



Licensing Sub-Committee

Date: Thursday, 22 June 2023
Time: 10.00 am
Venue: Council Chamber, County Hall, Dorchester, DT1 1XJ

Members (Quorum: 3)

Brian Heatley, Emma Parker and Sarah Williams

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

For more information about this agenda please contact Democratic Services
Meeting Contact 01305 224202 elaine.tibble@dorsetcouncil.gov.uk

Members of the public are welcome to attend this meeting, apart from any items listed in the exempt part of this agenda.

For easy access to all the council's committee agendas and minutes download the free public app called Modern.Gov for use on any iPad, Android, and Windows tablet. Once downloaded select Dorset Council.

Agenda

Item		Pages
1.	ELECTION OF CHAIRMAN AND STATEMENT FOR THE PROCEDURE OF THE MEETING	3 - 6
	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 disclosure 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. VARIATION OF PREMISES LICENCE FOR WILKSWOOD FARM, SWANAGE 7 - 46

An application has been made for a variation to the premises licence for Wilkswood Farm, Langton Matravers, Swanage, for the Wilkswood Reggae Festival, to add Thursday to the current licence to allow the sale of alcohol, regulated entertainment, and extension of the sale of alcohol time for Friday. The application has been out to public consultation and has attracted relevant representations. A Licensing Sub Committee must consider the application and representations at a public hearing.

6. NEW PREMISES LICENCE APPLICATION FOR HOLTON HEATH SERVICE STATION, WAREHAM ROAD, POOLE 47 - 82

An application has been made for a new premises licence for Holton Heath Service Station for the sale of alcohol, off the premises. The application has been out to public consultation and has attracted relevant representations. 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 item 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 public and the press will be asked to leave the meeting whilst the item of business is considered.



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. All parties will be given the opportunity to “sum up” their case.
10. 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.
11. The Chairman will:
 - advise when the sub-committee’s decision will be confirmed in writing.
 - 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.

This page is intentionally left blank

Licensing Sub Committee

22 June 2023

Variation of premises licence – Wilkswood Farm, Swanage

For Decision

Portfolio Holder: Cllr L Beddow, Culture and Communities

Local Councillor(s): Cllr C Brooks

Executive Director: J Sellgren, Executive Director of Place

Report Author: Kathryn Miller

Job Title: Senior Licensing Officer

Tel: 01305 252214

Email: Kathryn.miller@dorsetcouncil.gov.uk

Report Status: Public

Brief Summary: An application has been made for a variation to the premises licence for Wilkswood Farm, Langton Matravers, Swanage, for the Wilkswood Reggae Festival, to add Thursday to the current licence to allow the sale of alcohol, regulated entertainment, and extension of the sale of alcohol time for Friday. The application has been out to public consultation and has attracted relevant representations. A Licensing Sub Committee must consider the application and representations at a public hearing.

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

The steps that the Sub-Committee may take are:

- a) to modify the conditions of the licence;
- b) to reject the whole or part of the application.

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

1. Background

- 1.1 Section 4 of the Licensing Act 2003 sets out the duties of the Licensing Authority, it sets out that a Council's licensing functions must be carried out with a view to promoting the four licensing objectives of:
- (a) the prevention of crime and disorder;
 - (b) public safety;
 - (c) the prevention of public nuisance; and
 - (d) the protection of children from harm.
- 1.2 All applications and decisions are made with due regard to the [Licensing Act 2003](#) (the Act), the [Revised Guidance issued under Section 182 of the Licensing Act 2003](#) (the Guidance) and the [Dorset Council Statement of Licensing Policy](#) (the Policy).

2. Details of the application

- 2.1 A variation of the premises licence for Wilkswood Farm, Langton Matravers, Swanage, for the Wilkswood Reggae Festival, has been submitted to the Licensing Authority by Hardway Promotions Ltd. The application can be found at Appendix 1.

- 2.2 The application is to amend the following on the current licence:

Addition of Thursday to the licensed area of the barns and main courtyard to allow:

Sale of alcohol (on and off) to commence at 0900 hours on Thursday to finish at 0200 hours on Monday.

Performance of live music, playing of recorded music, and performance of dance (indoors and outdoors) from between 1000 – 0200 hours

Late night refreshment (indoors and outdoors) between 2300 – 0500 hours

The current licence permits the following:

Performance of a play, exhibition of a film (indoors and outdoors)

Friday to Sunday 0900-0000 hours

Performance of live music, playing of recorded music, performance of dance, and anything of a similar description to that falling with e, f or g (indoors and outdoors)

Friday to Saturday 1000-0200 hours
Sunday 1000-0000 hours

Late night refreshment (indoors and outdoors)

Friday to Saturday 2300-0500 hours
Sunday 2300-0500 hours

Sale of alcohol (on and off)

From 0900 hours Friday until 0200 hours on Monday

Responsible Authorities

2.3 Section 13 of the Licensing Act contains the list of Responsible Authorities who must be consulted on each application. Dorset Police, Dorset and Wiltshire Fire Service, Public Health Dorset, the Immigration Authority, Dorset Council Trading Standards, Dorset Council Children's Services, Dorset Council Planning, Dorset Council Licensing, Dorset Council Environmental Protection and Dorset Council Health and Safety have all been consulted.

2.4 There were no representations from any of the Responsible Authorities.

3 History of the premises

3.1 The Wilkswood Reggae Festival has been run, without incident at the current site since July 2019 and is licensed for one, three day event per calendar year. A copy of their current licence is attached at Appendix 2.

3.2 There has been one representation received from an interested party on behalf of other residents in the area but these people have not written in a separate representations. This can be found at Appendix 3.

3.3 The Licensing Act 2003 Section 182 Guidance (the Guidance) sets out at 8.13 the role of "other persons":

"As well as responsible authorities, any other person can play a role in a number of licensing processes under the 2003 Act. This includes any individual, body or business entitled to make representations to licensing authorities in relation to applications for the grant, variation, minor variation or review of premises licences and club premises certificates, regardless of their geographic proximity to the premises. In addition, these persons may themselves seek a review of a premises licence. Any representations made by these persons must be 'relevant', in that the representation relates to one or more of the licensing objectives. It must also not be considered by the licensing authority to be frivolous or vexatious. In the case of applications for reviews, there is an additional requirement that the grounds for the review should not be considered by the licensing authority to be repetitious. Chapter 9 of this guidance (paragraphs 9.4 to 9.10) provides more detail on the definition of relevant, frivolous and vexatious representations.

3.4 The Guidance states at paragraph 9.4 what a "relevant" representation is;

“A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives.”

4. **Considerations**

- 4.1 Paragraphs 9.42 to 9.44 of the Section 182 Guidance sets how the Licensing 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.”

4 **Financial Implications**

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

5 **Natural Environment, Climate & Ecology Implications**

None.

Well-being and Health Implications

None.

6 **Other Implications**

None.

7 **Risk Assessment**

7.1 HAVING CONSIDERED: the risks associated with this decision; the level of risk has been identified as:

Current Risk: High

Residual Risk: High

8 **Equalities Impact Assessment**

Not applicable

9 **Appendices**

Appendix 1 – variation application

Appendix 2 – copy of current licence

Appendix 3 – representation from interested party

10 **Background Papers**

[Licensing Act 2003](#)

[Home Office Guidance issued under Section 182 of the Licensing Act 2003](#)

[Dorset Council Statement of Licensing Policy 2021](#)

This page is intentionally left blank

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 **HARDWAY PROMOTIONS LTD**

(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 7378
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description WILKSWOOD FARM			
Post town	SWANAGE	Postcode	BH19 3DX

Telephone number at premises (if any)	NONE
Non-domestic rateable value of premises	£0.00

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Current postal address if different from premises address	[REDACTED] [REDACTED]		
Post town	[REDACTED]	Postcode	[REDACTED]

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

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)

ADDITION OF THURSDAY TO OUR LICENSED AREA OF THE BARNS AND MAIN COURT YARD TO ALLOW US THE SALE OF ALCOHOL, PERFORMANCE OF LIVE MUSIC, PLAYING OF RECORDED MUSIC AND PLAYING OF AMPLIFIED MUSIC.

EXTENSION OF THE SALE OF ALCOHOL TIME FOR THE FRIDAY.

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:

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

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat								
Sun								

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 5) THE ADDITION OF LIVE AMPLIFIED MUSIC ON THURSDAY TO OUR EXISTING LICENCE		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 6)		
Thur	10:00	02:00	N/A		
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					
			NO		

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5) THE ADDITION OF RECORDED AMPLIFIED MUSIC ON THURSDAY TO OUR EXISTING LICENCE		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur	10:00	02:00	N/A		
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					
			NO		

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5) THE ADDITION OF PERFORMANCES OF DANCE ON THURSDAY TO OUR ALREADY EXISTING LICENSE		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6) N/A		
Thur	10:00	02:00			
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7) NO		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5) THE ADDITION OF LATE NIGHT REFRESHMENT ON THURSDAY TO MATCH OUR EXISTING LICENSE TIMES.		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Thur	23:00	05:00	N/A		
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7) NO		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon			<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6) WE WANT TO COMMENCE ON THURSDAY AND THE REQUESTED CHANGES REFLECT AN EARLIER START WITHIN A CONTINUATION OF OUR EXISTING LICENSE.		
Tue					
Wed					
Thur	09:00	00:00	<u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 7) N/A		
Fri	00:00				
Sat					
Sun					

K

<p>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).</p> <p>NONE</p>
--

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6) N/A
Day	Start	Finish	
Mon			
Tue			<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 7) N/A
Wed			
Thur	09:00	00:00	
Fri	00:00		
Sat			
Sun			

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.

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)

WE INTEND TO OPERATE AS PER OUR EXISTING LICENSE.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

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	██████████
Date	27/04/2023
Capacity	COMPANY DIRECTOR

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	██████████
Date	27/04/2023
Capacity	COMPANY DIRECTOR

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

██

████████████████████

Post town	██████████	Post code	██████████
Telephone number (if any)	██████████		

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.

- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.

12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.



PART A

Licensing
Westport House
Worgret Road
Wareham
Dorset
BH20 4PP

✉: licensingteame@dorsetcouncil.gov.uk

Licensing Act 2003
Premises Licence

Premises licence number: 7378

Part 1 – Premises Details

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

Wilkswood Farm
Langton Matravers
Swanage
Dorset
BH19 3DU

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not Applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- A Performance of a Play:(Indoors and Outdoors)
- B Exhibition of a Film:(Indoors and Outdoors)
- E Performance of Live Music:(Indoors and Outdoors)
- F Playing of Recorded Music:(Indoors and Outdoors)
- G Performances of Dance:(Indoors and Outdoors)
- H Anything of a similar description to that falling within (E), (F) or (G):(Indoors and Outdoors)
- Provision of Late Night Refreshments:(Indoors and Outdoors)
- Sale or Supply of Alcohol:(For consumption on and off the premises)

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

A Performance of a Play:(Indoors and Outdoors)

	From	To
Monday		
Tuesday		
Wednesday		
Thursday		
Friday	09:00	00:00
Saturday	09:00	00:00
Sunday	09:00	00:00
Further Details		
Non Standard Times		
Seasonal Variations		

B Exhibition of a Film:(Indoors and Outdoors)		
	From	To
Monday		
Tuesday		
Wednesday		
Thursday		
Friday	09:00	00:00
Saturday	09:00	00:00
Sunday	09:00	00:00
Further Details		
Non Standard Times		
Seasonal Variations		

E Performance of Live Music:(Indoors and Outdoors)		
	From	To
Monday		
Tuesday		
Wednesday		
Thursday		
Friday	10:00	02:00
Saturday	10:00	02:00
Sunday	10:00	00:00
Further Details		
Non Standard Times		
Seasonal Variations		

F Playing of Recorded Music:(Indoors and Outdoors)		
	From	To
Monday		
Tuesday		
Wednesday		
Thursday		
Friday	10:00	02:00
Saturday	10:00	02:00
Sunday	10:00	00:00
Further Details		
Non Standard Times		
Seasonal Variations		

G Performances of Dance:(Indoors and Outdoors)		
	From	To
Monday		
Tuesday		
Wednesday		
Thursday		
Friday	10:00	02:00
Saturday	10:00	02:00
Sunday	10:00	00:00
Further Details		
Non Standard Times		
Seasonal Variations		

H Anything of a similar description to that falling within (E), (F) or (G):(Indoors and Outdoors)

	From	To
Monday		
Tuesday		
Wednesday		
Thursday		
Friday	10:00	02:00
Saturday	10:00	02:00
Sunday	10:00	00:00
Further Details		
Non Standard Times		
Seasonal Variations		

I Late Night Refreshment: (Indoors and Outdoors)

	From	To
Monday		
Tuesday		
Wednesday		
Thursday		
Friday	23:00	05:00
Saturday	23:00	05:00
Sunday	23:00	00:00
Further Details		
Non Standard Times		
Seasonal Variations		

Alcohol times: (For consumption on and off the premises)

	From	To
Monday	00:00	02:00
Tuesday		
Wednesday		
Thursday		
Friday	09:00	00:00
Saturday	00:00	00:00
Sunday	00:00	00:00
Non Standard Times		
Seasonal Variations		

THE OPENING HOURS OF THE PREMISES

	From	To
Monday	00:00	02:00
Tuesday		
Wednesday		
Thursday		
Friday	09:00	00:00
Saturday	00:00	00:00
Sunday	00:00	00:00
Non Standard Times		
Seasonal Variations		

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

For consumption on and off the premises

Part 2

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

Hardway Promotions Ltd
102 - 104 Seabourne Road, Bournemouth, BH5 2HY

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

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

Aron [REDACTED] Traynor
[REDACTED]

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

Licence Number: BH169895
Issuing authority: BCP Council

ANNEX 1 – MANDATORY CONDITIONS

1. No supply of alcohol may be made under the premises licence —
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
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—
 - 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;
 - 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.”
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.

Contd/.....

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
- b) “permitted price” is the price found by applying the formula –

$$P = D + (D \times V)$$

Where

- 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.
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.
11. Any person used to carry out a security activity must be licensed by the Security Industry Authority.

Exhibition of films

- 1. Admission of children to any exhibition of films must be restricted in accordance with the film classification applied by the body designated as the authority under section 4 of the Video Recordings Act 1984.
- 2. Where the film classification is not specified or where the Licensing Authority notifies the licence holder that Section 20(3) (b) of the Licensing Act 2003 applies to the film in question, admission of children must be restricted in accordance with any recommendations made by the Licensing Authority.

ANNEX 2 – CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

1. This licence shall be valid for one event per calendar year.
2. To promote the licensing objectives, no later than 4 weeks before the start of the event each year the licence holder must submit to the Licensing Authority for the prior approval of the Licensing Authority an Event Plan for that event. The Event Plan must include:
 - a. Risk Assessments
 - b. Emergency Procedures Plan. Noise Management Plan
 - d. Traffic Management Plan. Fire Emergency Plan
 - f. Event Security Plan. Lost Children Procedure
 - h. Management Structure. Event Date
 - j. Event Summary. Fire Risk Assessment
 - l. Medical and First Aid Cover. Crowd Safety and Welfare Provisions
 - n. Communication. Health & Safety
 - p. Stewarding. Electricity
 - r. Lightings. Temporary Structures
 - t. Site Rules. Site Plan
 - v. Rubbish/Waste Management
3. All licensable activities at each event will take place in accordance with the relevant approved Event Plan which will act as the operating schedule for the premises.
4. The licence holder will participate in a Safety Advisory Group (SAG) for the event each year which will be held at a frequency as required by the SAG members.
5. The licence holder must ensure that the site capacity is limited to 4,999 people (including staff and performers)

ANNEX 3 – CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

None

ANNEX 4 - PLANS

Camping Site Plan
Chillout Lounge and Food Court
Site Plan
Main Barn Site Plan
All received 09 May 2019

Licensing Act 2003
Premises Licence Summary

Premises licence number: 7378

Premises Details

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

Wilkswood Farm
Langton Matravers
Swanage
Dorset
BH19 3DU

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not Applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- A Performance of a Play:(Indoors and Outdoors)
- B Exhibition of a Film:(Indoors and Outdoors)
- E Performance of Live Music:(Indoors and Outdoors)
- F Playing of Recorded Music:(Indoors and Outdoors)
- G Performances of Dance:(Indoors and Outdoors)
- H Anything of a similar description to that falling within (E), (F) or (G):(Indoors and Outdoors)
- Provision of Late Night Refreshments:(Indoors and Outdoors)
- Sale or Supply of Alcohol:(For consumption on and off the premises)

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

A Performance of a Play:(Indoors and Outdoors)

	From	To
Monday		
Tuesday		
Wednesday		
Thursday		
Friday	09:00	00:00
Saturday	09:00	00:00
Sunday	09:00	00:00
Further Details		
Non Standard Times		
Seasonal Variations		

B Exhibition of a Film:(Indoors and Outdoors)

	From	To
Monday		
Tuesday		
Wednesday		
Thursday		
Friday	09:00	00:00
Saturday	09:00	00:00
Sunday	09:00	00:00
Further Details		
Non Standard Times		
Seasonal Variations		

E Performance of Live Music:(Indoors and Outdoors)

	From	To
Monday		
Tuesday		
Wednesday		
Thursday		
Friday	10:00	02:00
Saturday	10:00	02:00
Sunday	10:00	00:00
Further Details		
Non Standard Times		
Seasonal Variations		

F Playing of Recorded Music:(Indoors and Outdoors)

	From	To
Monday		
Tuesday		
Wednesday		
Thursday		
Friday	10:00	02:00
Saturday	10:00	02:00
Sunday	10:00	00:00
Further Details		
Non Standard Times		
Seasonal Variations		

G Performances of Dance:(Indoors and Outdoors)

	From	To
Monday		
Tuesday		
Wednesday		
Thursday		
Friday	10:00	02:00
Saturday	10:00	02:00
Sunday	10:00	00:00
Further Details		
Non Standard Times		
Seasonal Variations		

H Anything of a similar description to that falling within (E), (F) or (G):(Indoors and Outdoors)

	From	To
Monday		
Tuesday		
Wednesday		
Thursday		
Friday	10:00	02:00
Saturday	10:00	02:00
Sunday	10:00	00:00
Further Details		
Non Standard Times		
Seasonal Variations		

I Late Night Refreshment: (Indoors and Outdoors)

	From	To
Monday		
Tuesday		
Wednesday		
Thursday		
Friday	23:00	05:00
Saturday	23:00	05:00
Sunday	23:00	00:00
Further Details		
Non Standard Times		
Seasonal Variations		

Alcohol times: (For consumption on and off the premises)

	From	To
Monday	00:00	02:00
Tuesday		
Wednesday		
Thursday		
Friday	09:00	00:00
Saturday	00:00	00:00
Sunday	00:00	00:00
Non Standard Times		
Seasonal Variations		

THE OPENING HOURS OF THE PREMISES

	From	To
Monday	00:00	02:00
Tuesday		
Wednesday		
Thursday		
Friday	09:00	00:00
Saturday	00:00	00:00
Sunday	00:00	00:00
Non Standard Times		
Seasonal Variations		

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

For consumption on and off the premises

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

Hardway Promotions Ltd
102 - 104 Seabourne Road, Bournemouth, BH5 2HY

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

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Aron [REDACTED] Traynor

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

None

This page is intentionally left blank

Licensing

From: Aileen Powell
Sent: 22 May 2023 09:38
To: Licensing
Subject: Fw: Open Licence Wilkswood Farm Reggae Festival 20-23 July.
Categories: Karen

Aileen Powell
Licensing Team Leader
Community & Public Protection
Dorset Council

[01258 484022](tel:01258484022)
dorsetcouncil.gov.uk



From: [REDACTED]
Sent: 21 May 2023 14:22
To: Aileen Powell [REDACTED]
Cc: [REDACTED]
[REDACTED]
[REDACTED]
Subject: Open Licence Wilkswood Farm Reggae Festival 20-23 July.

Dear Aileen,

Further to our recent telephone conversation about the above Open Licence Application, the copy addressees of this email, including myself and [REDACTED] wish to object, in the strongest terms, to the licence approving live and recorded music beyond midnight.

All these households, who live in close proximity to Wilkswood Farm, have had previous negative experience of loud music disturbing their sleep. In the past the organisers have said they would provide a contact and telephone number to which complaints could be directed, during the festival. Unfortunately, this system has not worked in the past couple of years. Organisers also guaranteed that music played

after midnight would be moderated so as not to adversely affect adjacent houses; this did not materialise, so that households had no option other than to put up with the noise!

In view of the foregoing please take action to ensure there is no music beyond midnight during the festival. Many thanks.

Best regards

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Licensing Sub Committee

22 June 2023

New premises licence application for Holton Heath Service Station, Wareham Road, Poole

For Decision

Portfolio Holder: Cllr L Beddow, Culture and Communities

Local Councillor(s): Cllrs B Ezzard and R Holloway

Executive Director: J Sellgren, Executive Director of Place

Report Author: Kathryn Miller

Job Title: Senior Licensing Officer

Tel: 01305 252214

Email: Kathryn.miller@dorsetcouncil.gov.uk

Report Status: Public

Brief Summary: An application has been made for a new premises licence for Holton Heath Service Station for the sale of alcohol, off the premises. The application has been out to public consultation and has attracted relevant representations. A Licensing Sub Committee must consider the application and representations at a public hearing.

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

The steps that the Sub-Committee may take are:

- a) to grant the licence subject to such conditions as the authority considers appropriate for the promotion of the licensing objectives, and the mandatory conditions;
- b) to exclude from the scope of the licence any of the licensable activities to which the application relates;
- c) to refuse to specify a person in the licence as the designated premises supervisor;

d) to reject the application.

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

1. **Background**

- 1.1 Section 4 of the Licensing Act 2003 sets out the duties of the Licensing Authority, it sets out that a Council's licensing functions must be carried out with a view to promoting the four licensing objectives of:
- (a) the prevention of crime and disorder;
 - (b) public safety;
 - (c) the prevention of public nuisance; and
 - (d) the protection of children from harm.
- 1.2 All applications and decisions are made with due regard to the Licensing Act 2003 (the Act), the Revised Guidance issued under Section 182 of the Licensing Act 2003 (the Guidance) and the Dorset Council Statement of Licensing Policy (the Policy).

2. **Details of the application**

- 2.1 An application has been made for a new premises licence application for Holton Heath Service Station has been submitted to the Licensing Authority by Sterling Petroleum Lt. The application can be found at Appendix 1.
- 2.2 The description of the premises within the application form is:
- “Convenience store with a small service station.”
- 2.3 The application is to permit:
- Supply of alcohol (off the premises)
Monday to Sunday 0600-2300 hours

3 **Responsible Authorities**

- 3.1 Section 13 of the Licensing Act contains the list of Responsible Authorities who must be consulted on each application. Dorset Police, Dorset and Wiltshire Fire Service, Public Health Dorset, the Immigration Authority, Dorset Council Trading Standards, Dorset Council Children's Services, Dorset Council Planning, Dorset Council Licensing, Dorset Council Environmental Protection and Dorset Council Health and Safety have all been consulted.

3.2 Dorset Police has requested the following conditions be added to the licence if it were to be granted which the applicant has agreed to. This can be found at Appendix 2:

- The premises will be managed and controlled by a responsible person at all times. The Designated Premises Supervisor will be on the premises or contactable during the operating hours of the premises.
- The premises shall install and maintain a comprehensive CCTV system both internally and externally. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum of 30 days with correct date and time stamping. A documented check of the CCTV shall be completed weekly to ensure all cameras remain operational and the 30 days storage for recordings is being maintained. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised Council officer recent data or footage with the absolute minimum of delay when requested. CCTV shall be downloaded on request of the Police or authorised officer of the Council. Appropriate signage advising customers of CCTV being in operation shall be prominently displayed in the premises.
- Spirits (with the exception of spirit mixers and pre mixed spirit drinks) will be located behind the counter.
- All staff involved in the sale of alcohol shall receive training on the law relating to prohibited sales, the age verification policy adopted by the premises and the conditions attached to the Premises Licence. Refresher training shall be provided at least once every six months. A record shall be maintained of all staff training and that record shall be signed and dated by the person receiving the training and the trainer. The records shall be kept for a minimum of 12 months and made available for inspection by Police, Licensing or other authorised officers.
- The DPS will ensure that an incident report register is maintained on the premises to record incidents such as anti-social behaviour. The incident report register will contain consecutively numbered pages, the date and time of the incident, details of the nature of the incident, the names of any staff involved or to whom the incident was reported, the names and numbers of any police officers attending, the police incident number, names and addresses of any witnesses and confirmation of whether there is CCTV footage of the incident. The incident report register will be kept on the premises and produced for inspection immediately on the request of an authorised officer or Police.
- Challenge 25 shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification, such as a driving licence or passport, or holographically marked PASS scheme identification cards. Only identification documents shown in a physical format shall be accepted. Documents presented on mobile devices will not be accepted. Appropriate

signage advising customers of the age verification policy shall be prominently displayed in the premises. The EPOS terminal will have a till prompt for staff whenever alcohol and/or tobacco are attempted for sale.

- A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale, a description of the person refused, why they were refused (eg no ID, fake ID) and the name of the member of staff who refused the sale. The log shall be kept on the premises and shall be made available for inspection by the Police or an authorised officer of the Council at all times when the premises is open.

3.2 There were no representations from any of the other Responsible Authorities.

3.3 There has been one representation received from a member of the public. Their representation can be found at Appendix 3.

3.4 The Licensing Act 2003 Section 182 Guidance (the Guidance) sets out at 8.13 the role of “other persons”:

“As well as responsible authorities, any other person can play a role in a number of licensing processes under the 2003 Act. This includes any individual, body or business entitled to make representations to licensing authorities in relation to applications for the grant, variation, minor variation or review of premises licences and club premises certificates, regardless of their geographic proximity to the premises. In addition, these persons may themselves seek a review of a premises licence. Any representations made by these persons must be ‘relevant’, in that the representation relates to one or more of the licensing objectives. It must also not be considered by the licensing authority to be frivolous or vexatious. In the case of applications for reviews, there is an additional requirement that the grounds for the review should not be considered by the licensing authority to be repetitious. Chapter 9 of this guidance (paragraphs 9.4 to 9.10) provides more detail on the definition of relevant, frivolous and vexatious representations.

3.5 The Guidance states at paragraph 9.4 what a “relevant” representation is;

“A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by **the** applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives.”

4. **Considerations**

- 4.1 Paragraphs 9.42 to 9.44 of the Section 182 Guidance sets how the Licensing 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.”

4 **Financial Implications**

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

5 **Natural Environment, Climate & Ecology Implications**

None.

Well-being and Health Implications

None.

6 **Other Implications**

None.

7 **Risk Assessment**

7.4 HAVING CONSIDERED: the risks associated with this decision; the level of risk has been identified as:

Current Risk: Low

Residual Risk: Low

8 **Equalities Impact Assessment**

Not applicable

9 **Appendices**

Appendix 1 – premises licence application

Appendix 2 – conditions requested by Dorset Police

Appendix 3 – representation from interested party

10 **Background Papers**

[Licensing Act 2003](#)

[Home Office Guidance issued under Section 182 of the Licensing Act 2003](#)

[Dorset Council Statement of Licensing Policy 2021](#)

Application for a premises licence to be granted 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.

✓ We STERLING PETROLEUM LTD

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Holton Heath Service Station Wareham Road Poole			
Post town	Dorset	Postcode	BH16 6JW

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£8,900.00

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **appropriate** **Please tick as**

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |

- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town			Postcode		
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth over		I am 18 years old or		<input type="checkbox"/>	Please tick yes
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name STERLING PETROLEUM LTD
Address Steam Mills Road, Cinderford, Gloucestershire, England, GL14 3HY
Registered number (where applicable) 12699645

Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional) [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
0	4	06 2 0 2 3

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1) Convenience store with a small service station

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

- | | |
|--|----------------------------|
| Provision of regulated entertainment (please read guidance note 2) | Please tick all that apply |
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |

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

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon						
Tue						
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)			
Thur						
Fri						
Sat						
Sun						
			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)			

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon						
Tue						
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)			
Thur						
Fri						
Sat			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)			
Sun						

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon						
Tue						
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 5)			
Thur						
Fri						
Sat			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)			
Sun						

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for the performance of dance (please read guidance note 5)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 4)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)</p>		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) N/A		
Mon	06:00	23:00			
Tue	06:00	23:00			
Wed	06:00	23:00			
Thur	06:00	23:00			
Fri	06:00	23:00			
Sat	06:00	23:00			
Sun	06:00	23:00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) N/A		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Nakendram Piratheepan	
Date of birth. ██████████	
Address ██████████ ██████████	
Postcode	██████████
Personal licence number (if known) 09/00641/LAPER	

Issuing licensing authority (if known)
Bristol City Council

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 9).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5) N/A
Day	Start	Finish	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6) N/A
Mon	06:00	23:00	
Tue	06:00	23:00	
Wed	06:00	23:00	
Thur	06:00	23:00	
Fri	06:00	23:00	

Sat	06:00		
		23:00	
Sun	06:00		
		23:00	

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

- The premises will be managed and controlled by a responsible person at all times.
- Staff will be fully trained before start working and the training will be refreshed regularly.
- The Designated Premises Supervisor will be on the premises or contactable during the operating hours.

b) The prevention of crime and disorder

- Police will be reported for any incidents of a criminal nature.
- A comprehensive Internal & External CCTV will be installed, and the recordings will be kept for minimum of 30 days. Also, these recordings will be available for any responsible authorities.

c) Public safety

- Fire safety equipment are installed and will be maintained on the premises.
- The Emergency Exit will be kept free from obstructions at all times.
- Staff will be fully trained in alcohol sales and fire safety/evacuation procedures.

d) The prevention of public nuisance

- Adequate bins will be available for customers to dispose of their litter.

e) The protection of children from harm

- EPOS terminal with till prompt for alcohol & tobacco sale
- The Challenge 21 Policy will be strictly followed, and the relevant signs will be on display.
- A register of refusal of sales will be kept and maintained on the premises.
- Spirits will be located behind the counter Area.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).


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.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)







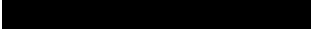
Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> ● [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying
--------------------	--

	<p>on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</p> <ul style="list-style-type: none"> The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	04 / 05 / 2023
Capacity	Authorised Agent

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

<p>Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)</p> <p>  </p>			
Post town		Postcode	
Telephone number (if any)			
<p>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</p> <p></p>			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and

- (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications

from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and

- evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Licensing

From: Gatehouse, Kirsty [REDACTED]
Sent: 25 May 2023 09:14
To: Licensing
Cc: .Licensing
Subject: RE: New Premise Licence Application - Holton Heath

Categories: Karen

Good morning

I can confirm we have no objections to this application. Please see below correspondence between myself and the applicant's agent agreeing to the conditions I have proposed. I would be grateful if these conditions could be applied to the Premises Licence when it is granted:

From: Naga Rajesh [REDACTED]
Sent: 24 May 2023 10:14
To: Gatehouse, Kirsty [REDACTED]
Subject: Re: Premises Licence Application - Holton Heath Service Station

Dear Ms Kristy,

Thank you for your email, I have checked these conditions with my client and I can confirm that we can accept all the conditions listed below in full.

Best Regards,

Naga Rajesh BSc(Hons), ACP
Licensing Consultant

From: Gatehouse, Kirsty [REDACTED]
Date: Wednesday, 24 May 2023 at 09:58
To: [REDACTED]
Subject: Re: Premises Licence Application - Holton Heath Service Station

Good morning

My name is Kirsty and I am one of the Licensing Officers for Dorset Police. I have been passed the above Premises Licence Application submission to look at.

Reading through, I can see that you have proposed the majority of conditions that we would like to see applied to an application such as this. The only thing I would request to change is that you operate a Challenge 25 age verification policy instead of Challenge 21. This is our "gold standard" and we have plenty of posters etc to advertise this should you need them.

We usually word the conditions in a specific way and I would therefore like to propose the conditions below to be attached to the Premises Licence should it be granted. If you are in agreement with these and their wording, I can confirm we have no objections to this application:

- The premises will be managed and controlled by a responsible person at all times. The Designated Premises Supervisor will be on the premises or contactable during the operating hours of the premises.

- The premises shall install and maintain a comprehensive CCTV system both internally and externally. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum of 30 days with correct date and time stamping. A documented check of the CCTV shall be completed weekly to ensure all cameras remain operational and the 30 days storage for recordings is being maintained. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised Council officer recent data or footage with the absolute minimum of delay when requested. CCTV shall be downloaded on request of the Police or authorised officer of the Council. Appropriate signage advising customers of CCTV being in operation shall be prominently displayed in the premises.
- Spirits (with the exception of spirit mixers and pre mixed spirit drinks) will be located behind the counter.
- All staff involved in the sale of alcohol shall receive training on the law relating to prohibited sales, the age verification policy adopted by the premises and the conditions attached to the Premises Licence. Refresher training shall be provided at least once every six months. A record shall be maintained of all staff training and that record shall be signed and dated by the person receiving the training and the trainer. The records shall be kept for a minimum of 12 months and made available for inspection by Police, Licensing or other authorised officers.
- The DPS will ensure that an incident report register is maintained on the premises to record incidents such as anti-social behaviour. The incident report register will contain consecutively numbered pages, the date and time of the incident, details of the nature of the incident, the names of any staff involved or to whom the incident was reported, the names and numbers of any police officers attending, the police incident number, names and addresses of any witnesses and confirmation of whether there is CCTV footage of the incident. The incident report register will be kept on the premises and produced for inspection immediately on the request of an authorised officer or Police.
- Challenge 25 shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification, such as a driving licence or passport, or holographically marked PASS scheme identification cards. Only identification documents shown in a physical format shall be accepted. Documents presented on mobile devices will not be accepted. Appropriate signage advising customers of the age verification policy shall be prominently displayed in the premises. The EPOS terminal will have a till prompt for staff whenever alcohol and/or tobacco are attempted for sale.
- A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale, a description of the person refused, why they were refused (eg no ID, fake ID) and the name of the member of staff who refused the sale. The log shall be kept on the premises and shall be made available for inspection by the Police or an authorised officer of the Council at all times when the premises is open.

I hope that the above conditions are agreeable. If they are, please can you reply to this email confirming your acceptance of them so that I can forward this on to the Licensing Authority to show the conditions we would like to be added and to show we have no objection. Equally if you have any questions relating to the above, please do not hesitate to contact me. I look forward to hearing from you.

Many thanks
Kirsty

Many thanks
Kirsty



**DORSET
POLICE**

Kirsty Gatehouse 6084

Licensing Officer

Tel: [REDACTED]

Email: [REDACTED]

Drug and Alcohol Harm Reduction Team

Weymouth Police Station, Radipole Lane, DT4 9WW

From: Licensing [REDACTED]
Sent: 05 May 2023 10:03
To: .Licensing [REDACTED]
Subject: FW: New Premise Licence Application - Holton Heath
Importance: High

Apologies,

I missed you off the email below!

Kind regards,
Joanna

Joanna Jesson
Licensing Officer
Place Services
Dorset Council

[REDACTED]
dorsetcouncil.gov.uk



From: Licensing
Sent: 05 May 2023 10:02
To: ENV Health [REDACTED] TradingStandards [REDACTED]
SaSteam [REDACTED] [REDACTED] planningteamd
<[REDACTED] fire safety <[REDACTED]>>
Subject: New Premise Licence Application - Holton Heath
Importance: High

Hi all,

Please see application for a new premises licence in Holton Heath. Please can I have any representations by 2 June.

Kind regards,
Joanna

Joanna Jesson
Licensing Officer
Place Services
Dorset Council

[REDACTED]





From: Naga Rajesh [REDACTED]
Sent: 04 May 2023 12:10
To: Licensing [REDACTED]
Subject: Premise Licence Application
Importance: High

Dear Licensing,
Please find the application for a Premises Licence and the relevant documents are attached.

Please note that the attached copy of the Site Notice will be displayed on premises from tomorrow in pale blue paper.

Please advise us the method to make the payment and if there are any other changes we need to make regarding this application.

Thank you

Best Regards,

Naga Rajesh BSc(Hons), ACP
Licensing Consultant

This e-mail and any files transmitted with it are intended solely for the use of the individual or entity to whom they are addressed. It may contain unclassified but sensitive or protectively marked material and should be handled accordingly. Unless you are the named addressee (or authorised to receive it for the addressee) you may not copy or use it, or disclose it to anyone else. If you have received this transmission in error please notify the sender immediately. All traffic may be subject to recording and/or monitoring in accordance with relevant legislation. Any views expressed in this message are those of the individual sender, except where the sender specifies and with authority, states them to be the views of Dorset Council. Dorset Council does not accept service of documents by fax or other electronic means. Virus checking: Whilst all reasonable steps have been taken to ensure that this electronic communication and its attachments whether encoded, encrypted or otherwise supplied are free from computer viruses, Dorset Council accepts no liability in respect of any loss, cost, damage or expense suffered as a result of accessing this message or any of its attachments. For information on how Dorset Council processes your information, please see www.dorsetcouncil.gov.uk/data-protection

This e-mail is intended for the named recipient(s) only and may contain privileged information, which is protected in law. If you have received this e-mail in error, please contact the sender to advise them and delete this e-mail. Unauthorised use, disclosure, copying or distribution is prohibited.

E-mail should not be regarded as a secure means of communication, we take all reasonable steps to ensure that e-mails are protected from malware, but cannot accept liability for any loss or damage, howsoever arising, as a result of their transmission to the recipients' computer or network.

For more information, or to contact us, please visit us at www.devon-cornwall.police.uk or www.dorset.police.uk

Licensing

From: [REDACTED]
Sent: 17 May 2023 17:33
To: Licensing; Licensing
Subject: Holton Heath Garage alcohol application

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Karen

I have grave concerns regarding this application. We live in a quiet residential retirement Park & whilst there was a garage & shop outside a few years ago they did not operate such long hours as the new premises intend to, I'm not even sure that they sold alcohol either.

We are already disturbed by motorbikes & cars racing around Holton Heath on some nights & with the availability of alcohol at the garage this could lead to anti-social behaviour right on our doorstep. We share our entrance driveway with the garage so there is nothing to prevent anyone from the forecourt coming onto our area, many of the residents here are elderly & vulnerable & are really worried that the garage could become a focus for anti-social drinking.

Our homes are not made of bricks & mortar & are therefore more susceptible to noise, unlike the homes that are in the vicinity of the garage & shop at Sandford. We abide by certain rules here regarding noise & try to refrain from early morning & late-night noise, sadly it appears that this will not apply to the garage which will be able to disrupt the lives of their residential neighbours.

Please consider this when making your decision.

Regards

[REDACTED]
[REDACTED]

Sent from [Outlook for Android](#)

This page is intentionally left blank