

LICENSING SUB-COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY 7 SEPTEMBER 2021

Present: Cllrs Les Fry, Emma Parker and Kate Wheller

Apologies: Cllrs Jon Andrews

Officers present (for all or part of the meeting):

Elaine Tibble (Senior Democratic Services Officer), Lara Altree (Senior Lawyer - Regulatory), Roy Keepax (Licensing Officer), Aileen Powell (Team Leader Licensing), Ian Carter (Licensing Officer), Jane Williams (Team Leader - Public Protection), Susan Ashford (Environmental Health Officer), George Dare (Democratic Services Officer) and David Northover

63. Election of Chairman and Statement for the Procedure of the Meeting

Proposed by Cllr Fry, seconded by Cllr Wheller.

Decision: That Cllr Emma Parker be elected Chairman for the duration of the meeting.

Cllr Parker introduced the officers involved with the meeting and explained the procedure for the meeting.

64. Apologies

An apology for absence was received from Cllr Andrews.

65. Declarations of Interest

No declarations of interests were made at the meeting.

66. Urgent items

There were no urgent items.

67. New Premises Licence Application for Parnham House, Beaminster

The Licencing Team Leader introduced the application for a new premises licence for Parnham House in Beaminster. Parnham House would be used for a wide variety of events and tourism accommodation, including a hotel. The Planning process would take full account of the concerns raised about the AONB and Rights of Way. The Sub-Committee had to consider what would be proportionate and appropriate in promoting the licencing objectives. If the premises licence was granted, conditions must be enforceable and clear to all parties. All parties were reminded of the licencing objectives.

Members' attention was drawn to a typographical error in the report where the recommendation was incorrectly numbered as paragraph 13. The correct paragraph number was 16.

Several reports were received of Notices not being correctly advertised. Officers recommended that the application should proceed and referred to a recent High Court decision. Ms Le Fevre, the applicant's Barrister, responded to the advertisement issue and stated that the application had been widely publicised, and the Notice period had been extended twice. An unprecedented number of representations had been received, indicating that the purpose of the Notice period had been met.

Ms Le Fevre was in attendance with the proposed designated premises supervisor, Mr Caton. Ms Le Fevre presented their application for the premises licence. If the licence was granted, the full licence would not be used immediately. The maximum occupancy would be 130 people staying at the grounds between Thursday and Sunday. A Noise Management Strategy had been created for the walled garden area. Any individual event with more than 500 people would require a full Event Management Plan which incorporated a Traffic Management Plan.

Members of the Sub-Committee asked questions of the applicants. The questions related to:

- Noise and amplified music.
- The type of events.
- Light pollution.
- Events which could lead to community concern
- Managing rights of way and protecting children from harm.
- Neighbouring residential properties.

The applicants responded to the questions and advised that:

Events would be limited to 10-15 days per year, with most evenings from Thursday to Sunday having dinners and light entertainment. There could be private events for family, such as Christmas, as well as occasional events during the summer holidays for families and children. A wide area is being applied for so guests could be entertained in a variety of spaces, such as by the lake. There would be a maximum of 2-3 larger events per year and these would be community based. Larger events would have all necessary planning. A sample event would take place for a professional to monitor noise. Noise would be monitored and recorded which would be available for the community to see. Noise limiters would be used on equipment. A phone number would be available for local residents to use. They did not want to upset the local community and wanted to create a positive addition to the area.

Members of the public who had made a representation were asked in turn to ask questions of the applicant.

During the questions of the applicant, the meeting adjourned for a lunch break at 12.57 until 14.00.

Questions related to:

- Why a licence is being applied for
- The conditions relating to the alcohol licence
- The proposed areas for licensable activities
- Noise carrying a long way
- The management of visitor numbers and areas of entertainment and alcohol sales
- The bridleway
- Categories of events and projected numbers on site

Applicants responded and advised that:

A licence was needed because licensable activities would be provided.

The river could be the boundary line for all entertainment activities.

The blue line on the site map could align with the red alcohol licensing line.

There should be no noise after 11pm on most occasions.

The applicants would be prepared to measure noise levels at nearby properties.

The venue was not to be open to the public, only for attendees staying at the venue or reservations on a managed basis.

The bridleway would sit outside the licensed area.

It was envisaged that there would be a maximum of 130 guests on the estate at any time i.e. for a wedding, unless for an organised event such as a Food Festival. In most cases the applicant was not wanting to have in excess of 130 people but some flexibility on numbers was necessary. There was also a lot of work to be done on the estate to bring it back to life before any events were held.

The Environmental Protection Team Leader was in attendance and the sub-committee and those who had made representation were given the opportunity to ask questions relating to environmental health aspects such as noise levels.

Following the opportunity for all parties to ask questions of each other, those who had made representation were invited to address the sub-committee to put forward any additional points of view. The sub-committee, Licensing Team Leader and the Applicant were given the opportunity to put forward any questions to each speaker following their address.

Cllr Knox, Ward Member for Beaminster was also in attendance to represent her constituents. She thanked everyone present for their time and input and felt that most issues had been covered. She wanted to welcome the local employment opportunities, events for young people and schools. She urged the sub-committee not to over-regulate and to allow for flexibility, trust and

communication within the community to in order to provide prosperity and enjoyment of the estate. Cllr Knox appreciated the opportunity that had been given to the community to attend and take part in the committee meeting

After all representations had been heard, the meeting was adjourned at 16.39 until 10.00 on Wednesday, 8 September.

Upon reconvening on 8 September, Cllr Wheller read a statement regarding some comments made in the meeting on the previous day.

Whilst the meeting was adjourned, a revised masterplan titled 'Parnham House Masterplan 101_A_MP_1.1250 Rev A' was submitted to the Sub-Committee. This masterplan showed a revised boundary for amplified music and licensable activities.

All parties were given the opportunity to sum up their case.

The Senior Lawyer – Regulatory confirmed that all relevant points had been covered appropriately.

The decision would be made within 5 working days. All parties had the right to appeal the decision to the Weymouth Magistrates Court within 21 days of receipt of the written notification of determination.

68. **Exempt Business**

Proposed by Cllr Fry, seconded by Cllr Wheller.

Decision: That the press and the public be excluded for the following item(s) in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12 A to the Local Government Act 1972 (as amended).

The Sub-Committee retired to make their decision.

Decision: To GRANT a Premises Licence for the area within the dashed blue line on the revised application plan dated 19/04/21 titled 'Parnham House Masterplan 101_A_MP_1.1250 Rev A' submitted to the hearing on 8 September 2021 and attached to the Notification of Determination, with the mandatory conditions and the conditions consistent with the Operating Schedule as amended by the Sub-Committee as set out in the Notification of Determination, to permit the following:

On and off sales of alcohol

Every Day 24 hours

Films, Live Music, Recorded Music, dance and any similar entertainment (indoors) ('Indoors' does not include a marquee or other structure where doors and windows cannot be closed to prevent noise escape)

Thursday to Saturday 08:00 to 02:00
Sunday to Wednesday 08:00 to 00:00

Films, Live Music, Recorded Music, dance and any similar entertainment (outdoors)

Every Day 08:00 to 23:00
10 days per year 08:00 to 01:00

Plays, Boxing and Wrestling (indoors) and Indoor Sports

Thursday to Saturday 10:00 to 01:00
Sunday to Wednesday 10:00 to 00:00

Plays, Boxing and Wrestling (outdoors)

Every Day 10:00 to 23:00
10 days per year 10:00 to 01:00

Late-Night Refreshment (indoors and outdoors)

Every Day 23:00 to 05:00

Reasons for the Decision:

The Sub-Committee carefully considered all the documents presented to it and the oral and written representations made by the parties. They had regard to the four Licensing Objectives, the Section 182 Statutory Guidance, and the Dorset Council Statement of Licensing Policy.

This application was unusual in that it related to a wide scope of potential licensable activities over a very large site and it had attracted a large number of representations covering a range of issues. At the hearing the Sub-Committee was addressed by the applicant's representatives and a significant number of members of the public and a Councillor. During the course of the hearing it became clear that it was the extent of the licence applied for which had particularly concerned local people. There was great support for the restoration of Parnham House, but there was an underlying fear that if the licence was granted as applied for, it was likely that there would be a large number of events over a vast area, attended by substantial numbers of people, with the real risk of considerable noise nuisance and disturbance to local people.

The applicant's representatives explained the owner's plans for the site and his wish to work in harmony the local community, whilst also running a business to finance the restoration of the listed building. On the second day of the hearing the applicant submitted a revised application plan reducing the licensable area considerably.

The Sub-Committee was very grateful for the positive approach shown by all the parties who took part in the process. The representations submitted were comprehensive and constructive and it was plain to the Sub-Committee that all parties were very keen to see Parnham House restored appropriately. It was also helpful that during the hearing the applicant submitted a revised

plan, reducing the area to be licensed, to take account of some of the concerns raised by the local residents. The Sub-Committee recognised that this went some way to allay the fears of residents but noted that concerns remained about noise. When representations are received in connection with a premises licence application, the role of the Sub-Committee is to try to strike a balance between what has been applied for and the concerns raised in the representations, but at all times the paramount consideration is the promotion of the four licensing objectives. The Sub-Committee wanted to ensure that the undertakings made during the hearing were reflected in the conditions in a way that both allowed some flexibility for the estate to grow whilst ensuring that any protections to the community were retained, they welcomed the submission of the Core Noise Management Strategy by the applicant and were reassured by the Environmental Protection Team Leaders assurance that it was satisfactory.

The Sub-Committee reviewed all the representations made by the parties before coming to a decision and concluded that it was appropriate to grant a Premises Licence for the area on the revised plan, outlined with a dashed blue line, together with the mandatory conditions and amended conditions from the Operating Schedule, to promote the licensing objectives. In making this decision the Sub-Committee recognised the relevant concerns of those people who had made representations particularly in relation to noise and sought to address the issues raised through the application of conditions, which it considered to be proportionate and relevant to this site.

The Sub-Committee agreed with the sentiments expressed at the hearing that communication was key, and it very much hoped that the owner would provide a forum to facilitate discussions between his team and people living locally. The plans for the site could represent an interesting and exciting new phase for the estate, which would enable the restoration of the listed building and it would be important to ensure that local people were consulted as part of the process. They wanted the licence to allow for controlled room for growth and encourage an atmosphere of mutual trust and communication.

69. Supplement

Duration of meeting: 10.00 am, 7 September – 10.47 am, 8 September

Chairman

.....