibling. They have been able to identify this and refuse service.

Additionally we have many schoolteachers from the local school that like to enjoy a drink on a Friday evening or Saturday afternoon almost every week. They are also aware of the many young persons in town and on 2 occasions have asked students to leave the premises before they even approached the bar.

## **Prevention of crime and disorder**

As a bar we are required to send in security risk assessments to the licensing authority on a regular basis. Since we have been doing this, we have never had one rejected or even asked to be altered by the licensing authority. We do regularly employ door supervisors for our busier weekends and bigger events such as carnival night, Christmas & New Year's to name but a few.

### **Door Security/Incidents**

Unlike as suggested by resident under section 'door security/venue layout' our door security start their shift at 8-9pm and end when the venue is closed. It would be a very pointless exercise to allow the door staff to finish their shift before the premises is closed to the public and I can assure you that this never happens and would implore you to ask resident for evidence of this, which I guarantee would not be able to be provided. It is also questioned whether I would be providing the door security myself and in fact up until October 2023 I held a valid SIA licence and therefore could have/ and have acted as security yes.

An occurrence that took place on 2<sup>nd</sup> September 2023 as mentioned by resident and as photographed/videoed by the anonymous statement. These statements mention that a door supervisor and I left the front door of the bar unattended to go and deal with the incident. That would obviously be our reaction, at that time there was no issue/risk of issue inside the bar and there was a manager, and 2 bar staff present in the premises, who had a radio to stay in contact with myself and the door supervisor. One of the statements seems to suggest that they believe the door staff and I should have stayed at the front door of the bar, one of the statements states that we should have done more to break up the fight. To prevent crime and disorder we did what was necessary in order to break up the fight, yes it did take longer than I would have liked it to but as mentioned by one statement we were outnumbered 6 to 2. This was an incident that we did not feel required police assistance, hence we did not call them, and they did not need to turn up. The anonymous statement mentions it 'one of the worst nights experienced so far' however they still did not feel necessary to call 999 as they decided 101 would suffice.

To the best of my memory this incident took place at approximately 11:30pm and although did involve customers from our bar also involved a passerby. This incident actually involved 2 members of the band we had in that night both of which were sober they were only protecting their mother and partner who had been assaulted by a very drunk passer-by outside. I have attached a screenshot of a message I received later that night from the band member.

Another incident mentioned by residents is that of new year's eve where there was a fight outside the bar and police attended and arrests were made. Crime number for this is 5524000002. As is known by the police the offender carrying the hammer was not a patron of the bar and it was a member of off duty bar staff that gave the officer the

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'heads up' to search the offender. It should also be noted by the police that on this night while the 2 first on the scene officers were making the first arrest Scott Rock and his door security were assisting the police, by keeping the offenders friends away from the officer while they carried out their job and made arrests and keeping the vast majority of patrons inside the bar to stop more bystanders getting involved. In the interest of public safety and to prevent further public nuisance & crime and disorder Scott Rock made the very sensible decision to close the bar early that night, at a great cost financially to the business on one of the busiest nights of the year.

An event on 11<sup>th</sup> Feb 2024 which is mentioned in the statement from ..... The police were called by a customer of the bar and a member of staff on my direction at around 1:15-1:30am. This is because a male customer was asked to leave the premises for being too rough in his displays of public affection towards the lady, he entered the premises with. When he was about to leave, he told the lady to come with him to which she responded that she did not want to leave. He then grabbed her hand and pulled her demanding that she left with him.

At this point I stepped in and told him he cannot act that way and must leave without her as she clearly does not want to join him. I had to do this in order to protect the lady who was visibly scared and did not want to leave. The man resisted me and started shouting across the bar at the lady at which point several other customers saw what was going on and jumped to her aid in order to remove the aggressive man from her space. Police were called and the man was escorted out of the building by 3 male customers. At this point I told him to leave the area and advised that the police had been contacted. He refused to leave. I went back inside and locked the door in order to keep my staff & customers safe as well as check on the welfare of the lady who was still clearly visibly scared, but thanked me and my staff for removing the man from the bar and keeping her safe.

When the police arrived the man ran down the road to attempt to escape from them and because of my knowledge of how physically strong this man was and how he had resisted inside I followed the police down the road to ensure that no harm came to the officers. They swiftly made an arrest and walked the man back to Queen Street to put him in the car. When the officers attempted to put the man in the car he again resisted, and the police had to restrain him on the floor and called for backup. I remained outside of the bar, not getting involved, but keeping an eye on the welfare of the officers. I also instructed staff to keep the door locked and not allow anyone to leave the bar as they would stand around on the street to film/watch and I knew this would be a disturbance to the neighbours and a risk to the police. Once the police backup finally arrived and the man driven off, I then allowed the patrons of the bar to leave and advised them to clear the street quickly and quietly.

In conclusion, the statement from .... is not factually correct and distorts the truth of what happened, in the sense that yes there were 3 police vehicles, but that was the decision of the first officers on the scene as they could not handle the only male that was causing them a problem. Only 1 patron of the bar was a problem that night and only one arrest was necessary. The only shouting outside the bar this night was most

certainly the officers and the resistant male. My staff and I, along with some customers acted incredibly to prevent what could have ended up in an extremely dangerous situation for the female, we prevented a potential crime. We also prevented further disorder by not letting patrons onto the street, much to the upset of most of our regular and non-regular customers.

I'm sure you will be able to make a request to the police to obtain their body worn camera footage which will confirm there were not lots of people out on the street as implied by xxxxxx

### **Drink Driving**

Another key point regarding prevention of crime and disorder is our opening hours. We are, as you know, the only premises in Gillingham that ever stays open past 11pm. However, there are venues in Shaftesbury, Blandford, Wincanton and Yeovil that all stay open later than 11pm as well. If we, or the licensing committee, made the decision to close the bar at 11pm this would force patrons that currently safely walk home to have to go to another town for late night drinks. Unfortunately, it is a fact that despite the law and the obvious risk to life, many people all over the country still drink and drive. By Closing Rocky's earlier than venues in nearby towns this will encourage patrons to visit other towns late on weekends. This will no doubt result in more car accidents and loss of life due to nasty accidents caused by driving under the influence.

We believe that every town should have a venue where customers have the option to walk home, many of our customers opt to leave their keys at the bar overnight which is a good way to ensure public safety and lessen the risk of driving under the influence.

### **Public urination**

Although this does appear to be a bigger issue than we were aware of, we do make every effort to avoid this happening. As you can see from an attached photo of an incident report on 14th August 2021 (2 days after opening) we actually barred someone for life from the bar when we noticed them doing this. We have never and will never tolerate that kind of behaviour and have barred 5 people since we opened for carrying out such an act. It must be noted that we are unable to spot every instance of this behaviour while inside the premises, and even if we had door supervisors standing outside it would be impossible to see the offenders stood by .. where they have been caught on camera as this is around a corner from view of the bar.

The first- and only-time resident ... has reported this directly to us, to my knowledge, was the morning of 11th March 2023 and we again acted on this having barred the offender. No further incidences that took place around the corner have been reported. If we are not informed by the residents of these things, how are we supposed to control or deal with them? It should also be noted that we should not be held solely accountable for the actions of members of the public, we do not pay them as staff members, we are not their parents, or their bosses, they in-fact chose to visit the bar of their own accord and being a public premises anyone (within reason) is welcome to come in, they are all adults and are capable of making their own decisions (even if these are the wrong ones).

**Solution:** We will continue to ban any member of the public that we spot doing this and are more than happy to bar offenders urinating on the side of .... if they communicate with us by sending all recordings in. Please note some of the photos make it very hard to identify the offender although I imagine the full videos would make this easier.

### Police records

Below is a table I have created using information freely available on the police.uk website <https://www.police.uk/pu/your-area/dorset-police/gillingham-and-shaftesbury/?tab=crimemap>

I have noted down the total amount of crimes reported in Gillingham per month since Jan 2023 to the end of Feb 2024. I have also broken these down to categories such as Public Disorder, anti-social behaviour, violence and other. As you can see 760 incidents were reported to the police in this 14-month period. 285 for violence, 82 for public order and 103 for anti-social behaviour.

I'm sure you are able to check exactly how many times the police have been called to deal with incidents at Rocky's Bar and Queen Street. This would show that of all the crimes reported in Gillingham, Rocky's bar is responsible for an exceptionally low percentage. Being a licenced premises that serves alcohol and regularly has large crowds of people drinking in one place I would like to say that having such a low percentage of all of the crime in Gillingham being attributed to my bar is actually a great show of how we do in fact deter, handle and prevent crime to the best of our ability at all times.

	Violence	Public Order	ASB	Other	Total	
Feb-24	16	2		7	13	38
Jan-24	17	3		3	16	39
Dec-23	21	3		5	11	40
Nov-23	24	10		8	23	65
Oct-23	18	4		9	18	49
Sep-23	16	2		13	17	48
Aug-23	19	7		9	19	54
Jul-23	12	8		7	16	43
Jun-23	9	5		8	29	51
May-23	23	2		10	16	51
Apr-23	20	6		5	22	53
Mar-23	31	9		9	22	71
Feb-23	28	14		0	23	65
Jan-23	31	7		10	45	93
Totals	285	82		103	290	760

## **Public Nuisance**

### **Noise from Amplified music**

In house we have a jukebox connected to several small speakers around the bar, we also have an amplifier which we and our DJ's connect into when playing our Discos/karaoke, this is in fact limited and even when the amplifier is turned up to max volume, which we rarely ever do, the sound doesn't reach the 80db mark. I have attached a video which will show you a recording of a decibel meter in use right next to the source of the sound and outside in the beer garden. As part of the video, you will see we have the door open, and door closed to take 2 separate readings. It should be noted that the loudest speakers are all based in the back room, which is why we have chosen to lock the back door at 11pm and ask customers to smoke outside the front of the bar.

Even during the hours before 11pm we do not allow customers to keep the door open for longer than necessary. As the main noise is aimed at the back of the bar the noise coming through the front door is significantly lower, however, after 11pm we again try to keep the front door closed as much as possible, unless people are leaving/entering. When we have bands playing they stop at 11pm and we then switch over to our in house sound system for the remainder of the night. If on a night the band sounds louder than usual I do check with a decibel meter again and have asked some of them to turn the volume down if they are too loud.

### **Noise from people outside the front of the bar**

As we voluntarily lock the back door at 11pm, and have done since the early days when residents did raise concerns that the noise in the beer garden is too much, we allow customers to smoke outside the front of the bar. This is however, limited to 5 customers at a time and managed by a member of staff, usually me or the manager of the bar, or door supervisors when we have them. We also do not allow customers to take drinks into the street with them, even in plastic cups. We have a table by the front door for people to leave their drinks on and a sign at the door advising customers of this.

Unfortunately, there are many passers-by between 11pm and midnight that are on their way home from other venues in town. These passersby do tend to stop and chat with some of our customers. I do not have any power to move these people on down the road as they are members of the public, and Queen Street is a public place. We also occasionally get persons that have previously been barred from Rocky's attempting to come in and when they get refused entry or asked to leave, they will loiter on the street outside. Other than threaten to increase the length of ban I, or door staff, again have no power to move a member of public away from the bar. Even a police officer would struggle to find a valid reason to force someone to leave a street, unless a crime is being committed or public safety is in immediate risk.

**Solution:** We could once again allow our beer garden to be used after 11pm, with a 5 persons maximum, and stop customers from smoking outside the front of the bar.

**Pros:** This would stop passersby, or banned patrons from having anyone to talk to, so they would hopefully have no reason to loiter. It would also stop cigarette butts being



dropped on the floor as mentioned by another resident.

**cons:** This would make the noise from the music louder when the door gets opened and closed as the main volume from the music is in the back bar.

**Solution:** We could rearrange the bar entirely and move our DJ booth and bands into the front of the bar, reducing the noise heard through the back door, but increasing the noise heard through the front door when it is opened for people to enter/leave. This will be significantly less as customers will not be allowed out the front door until they leave for the night.

This would have to be managed by a member of staff being posted at both doors for the entirety of the night which doubles the requirement for staff on shift at any time. It should be noted that this is not necessarily a job for a door supervisor as anyone is capable of standing at a door and closing it after customers.

Despite what you may have been lead to believe from the residents statements, we very rarely stay open past 2am, the only times we have planned/advertised to do this in the last 18 months is new year 22/23 new year 23/24 and 29 March 24. All 3 occasions all customers had left the premises by 3am. Most weekend nights we close and advertise to close at 2am and normally have most if not all patrons out of the bar by 1:45am. Upon leaving we do have signs at the door asking people to leave quietly and respect the neighbours. We also do follow them out and request that they disperse from the area quickly. Evidence of this can be found in the sales report attachment where all year we only did 115 transactions between the hours of 2am and 4am, it should be noted that the vast majority of this is also staff closing the till later than these times and putting through a few transactions they forgot during the night.

### Car Parking

This is not really a licensing issue, however Queen Street is a single yellow line street and parking is prohibited between 8am and 6pm. After 6pm anyone can park on the yellow line, as many of the residents without their own driveways do. You will see attached some photos of a resident opposite the Bar that regularly leave her car parked right outside, you will also see attached a picture of a car that is believed to be the property of the residents of .... parked on the yellow line as well as many work vehicles including a Dorset council van.

Parking on Queen Street is awful yes, but the vast majority of the cars left on the street cannot be attributed to the bar, due to our opening hours most of the cars that do belong to our patrons are allowed to park where they do after 6pm anyway.

Residents of .... regularly send us pictures of cars parking across their driveway and we ask the patrons in the bar if they own it to move it, although it should be noted that there are 2 chip shops and a Cp-Op within 150 meter walk of their driveway and people often park their cars outside the bar and indeed outside .... to visit these venues.

**Solution:** Queen Street could be double yellow lined, however this would most likely not go down well with the many residents that do not have their own driveway and use the parking on street overnight as per the attached picture. This would also make it impossible for deliveries to the bar and other business on the street such as the fish and chip shop.

**2<sup>nd</sup> Solution:** A double yellow line could be placed in the area just covering the driveway

of .... which might deter people from parking in front of .. drive/house.

### **Littering**

As mentioned earlier in the document, we do not allow customers to leave the premises with drinks, even in plastic cups, except on carnival night where many patrons of the town like to take drinks outside to watch the carnival. We do have an ON and OFF licence to cover this. So, we are indeed allowed to sell drinks to customers in plastic cups for them to take home. However, we have stopped allowing plastics out the front door after residents have raised the issue with us.

It has been mentioned by residents that plastic cups, tin cans and broken glass has been found outside the premises. We stop pouring into glasses at 10:30 and have them all collected up by 11pm. We have never knowingly let customers leave with glasses, and since the original complaints came in about the plastic cups, we have stopped allowing customers out the front with these too. We do not sell any drinks that come in cans, so these most certainly are not a result of our patrons.

It should also be remembered that there are other premises in town and customers are allowed to leave with plastic cups from there, they may drink this on the way home and dispose of when empty which could be where part of the problem is from.

Attached you will find a picture of some cans of thatcher's haze left outside a product we do not sell, as well as a broken glass on Queen Street, the glass is identified as an Amstel glass, again a product we do not sell or have the glassware for.

### **Conclusion**

I believe I have covered most of the concerns raised by the neighbours in this document, I would like to point out that there are only 4 people that have complained, one of which wishes to remain anonymous. Only a further 2 statements in support of the review have been sent in which are obviously relatives of .....

A few questions which I believe are worth considering:

- If the premises causes such a big issue and has been since 2021 why would the daughter and son in law voluntarily move into the house that is xxxxxx to the bar in October 2023? A house which belongs to their father and therefore they will be very well informed of all the alleged issues the bar causes.
- There has been a poster in our window for the duration of March which all residents of Queen Street must have walked past at some point or another, so why are none of them concerned enough to send in any statements in support of the review?
- The residents that have sent in the application have had all month to try and get other neighbours to send in a support, but nobody has, Is the bar therefore really causing that much of an issue?

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Our overall stance is that we are and always have been willing to work with the authorities and neighbours, but sometimes the neighbours are not willing to work with us. We will continue to enforce all our current policies and procedures we have in place and would welcome any guidance/ alternative solutions from the police, neighbours, licensing and anyone else concerned or qualified to give advice.