



## Licensing Sub-Committee

**Date:** Friday, 16 October 2020  
**Time:** 10.00 am  
**Venue:** A link to the meeting can be found on the front page of the agenda.

**Membership: (Quorum 3 )**  
Councillors Jon Andrews, Mike Dyer and Les Fry

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**Chief Executive:** Matt Prosser, South Walks House, South Walks Road, Dorchester, Dorset DT1 1UZ (Sat Nav DT1 1EE)

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[https://youtu.be/k\\_MnkF9vqiM](https://youtu.be/k_MnkF9vqiM)

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## HINCKNOWLE BARN

### APPLICATION FOR A PREMISES LICENCE

#### APPLICANT'S CASE SUMMARY

1. This is an application for a Premises Licence for Hincknowle Barn, Hincknowle, Melplash DT6 3UG.
2. The Applicants are (jointly):
  - a. Mr Rupert Best; and
  - b. Mr Thomas (Matthew) Best.
3. The application seeks to permit:
  - a. The Sale of Alcohol (On & Off-Sales) from 9am to midnight daily;
  - b. Late Night Refreshment e.g. the sale of hot food and hot drink from 11pm to midnight daily (**Late Night Refreshment is only a Licensable Activity between the hours of 11pm and 5am the following morning**); and
  - c. The Provision of Regulated Entertainment in the form of Live & Recorded Music from 11pm to midnight daily (**between the hours of 8am and 11pm the Premises would benefit from an exemption permitting Regulated Entertainment by virtue of holding a Premises Licence**).
4. The Applicants seek these permissions to facilitate the hosting of functions and events in their barn and retail sales of their cider from the Premises.
5. The application falls to be determined by you because it has attracted three representations from:

- a. [REDACTED] (on behalf of the Netherbury Parish Council);
  - b. [REDACTED]; and
  - c. An unknown objector
6. There are no objections from any of your Responsible Authorities; your experts on matters pertaining to licensing
7. It is fair to say that the representations received raise some matters that are relevant, and some matters that are irrelevant, to the Licensing Act 2003 and to this application for a Premises Licence.
8. The relevant matters are:
  - a. Concerns about public nuisance arising from the provision of Regulated Entertainment (Live & Recorded Music)
9. The irrelevant matters, and I am happy to expand upon why they are irrelevant, are:
  - a. Concerns about increased traffic;
  - b. Concerns about road safety and driver behaviour;
  - c. Concerns about damage to roadways; and
  - d. Concerns about parking.
10. The Applicants have sympathy for those making representations because the Applicant can understand why those matters raised are matters of concern, but unfortunately they are not relevant to this application and must not form part of any decision that you come to.
11. Dealing with the relevant matter, which is concern about public nuisance arising from Regulated Entertainment, the Applicants are happy to offer the following additional condition:

***“No noise or amplified sound shall be generated at the premises that gives rise to a nuisance.”***

12. This condition, which is a criminal offence to breach (punishable by up to 6 months in prison, or an unlimited fine, or both) will ensure that the Applicants conduct their business in a way that is mindful of their surroundings. If they do not, the consequences for them are significant.

13. The Applicants are also happy to offer a condition requiring them to maintain a hotline for any complaints whilst they are trading under their Premises Licence, which could be expressed as follows:

***“The Premises Licence Holder will maintain a direct telephone number for use by local residents wishing to complain about Licensable Activities at the Premises. A copy of the telephone number will be provided to the Licensing Authority and to local residents on request.”***

14. The Applicants have offered a number of other conditions as part of their application dealing with each of the Licensing Objectives and they are set out in the application for you.

15. Given that the relevant concerns regarding this application are limited to potential nuisance from Regulated Entertainment and given the additional conditions proposed, as well as those proposed with the application, I kindly invite you to grant this application as applied for with the suggested conditions.

**Luke Elford  
Woods Whur**

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