



## Licensing Sub-Committee

**Date:** Thursday, 5 August 2021  
**Time:** 10.00 am  
**Venue:** Committee Room 1, County Hall, Dorchester,  
DT1 1XJ

**Membership: (Quorum 3 )**

Councillors Susan Cocking, Les Fry and Brian Heatley

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**Chief Executive:** Matt Prosser, County Hall, Dorchester, Dorset DT1 1XJ

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01305 224878 [denise.hunt@dorsetcouncil.gov.uk](mailto:denise.hunt@dorsetcouncil.gov.uk)**



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# **A G E N D A**

**Page No.**

**1 ELECTION OF CHAIRMAN AND STATEMENT FOR THE  
PROCEDURE OF THE MEETING**

5 - 10

To elect a Chairman for the meeting and the Chairman to present and explain the procedure for the meeting.

**2 APOLOGIES**

To receive any apologies for absence.

**3 DECLARATIONS OF INTEREST**

To disclose any pecuniary, other registrable or non-registrable interests as set out in the adopted Code of Conduct. In making their decision councillors are asked to state the agenda item, the nature of the interest and any action they propose to take as part of their declaration.

If required, further advice should be sought from the Monitoring Officer in advance of the meeting.

**4 URGENT ITEMS**

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972. The reason for the urgency shall be recorded in the minutes.

**5 OBJECTIONS TO TEMPORARY EVENT NOTICES**

11 - 28

To consider two Objection Notices to a Temporary Event Notices (TEN) served by Samuel Taylor for an event called Multiverse.

**6 APPLICATION TO VARY THE PREMISES LICENCE FOR THE  
CROWN HOTEL, MARNHULL**

29 - 48

An application has been made to vary the premises licence for the Crown Hotel in Marnhull. The application has been out to public consultation and has attracted a relevant representation. A Licensing Sub-Committee must consider the application and representations at a public hearing.

## **7 EXEMPT BUSINESS**

To move the exclusion of the press and the public for the following items in view of the likely disclosure of exempt information within the meaning of paragraph 1 of schedule 12 A to the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variations) Order 2006 – EXEMPT INFORMATION.

The public and the press will be asked to leave the meeting whilst the item of business is considered.

## **8 NEW TAXI DRIVER APPLICATIONS**

49 - 78

To consider 2 reports by the Licensing Team Leader.

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## **THE LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005**

### Rights of a Party

1. A party has the right to attend the hearing and may be represented by any person.
2. A party is entitled to give further information where the authority has asked for clarification.
3. A party can question another party, and/or address the authority, with consent of the authority.

### Failure to Attend

4. If the authority is informed a party does not wish to attend, the hearing may proceed in their absence.
5. If a party has not indicated their attendance and fails to attend the hearing may be adjourned if considered in the public interest, or hold the hearing ensuring the party's representation is considered.
6. Where the authority adjourns the hearing it shall notify the parties of the date, time and place.

### Procedural Information

7. At the start of the hearing, the authority shall explain the procedure which it proposes to follow and shall consider any request for permission for another person to appear at the hearing.
8. A hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless the authority considers that it is required.
9. The authority will allow the parties an equal maximum period of time in which to speak.
10. The authority may require any person behaving disruptively to leave, and may refuse that person to return, but such a person may, before the end of the hearing, submit in writing information they would have been entitled to give orally had they not been required to leave.

### **FOOTNOTE:**

In relation to all other matters governed by the Licensing Act 2003 (Hearings) Regulations 2005 any party or their representative may contact the Licensing Services at Dorset Council and they will be provided with a full copy of the regulations on request.

## LICENSING SUB-COMMITTEE PROCEDURE

1. At the start of the meeting the Chairman will introduce:
  - the members of the sub-committee
  - the council officers present
  - the parties and their representatives
2. The Chairman will then deal with any appropriate agenda items.
3. The Licensing Officer will be asked to outline the details of the application, including details of any withdrawn representations.
4. The applicant or their representative is then invited to present their case.
5. Committee members will be invited to ask questions.
6. Where appropriate the Responsible Bodies e.g. representatives of Police, Fire Services, Environmental Services or Trading Standards will be invited to address the sub-committee on any relevant representations they may have.
7. The Chairman may then allow an opportunity for questions.
8. The Chairman will ask any person who has made representations, who have already expressed a wish to do so, to address the sub-committee. The sub-committee will have read all the papers before them, including any letters of representation. Members of the public are asked to keep their comments concise and to the point.
9. The Local Ward Member, if present, will be given an opportunity to address the sub-committee.
10. All parties will be given the opportunity to “sum up” their case.
11. The Chairman will ask the Legal Advisor if all relevant points have been addressed before advising all parties present that the sub-committee will withdraw from the meeting to consider its decision in private. The sub-committee will be accompanied by the Democratic Services Officer and the Legal Advisor can be called upon to offer legal guidance.
12. On returning the Chairman will:

- Notify all those present of the sub-committee's decision (or indicate when it will be made)
  
  - Give brief details of any conditions attached to the licence approval;
- Or
- Outline the reasons for the refusal
  - Inform that detailed reasons will follow in writing (unless given on the day)
  - Inform those present of their right to appeal to the Magistrates' Court

#### **NOTE**

The Chairman may vary this procedure, as circumstances require but will have regard to the rules of natural justice and the Licensing Act 2003 (Hearings) Regulations 2005.

The meeting will take place in public. However, the public can be excluded from all or part of the meeting where the sub-committee considers that the public interest in so doing outweighs the public interest in the meeting or that part of the meeting, taking place in public.

Under no circumstances must the parties or their witnesses offer the sub-committee information in the absence of the other parties.

The Chairman and the Sub-Committee have discretion whether to allow new information or documents to be submitted and read at the meeting.

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2. The Chairman will then deal with any appropriate agenda items.
3. The Licensing Officer will be asked to outline the details of the application
4. The applicant or their representative is then invited to present their case.
5. Committee members will be invited to ask questions.
6. The Chairman may then allow an opportunity for questions.
7. Parties will then “sum up” their case.
- 8.. The Chairman will ask the Legal Advisor if all relevant points have been addressed before advising all parties that the sub-committee will withdraw from the meeting to consider its decision in private. The sub-committee will be accompanied by the Democratic Services Officer and the Legal Advisor to offer procedural advice and legal guidance.
9. On returning the Chairman will:
  - Notify all those present of the sub-committee’s decision (or indicate when it will be made)
  - Inform that detailed reasons will follow in writing (unless given on the day)
  - Inform those present of their right to appeal to the Magistrates’ Court

### NOTE

Under no circumstances must the parties or their representatives offer the sub-committee information in the absence of the other parties.

The Chairman and the Committee have discretion whether to allow new information or documents to be submitted and read at the hearing.

May 2019

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## Licensing Sub-Committee 5 August 2021 Objections to Temporary Event Notices

### For Decision

**Portfolio Holder:** Cllr J Haynes, Customer and Community Services

**Local Councillor(s):** Cllrs J Dover and M Roe

**Executive Director:** J Sellgren, Executive Director of Place

Report Author: Aileen Powell  
Title: Licensing Officer  
Tel: 01258 484022  
Email: aileen.powell@dorsetcouncil.gov.uk

**Report Status:** Public

**Recommendation:** The Sub-Committee considers the Temporary Event Notice in the light of the objection notices made by Environmental Health and the Police and any oral evidence and resolves to take such steps as it considers appropriate and proportionate for the promotion of the licensing objectives of;

- a) The prevention of crime and disorder
- b) The prevention of public nuisance
- c) Public safety
- d) The protection of children from harm

**Reason for Recommendation:** The Sub-Committee must consider the oral representations and information given at the hearing before reaching a decision.

#### 1. Executive Summary

To consider two Objection Notices to a Temporary Event Notices (TEN) served by Samuel Taylor for an event called Multiverse.

#### 2. Financial Implications

Any decision of the Sub-Committee could lead to an appeal by any of the parties involved that could incur costs.

### **3. Climate implications**

None

### **4. Other Implications**

Public Health and Community Safety

### **5. Risk Assessment**

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: High

Residual Risk: High

### **6. Equalities Impact Assessment**

Not Applicable

### **7. Appendices**

Appendix 1 – Temporary Event Notice

Appendix 2 – Objection Notices

### **8. Background Papers**

[Licensing Act](#)

[Section 182 Guidance](#)

[Dorset Council Licensing Policy](#)

[LGA Councillors Handbook](#)

### **9. Details**

9.1. A TEN has been served on the Licensing Authority on 21 July for an event at Pilford Farm near Wimborne called the Multiverse Festival by Samuel Taylor.

9.2. The Notice states this is a family camping event with art, workshops, food and drink and music. The event period is from 3 September to the 5 September from midday to 05:00 on the Friday and Saturday and to 03:00 on the Sunday. The TEN is for the sale of alcohol (even though the form is not showing this), regulated entertainment and late-night refreshment. The numbers attending has been completed as 499 online, but is not being pulled through onto the form correctly.

9.3. Objection notices have been served by Environmental Health and the police within the statutory three working days consultation period. The notices are attached at Appendix 2.

## 10. Considerations

- 10.1. Paragraph 7.28 of the Section 182 Guidance sets how the Authority should decide what actions are appropriate.

*If the licensing authority receives an objection notice from the police or EHA that is not withdrawn, it must (in the case of a standard TEN only) hold a hearing to consider the objection unless all parties agree that this is unnecessary. The licensing committee may decide to allow the licensable activities to go ahead as stated in the notice. If the notice is in connection with licensable activities at licensed premises, the licensing authority may also impose one or more of the existing licence conditions on the TEN (insofar as such conditions are not inconsistent with the event) if it considers that this is appropriate for the promotion of the licensing objectives. If the authority decides to impose conditions, it must give notice to the premises user which includes a statement of conditions (a “notice (statement of conditions)”) and provide a copy to each relevant party. Alternatively, it can decide that the event would undermine the licensing objectives and should not take place. In this case, the licensing authority must give a counter notice.*

## 11. Recommendation

- 11.1 The Sub-Committee considers the notices in the light of written and oral evidence and resolves to take such steps as it considers appropriate and proportionate for the promotion of the licensing objectives of;
- a) the prevention of crime and disorder
  - b) the prevention of public nuisance
  - c) public safety
  - d) the protection of children from harm.
- 11.2. The steps that the Sub-Committee may take are:
- a) issue counter notices for the event which will not allow it to occur.
  - b) not to issue counter notices and allow the event as applied for.

### Footnote:

Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

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## Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

<b>1. The personal details of premises user (Please read note 1)</b>			
1. Your name			
Title	Mr		
Surname	Taylor		
Forenames	Samuel		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title			
Surname			
Forenames			
3. Your date of birth	██████████		
4. Your place of birth	██████		
5. National Insurance Number	██████████		
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
██████████			
Post town	██████████	Postcode	██████████
7. Other contact details			
Telephone numbers			
Daytime			

Evening (optional)	
Mobile (optional)	██████████
Fax number (optional)	
E-Mail address (if available)	████████████████████
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	
██████████	
Post town	██████████
Postcode	██████████
9. Alternative contact details (if applicable)	
Telephone numbers:	
Daytime	
Evening (optional)	
Mobile (optional)	██████████
Fax number (optional)	
E-Mail address (if available)	████████████████████

<b>2. The premises</b>	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
Pilford Farm Uddens  Wimborne BH21 7BD	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	
Club premises certificate number	



If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)

--

Please describe the nature of the premises below. (Please read note 4)

Pilford Farm is a large dairy farm located just outside Wimbourne. The event will be in 1 field with parking in the field adjacent.

Please describe the nature of the event below. (Please read note 5)

The event is a family camping event with art, workshops, food and drink and music

### 3. The licensable activities

Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)

The sale by retail of alcohol	<input type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>
The provision of regulated entertainment	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input checked="" type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 7)	<input checked="" type="checkbox"/>

Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)

Event Starts      03/09/2021

Event Ends        05/09/2021

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9):

Fri 03 September 2021 12:00 - 05:00                      Sat 04 September 2021 12:00 - 05:00  
 Sun 05 September 2021 12:00 - 03:00

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)

0

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 11)

On the premises only	<input checked="" type="checkbox"/>
Off the premises only	<input type="checkbox"/>
Both	<input type="checkbox"/>

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment.

The licensable activities will be the sale of alcohol and late night music. Alcohol will be served between midday and 3am, the landlord of the Red Lion in Bristol will be joining us and we shall be operating under his personal licence. Music will be performed until 5am although the volume will be significantly dropped after 2am. We will be utilising a haybale wall around the speakers to minimise and direct the sound away from residences. All volumes will be kept within environmental standards

**4. Personal licence holders (Please read note 12)**

Do you currently hold a valid personal licence? (Please tick)  Yes  No

If "Yes" please provide the details of your personal licence below.

Issuing licensing authority	
Licence number	
Date of issue	
Date of expiry	
Any further relevant details	

**5. Previous temporary event notices you have given (Please read note 13 and tick the boxes that apply to you)**

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?  Yes  No

If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.

Has any associate of yours already given a temporary event notice for the same premises in which the event period:  
a) ends 24 hours or less before; or  
b) begins 24 hours or less after  
the event period proposed in this notice?  Yes  No

**6. Associates and business colleagues (Please read note 14 and tick the boxes that apply to you)**

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.	
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.	
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

<b>7. Checklist (Please read note 15)</b>	
I have: (Please tick the appropriate boxes)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input type="checkbox"/>
Signed the declaration in Section 9 below	<input type="checkbox"/>

<b>8. Condition (Please read note 16)</b>
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

**9. Declarations (Please read note 17)**

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

(i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine not exceeding level 5 on the standard scale; and  
(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.

Signature	
Date	
Name of Person signing	

For completion by the licensing authority

**10. Acknowledgement (Please read note 18)**

I acknowledge receipt of this temporary event notice.

Signature	
Date	
Name of Officer signing	

**NOTES**General

In these notes, a person who gives a temporary event notice is called a “premises user”.

The police and local authority exercising environmental health functions may intervene on the grounds of any of the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm) to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority will intervene of its own volition in the cases described below.

First, it will issue a counter notice if there is an objection to a late temporary event notice (see note 7 below).

Secondly, it may issue a notice in relation to its decision to impose conditions on a temporary event notice (see note 2 below).

Thirdly, it will issue a counter notice if the first, second, third and fifth of the limits set out below would be exceeded. If any of the limits below are breached or if a counter notice has been issued, any licensable activities taking place would be unauthorised and the premises user would be liable to prosecution. The limitations apply to:

- the number of times a person may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people);

- the number of times a person may give a late temporary event notice (10 times per year for a personal licence holder and 2 times per year for other people);
- the number of times a temporary event notice may be given in respect of any particular premises (12 times in a calendar year);
- the length of time a temporary event may last for these purposes (168 hours or 7 days);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (21 days per calendar year); and
- the scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499).

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. The limits applying to late temporary event notices are included within the overall limits applying to the total number of temporary event notices. Note 14 below sets out the definition of an “associate”.

When permitted temporary activities take place, a premises user must ensure that either:

- a copy of the temporary event notice is prominently displayed at the premises; or
- the temporary event notice is kept at the premises either in his own custody or in the custody of a person present and working at the premises and whom he has nominated for that purpose.

Where the temporary event notice is in the custody of a nominated person, a notice specifying that fact and the position held by that person must be displayed prominently at the premises.

Where the temporary event notice or a notice specifying the nominated person is not displayed, a constable or an authorised person (for example, a licensing officer, fire officer or environmental health officer) may require the premises user to produce the temporary event notice for examination. Similarly, where the nominated person has the temporary event notice in his custody, a constable or authorised person may require that person to produce it for examination. Failure to produce the temporary event notice without reasonable excuse would be an offence.

It should also be noted that the following, among other things, are offences under the Licensing Act 2003:

- the sale or supply of alcohol to children under 18 years of age (maximum fine on conviction is a fine not exceeding level 5 on the standard scale, currently £5,000);
- allowing the sale of alcohol to children under 18 (maximum fine on conviction is a fine not exceeding level 5 on the standard scale, currently £5,000);
- knowingly allowing the consumption of alcohol on the premises by a person aged under 18 (maximum fine on conviction is a fine not exceeding level 5 on the standard scale, currently £5,000);
- allowing disorderly behaviour on the premises (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000);
- the sale of alcohol to a person who is drunk (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000);
- obtaining alcohol for a person who is drunk (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000);

the standard scale, currently £1,000);

- knowingly allowing a person aged under 18 to make any sale or supply of alcohol unless the sale or supply has been specifically approved by the premises user or any individual aged 18 or over who has been authorised for this purpose by the premises user (maximum fine on conviction is a fine not exceeding level 1 on the standard scale, currently £200); and
- knowingly keeping or allowing to be kept on the premises any smuggled goods which have been imported without payment of duty or which have otherwise been unlawfully imported (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000).

In addition, where the premises are to be used primarily or exclusively for the sale or supply of alcohol for consumption on the premises, it is an offence to allow children under 16 to be present when the premises are open for that purpose unless they are accompanied by an adult. In the case of any premises at which sales or supplies of alcohol are taking place at all, it is an offence for a child under 16 to be present there between the hours of midnight and 5am unless accompanied by an adult. In both instances, the penalty on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000.

#### Note 1

A temporary event notice may only be given by an individual and not, for example, by an organisation or club or business. The individual giving the notice is the proposed “premises user”. Within businesses, clubs or organisations, one individual will therefore need to be identified as the proposed premises user.

If you include an e-mail address in section 1(7) or 1(9), the licensing authority may send to this the acknowledgement of receipt of your notice or any notice or counter notice it is required to give under sections 104A, 106A or 107 of the Licensing Act 2003.

#### Note 2

For the purposes of the Licensing Act 2003, “premises” means any place. Premises will therefore not always be a building with a formal address and postcode. Premises can include, for example, public parks, recreation grounds and private land.

If a premises licence or club premises certificate has effect in relation to the premises (or any part of the premises) which you want to use to carry on licensable activities, it is possible that any conditions which apply to the licence or certificate may be imposed on the temporary event notice if certain pre-conditions are met. These pre-conditions are that the police or the local authority exercising environmental health functions object to the notice and the licensing authority decides:

- not to give a counter notice under section 105 of the Licensing Act 2003;
- the conditions apply to the licence or certificate; and
- the imposition of the conditions on the notice would not be inconsistent with the carrying on of the licensable activities under the notice.

#### Note 3

A temporary event notice can be given for part of a building, such as a single room or a plot within a larger area of land. You should provide a clear description of the area in which you propose to carry on licensable activities. This is important as any licensable activities conducted outside the area of the premises protected by the authority of this temporary event notice would be unlawful and could lead to prosecution.

In addition, when holding the proposed event, the premises user would need to be able to restrict the number of people on the premises at any one time when licensable activities are taking place to less than 500. If more than 499 are on the premises when licensable activities are being carried on, the licensable activities would be unlawful and the premises user would be liable to prosecution. The maximum figure of 499 includes, for example, staff, organisers, stewards and performers.

Note 4

A description of the nature of the premises assists the chief officer of police and local authority exercising environmental health functions in deciding if any issues relating to the licensing objectives are likely to arise. You should state clearly that the premises to be used are, for example, a public house, a restaurant, an open field, a village hall or a beer tent.

Note 5

A description of the nature of the event similarly assists the chief officer of police and local authority exercising environmental health functions in making a decision as to whether or not to make an objection. You should state clearly that the event taking place at the premises would be, for example, a wedding with a pay bar, the supply of beer at a particular farmers' market, a discotheque, the performance of a string quartet, a folk group or a rock band.

Note 6

The licensable activities are:

- the sale by retail of alcohol;
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of a club;
- the provision of regulated entertainment; and
- the provision of late night refreshment.

Please refer to Schedules 1 and 2 to the Licensing Act 2003 for fuller details of the definitions and exemptions relating to regulated entertainment and late night refreshment.

Regulated entertainment, subject to specified conditions and exemptions, includes:

- (a) a performance of a play;
- (b) an exhibition of a film;
- (c) an indoor sporting event;
- (d) a boxing or wrestling entertainment;
- (e) a performance of live music;
- (f) any playing of recorded music;
- (g) a performance of dance; and
- (h) entertainment of a similar description to that falling within (e), (f) or (g).

If you are uncertain whether or not the activities that you propose are licensable, you should contact your licensing authority for further advice.

Note 7

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event in relation to which the notice is given. A late notice given later than 5 working days before the event to which it relates will be returned as void and the activities described in it will not be authorised.

The number of late notices that can be given in any one calendar year is limited to 10 for personal licence holders and 2 for non-personal licence holders. These count towards the total number of temporary event notices (i.e. 50 temporary event notices per year for personal licence holders and 5 temporary event notices for non-personal licence holders).

If there is an objection from either the police or local authority exercising environmental health functions, the event will not go ahead and a counter notice will be issued.

Note 8

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Note 9

You should state here the times during the event period, for example 48 hours, when you intend to carry on licensable activities. For example, you may not intend to carry on licensable activities throughout the entire 48 hour event period, and may intend to sell alcohol between 8.00 hrs and 23.00 hrs on each of the two days.

#### Note 10

No more than 499 may be on the premises for a temporary event at any one time when licensable activities are being carried on. If you intend to have more than 499 attending the event, you should obtain a premises licence for the event. Your licensing authority should be able to advise you. The maximum figure of 499 includes not only the audience, spectators or consumers but also, for example, staff, organisers, stewards and performers who will be present on the premises.

#### Note 11

If you indicate that alcohol will be supplied only for consumption on the premises, you would be required to ensure that no person leaves the premises with alcohol supplied there. If such a supply takes place, the premises user may be liable to prosecution for carrying on an unauthorised licensable activity. Similarly, if the premises user gives notice that only supplies of alcohol for consumption off the premises will take place, he/she must ensure that alcohol supplied is not consumed on the premises. The premises user is free to give notice that he/she intends to carry on both types of supplies. For this purpose, the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

#### Note 12

The holder of a valid personal licence issued under the Licensing Act 2003 may give up to 50 temporary event notices in any calendar year subject to the other limitations in the 2003 Act. A proposed premises user who holds such a licence should give the details requested.

#### Note 13

As stated under Note 12, a personal licence holder (issued under the Licensing Act 2003) may give up to 50 temporary event notices (including 10 late notices) in any calendar year. An individual who does not hold a personal licence may only give 5 temporary event notices (including 2 late notices) in England and Wales in any calendar year. A calendar year is the period between 1st January to 31st December inclusive in any year.

If an event straddles two calendar years, it will count against the limits on temporary event notices (12 for each premises, 21 days for each premises, 50 per personal licence holder and 5 for non-holders) for each year. However, only one notice needs to be given.

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 14 below sets out the definition of an “associate”.

If a temporary event notice has been given for the same premises, by the same premises user, and would have effect within 24 hours before the start of the event period under the current proposal or within 24 hours after the end of that period, the temporary event notice given would be void and any licensable activities carried on under it would therefore be unlicensed.

For the purposes of determining whether or not the required gap of 24 hours is upheld, temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count as if they had been given by the premises user. Note 14 below sets out the definition of an “associate”.

#### Note 14

An “associate” of the proposed premises user is:

- a. the spouse or civil partner of that person;
- b. a child, parent, grandchild, grandparent, brother or sister of that person;
- c. an agent or employee of that person; or



d. the spouse or civil partner of a person within (b) or (c).

For these purposes, a person living with another as that person's husband or wife is to be treated as that person's spouse.

Note 15

It is a requirement that you send at least one copy of this notice to the licensing authority at least ten working days (or five working days for a late notice) before the commencement of the proposed licensable activities. The authority will give you written acknowledgement of the receipt of the notice. This will be important proof that you gave the notice and when you gave it for the purposes of the Act. Some premises may be situated in two licensing authority areas, for example, where a building or field straddles the local authority boundary. Where this is the case, at least one copy of the notice must be sent to each of the licensing authorities identified, together with the appropriate fee in each case. In such circumstances, you will receive acknowledgements from all the relevant licensing authorities.

One copy must be sent to each of the chief officer of police and the local authority exercising environmental health functions for the area in which the premises is situated at least ten working days for a standard notice (or five working days for a late notice) before the commencement of the proposed licensable activities. Where the premises are situated in two police areas or environmental health areas, a further copy will need to be sent to the further police force and local authority exercising environmental health functions.

Note 16

Under the Licensing Act 2003, all temporary event notices are given subject to a mandatory condition requiring that where the licensable activities involve the supply of alcohol, all such supplies must be made by or under the authority of the named premises user. If there is a breach of this condition, the premises user and the individual making the supply in question would be liable to prosecution. For this purpose, the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 17

It is an offence knowingly or recklessly to make a false statement in, or in connection with, a temporary event notice. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement.) To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.

Note 18

You should not complete section 10 of the notice, which is for use by the licensing authority. It may complete this section as one means of giving you written acknowledgement of its receipt of the notice.

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## Appendix 2 – Objection Notices

### Environmental Health

Dear Mr Taylor

I have reviewed the TEN for Pilford Farm Campsite over the 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> September 2021 and have some concerns.

You have stated:

*The licensable activities will be the sale of alcohol and late night music. Alcohol will be served between midday and*

*3am, the landlord of the Red Lion in Bristol will be joining us and we shall be operating under his personal*

*licence. **Music will be performed until 5am although the volume will be significantly dropped after 2am. We will be***

***utilising a haybale wall around the speakers to minimise and direct the sound away from residences. All volumes will***

***be kept within environmental standards***

I can't see the need for a "family camping event" to have music through to the small hours of the morning.

02:00 is not a reasonable time for music to continue on to, let alone be given as a time for the music to be reduced in volume.

17/15hr events over three consecutive days is an unreasonable duration for potentially nuisance causing activity.

Depending on the level and type of music, haybale walls are unlikely to produce a significant reduction in the sound levels.

There are several residential properties to the North and South as well as some to the West. Should the event be carried out as described it is likely that there will be nuisance caused to residents.

In addition to the above the Council have received three recent nuisance complaints regarding activities at Pilford Farm, further confirming that any such event will almost certainly cause nuisance to neighbouring residents.

For the reasons outlined above Environmental Health object to the TEN due to the likelihood of Public Nuisance being caused.

Kind regards

**Michael Hale**  
**Senior Technical Officer**  
**Community Protection Service**

Police

Good afternoon

The TEN submitted describes this event as a 'family camping event with art, workshops, food and drink and music' with times Friday 3<sup>rd</sup> September 2021 from 12:00 to 05:00, Saturday 4<sup>th</sup> September from 12:00 to 05:00 and Sunday 5<sup>th</sup> September from 12:00 to 03:00, with sale of alcohol from 12:00 to 03:00 daily.

The website <https://www.tickettailor.com/events/multiversefestival/534129> describes this event as a 'full 3 days of music, art and festival shenanigans', detailing the music as Chillout, Psy-Chill and Psy-Dub with a 'Sunday chill stage'; there is no reference to family or children's entertainment.

The applicant has failed in their application to include any detail in respect of the management of this event in order to promote the Licensing Objectives, to include but not restricted to: - SIA provision, welfare of vulnerable / unwell/ intoxicate persons, missing person / child policy, Challenge 25 / control of alcohol that is brought on to site, drug policy.

.

Therefore, on behalf of the Chief Officer of Dorset Police, I wish to object to this TEN under the Licensing Objectives of The Prevention of Harm and Disorder, Public Safety and the Protection of Children from Harm.

**Kind regards,**

**Louise**

**Louise Busfield 8952**

**Licensing Officer**

**Drug and Alcohol Harm Reduction Team**

## Licensing Sub-Committee

5 August 2021

### Application to Vary the Premises Licence for the Crown Hotel, Marnhull

#### For Decision

**Portfolio Holder:** Cllr J Haynes, Customer and Community Services

**Local Councillor(s):** Cllr G Carr-Jones

**Executive Director:** J Sellgren, Executive Director of Place

Report Author: Aileen Powell  
Title: Licensing Team Leader  
Tel: 01258 484022  
Email: aileen.powell@dorsetcouncil.gov.uk

**Report Status:** Public

**Recommendation:** The Sub-Committee determines the application in the light of written and oral evidence and resolves to take such steps as it considers appropriate and proportionate for the promotion of the licensing objectives of;

- a) The prevention of crime and disorder
- b) The prevention of public nuisance
- c) Public safety
- d) The protection of children from harm

**Reason for Recommendation:** The Sub-Committee must consider the oral representations and information given at the hearing before reaching a decision.

#### 1. Executive Summary

An application has been made to vary the premises licence for the Crown Hotel in Marnhull. The application has been out to public consultation and has attracted a relevant representation. A Licensing Sub-Committee must consider the application and representations at a public hearing.

## **2. Financial Implications**

Any decision of the Sub-Committee could lead to an appeal by any of the parties involved that could incur costs.

## **3. Climate implications**

None

## **4. Other Implications**

Public Health and Community Safety

## **5. Risk Assessment**

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: Low

Residual Risk: Low

## **6. Equalities Impact Assessment**

Not Applicable

## **7. Appendices**

Appendix 1 – Current Licence

Appendix 2 – Application

Appendix 3 – Representation Objecting

Appendix 4 – Representations Supporting

## **8. Background Papers**

[Licensing Act](#)

[Live Music Act](#)

[Section 182 Guidance](#)

[Dorset Council Licensing Policy](#)

[LGA Councillors Handbook](#)

[EHRC - Guide to the Human Rights Act for Public Authorities](#)

## **9. Details**

9.1. Hall and Woodhouse have applied to vary the premises licence NDPL0239 for the Crown Hotel, Crown Road, Marnhull, DT10. 1LN.

- 9.2. The premises licence currently allows for; -
- Alcohol to be supplied between 10:00 and 01:30,
  - Regulated Entertainment between 10:00 and 02:00 and
  - Late Night Refreshment from 23:00 to 02:00 every day.
- 9.3. The premises licence is subject to the mandatory conditions and three conditions relating to the prevention of public nuisance which were added after a hearing in 2005. The licence and plan for the premises are attached at appendix 1.
- 9.4. The application is to change the plan of the area that is licensed to include a larger external area. There are no changes sought to the existing times on the licence. The application is included in full at appendix 2.
- 9.5. The application has been advertised on the premises, in a newspaper circulating in the area of the premises and on the Council's web site.
- 9.6. One representation has been received objecting to the application. The representation relates to the licensing objective of "the prevention of public nuisance". The representation is attached at appendix 3.
- 9.7. Nine representations supporting the variation have also been received and are attached at appendix 4.
- 9.8. The premises licence holders have met with the objector and offered to erect an acoustic fence between the premises, the details of which are yet to be confirmed.

## **10. Considerations**

- 10.1. Paragraphs 9.42 to 9.44 of the Section 182 Guidance sets how the Authority should decide what actions are appropriate.

*"9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.*

*9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.*

*9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.”*

## **11. Recommendation**

11.1. The Sub-Committee determines the application in the light of written and oral evidence and resolves to take such steps as it considers appropriate and proportionate for the promotion of the licensing objectives of;

- a) the prevention of crime and disorder
- b) the prevention of public nuisance
- c) public safety
- d) the protection of children from harm.

11.2. The steps that the Sub-Committee may take are:

- a) modify the conditions of the licence, or
- b) reject the whole or part of the variation.

### **Footnote:**

Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.



**Licensing Act 2003**  
**Premises Licence**

**NDPL0239**

Part 1 - Premises Details

**POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION**

**Crown Hotel**

Crown Road, Marnhull, Sturminster Newton, Dorset, DT10 1LN.

Telephone 01258 820224

**WHERE THE LICENCE IS TIME LIMITED THE DATES**

Not applicable

**LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE**

- an exhibition of a film
- an indoor sporting event
- a performance of live music
- any playing of recorded music
- provision of late night refreshment
- the supply of alcohol

**THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES**

Activity (and Area if applicable)	Description	Time From	Time To
B. Exhibition of films (Indoors)	Monday to Sunday	10:00am	2:00am
	New Years Eve	10:00am	2:00am
C. Indoor sporting event	Monday to Sunday	10:00am	2:00am
	New Years Eve	10:00am	2:00am
E. Performance of live music (Indoors)	Monday to Sunday	10:00am	2:00am
	New Years Eve	10:00am	2:00am
F. Playing of recorded music (Indoors)	Monday to Sunday	10:00am	2:00am
	New Years Eve	10:00am	2:00am
I. Late night refreshment (Indoors)	Monday to Sunday	11:00pm	2:00am
	New Years Eve	11:00pm	5:00am
J. Supply of alcohol for consumption ON and OFF the premises	Monday to Sunday	12:01am	Midnight
	Monday to Sunday	10:00am	1:30am
	New Years Eve	10:00am	2:00am

**THE OPENING HOURS OF THE PREMISES**

	Description	Time From	Time To
<b>For Residents Only</b>	Monday to Sunday	12:01am	Midnight
		10:00am	2:00am
<b>2 January</b>	New Years Eve	10:00am	2:00am

**Licensing Act 2003**  
**Premises Licence**

**NDPL0239**

**WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES**

- J. Supply of alcohol for consumption ON and OFF the premises

**Part 2**

**NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE**

Hall and Woodhouse Limited  
The Brewery, Blandford St Mary, Blandford Forum, Dorset, DT11 9LS.

Telephone 01258 452141

**REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)**

Hall and Woodhouse Limited

57696

**NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR OR MANAGEMENT COMMITTEE WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL**

Eric Joseph MONTGOMERY  
[REDACTED]

**PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL**

Licence No. NSC/47356

Issued by

**ANNEXES**

**ANNEX 1 - MANDATORY CONDITIONS**

**Supply of Alcohol (s19(2)&(3))**

1. No supply of alcohol may be made under the premises licence -
  - (a) at a time when there is no designated premises supervisor, or
  - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence has been suspendedEvery supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence

**Exhibition of Films (s20(2))**

2. Admission of children must be restricted in accordance with any recommendation by the British Board of Film Classification or the Licensing Authority.

**Drinks Promotions**

- 3
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-

## Licensing Act 2003 Premises Licence

**NDPL0239**

### ANNEXES continued ...

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.  
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.  
(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
6. The responsible person must ensure that-
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;

**Licensing Act 2003**  
**Premises Licence**

**NDPL0239**

ANNEXES continued ...

- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."

**Minimum Pricing**

- 7. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 8. For the purposes of the condition set out in paragraph 7-
  - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(1)
  - (b) "permitted price" is the price found by applying the formula-
$$P = D + (D \times V)$$
    - (i) P is the permitted price,
    - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
    - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
  - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-
    - (i) the holder of the premises licence,
    - (ii) the designated premises supervisor (if any) in respect of such a licence, or
    - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
  - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(2).
- 9. Where the permitted price given by Paragraph (b) of paragraph 8 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub- paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 10. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 8 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.  
  
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.


**Annex 3 - Conditions attached after a Hearing by the Licensing Authority**

**Licensing Act 2003**  
**Premises Licence**

**NDPL0239**

ANNEXES continued ...

- (1) Suitable signs shall be provided at each exit from the building requesting patrons to leave the area quietly
- (2) All external doors and windows shall be kept closed after 23.00hrs other than for access/egress, when events involving amplified music or speech are taking place
- (3) The licensee or a nominated representative shall receive and respond to complaints throughout the duration of all events involving amplified music or speech



Business Licensing

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**Application to vary a premises licence 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.

You may wish to keep a copy of the completed form for your records.

I/We Hall & Woodhouse Limited

*(Insert name(s) of applicant)*

**being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below**

**Premises licence number**

PL0239

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description

**Crown Hotel**

**Crown Road**

**Marnhull**

Post town	<b>Sturminster Newton (Dorset)</b>	Postcode	<b>DT10 1LN</b>
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Telephone number at premises (if any)	01258 820224
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Non-domestic rateable value of premises	£42,000.00
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**Part 2 – Applicant details**

Daytime contact telephone number	Area Manager – Ian Pearson 07971 161 043
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E-mail address (optional)	Ian.pearson@hall-woodhouse.co.uk
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Current postal address if different from premises address	The Brewery
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Post town	<b>Blandford St Mary (Dorset)</b>	Postcode	<b>DT11 9LS</b>
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**Part 3 - Variation**

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?  Yes  No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)  Yes  No

**Please describe briefly the nature of the proposed variation** (Please see guidance note 2)

The application is solely to approve an amended plan of the external licenced area, to increase the size of the same. Please note that no change is sought in respect of any licensable activity, permitted hours or conditions.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Not applicable

#### **Part 4 Operating Schedule**

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

**Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply**

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

**Provision of late night refreshment** (if ticking yes, fill in box I)

**Supply of alcohol** (if ticking yes, fill in box J)

**In all cases complete boxes K, L and M**

**Please note that Boxes A to J inclusive are blank and have not been reproduced in the interest of saving paper and sustainability generally**

**K**

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children** (please read guidance note 10).

No adult entertainment etc. will be provided.



**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 6)  None.
Day	Start	Finish	
Mon	10:00	02:00	
Tue	10:00	02:00	
Wed	10:00	02:00	
Thur	10:00	02:00	
Fri	10:00	02:00	
Sat	10:00	02:00	
Sun	10:00	02:00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

None.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

Not applicable.

**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)**

*Note for information purposes only – the applicant does not consider that this variation is such that it is appropriate to propose any additional or amended conditions.*

**b) The prevention of crime and disorder**

*Please see Section M(a) above*

**c) Public safety**

*Please see M(a) above*

**d) The prevention of public nuisance**

*Please see M(a) above.*

**e) The protection of children from harm**

*Please see M(a) above.*

Checklist:

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	Philip J Day for Lacey's Solicitors LLP
Date	10 <sup>th</sup> June 2021
Capacity	Solicitors for the Applicant

**Contact name (where not previously given) and address for correspondence associated with this application** (please read guidance note 15)

Mr Philip Day  
Laceys Solicitors LLP  
9 Poole Road

<b>Post town</b>	<b>Bournemouth</b>	<b>Post code</b>	<b>BH2 5QR</b>
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<b>Telephone number (if any)</b>	<b>01202 377867</b>
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**If you would prefer us to correspond with you by e-mail, your e-mail address (optional)**  
**p.day@laceyssolicitors.co.uk**

**Notes for Guidance**

**The Notes do not form part of the application form and have not been reproduced in the interests of sustainability.**

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## Appendix 3 – Representation Objecting to the Application

Ref premises license PL0239

Further to our recent correspondence at the end of May regarding the unlicensed use of an external area of the Crown, Marnhull we now discover that the Licensee, Hall & Woodhouse, has submitted an application for a variation of their external license to cover this area. We strongly object to this application on the grounds that it will create a public nuisance.

During April, when this area was used illegally with an outside bar we recorded noise levels averaging in excess of 60 db in our garden, rising to over 90 at times. The Crown applied for planning permission in 2018 to build a function room in its large beer garden, a condition of the granting of this permission was a noise assessment survey. Our property was included in this survey and, quite rightly, it was decided that the function room would not impact on our privacy. The area for which they have now applied for a license extension is right next to our boundary. The noise impact of customers eating and drinking in this area will affect us greatly, making our private garden potentially unusable from 12.00pm until 11pm on sunny days when we wish to sit in peace and privacy in our garden. My husband is xx with xxx so rarely leaves the house. Is he to be confined indoors so the Crown can use this outside space, especially when they already have a very large beer garden.

The smaller area near the road which has been used for drinking does not cause us a problem but the large area which, until last summer, was part of the car park, will impact greatly on our lives in the summer months. We did, in April, raise this with the brewery who told us in writing that no tables would be within 10m of our boundary but the business manager, Mr. Montgomery, has refused to move existing tables and, should this application be passed, will surely fill the area with more. The image attached is how it currently looks and there is currently no table service in this area but once restrictions are lifted we fear constant noise. The fence at the back of this picture is 3m from our private patio.

## Appendix 4 – Representations of Support

1. I am writing to express my support for the above application. The Crown is a very well managed business where considerable care is taken to maintain good relations with their customers and local neighbours. The proposal for a small extension to the external service area will add to the facilities enjoyed by diners and drinkers alike. The pub is a valuable local amenity and a centre of the community, as well as attracting significant numbers of visitors. The proposed extension will only serve to improve that further.
2. I wish to make my support known to you for this application. As a “local”, I am 100% confident that the Landlord will ensure that this area will be used in the same way that the rest of the pub is used, in other words, respectfully and fully within the law.

In my view, there is no reason not to grant this.

3. I wish to support the application by the Crown Inn, Marnhall for an increase in size of their external licence drinking area.

The management of this hostelry is highly professional, well organised and has followed all rules on Covid restrictions. Their drinking clientel is predominately local and responsible in their habits. The outdoor area needs to be increased, especially with the pending potential for summer holiday trade and outdoor relaxing, assuming we eventually get a summer.

The area is well away from the road and does not impinge intrusively on local residences.

4. I am writing to express my unconditional support for the approval of the above application. As a resident of Marnhull village for the last 4 years, I have found the Crown Hotel to be one of the central hubs to the local community and a place where many residence gather for relaxing social interaction as well as excellent food.

I believe that approval of this extension will allow the Crown Hotel to expand its appeal throughout the village allowing it to host many more outside, village events to the benefit of the whole community.

I sincerely hope urge you approve this application.

5. Please accept this email as a comment regarding the Notice of Application for Variation of Premises Licence for the premises known as The Crown Hotel, Marnhull.

Having viewed the aforementioned application, I wish to offer my support in favour of said application.

The management and their team at The Crown Hotel go above and beyond in making The Crown a great asset to the village. Throughout the difficult times of the current pandemic, they have provided a much needed commodity to the community by way of a take-away meal service at a realistic price, despite the inability to have the premises open for long periods.

During this time, with minimal trade they have still managed the expense of fully redecorating the interior, whilst developing the garden area to great effect.

The Management team regularly sponsor local causes, not least of which is the funding of a defibrillator on site for public use in emergency.

I feel that a licensed courtyard area to the front and side of the building would be a great asset, making the premises appear more welcoming to passing motor and foot traffic, therefore enabling the business to attract further custom which after this past year it surely deserves. I can see no reason why anyone would deny this opportunity by objecting to the proposals, and in my opinion there doesn't seem to be any reason to do so.

6. We support & approve this proposal.

7. I am writing to support the variation of premises license for the Crown Hotel, Marnhull, Sturminster Newton, DT10 1LN.

The ability to be able to flex the outside area to include an external bar will support external events, hybrid events and more importantly support and future external social distancing which will benefit the pub and its customers without creating any increased disruption to others. Customers can already (in non-covid times) order at bar, pay and go and sit outside, this will give greater flexibility for certain situations already mentioned.

8. We are writing to you in regards to the crown inn application for their external license drinking area.

We wish to support it as sitting in that area with our dog on a summers evening to enjoy a drink and our playful dog is not a problem to any other customers.

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