

DORSET COUNCIL
 06 MAY 2021
 Digital Mail Room

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.

I/~~WE~~ GLENN CHADWICK
 (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 <u>UNIT 1 43 SOUTH STREET</u>			
Post town	<u>DORCHESTER</u>	Postcode	<u>DT1 1DA</u>
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£ <u>22000</u> ^{GSA} <u>19000</u>	

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 checked="" type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input 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 checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname		CHADWICK		First names	
Date of birth		[REDACTED]		I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes	
Nationality		[REDACTED]			
Current residential address if different from premises address		[REDACTED]			
Post town	DORCHESTER			Postcode	[REDACTED]
Daytime contact telephone number		[REDACTED]			
E-mail address (optional)		[REDACTED]			
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
Address
Registered number (where applicable)

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

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
01	06	2021

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

DD	MM	YYYY
01	06	2031

Please give a general description of the premises (please read guidance note 1)

*Cafe/Bar to serve food and drink both inside and out.
To supply off sales as well*

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)
- 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 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 4) <i>As part of talent shows.</i>					
Mon	0800	23:59						
Tue	0800	23:59						
Wed	0800	23:59				State any seasonal variations for performing plays (please read guidance note 5) <i>None</i>		
Thur	0800	23:59						
Fri	0800	23:59				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) <i>None</i>		
Sat	0800	23:59						
Sun	0800	23:59						

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 checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	0800	2359	Please give further details here (please read guidance note 4) <i>As part of performing acts and special events ie Veterans day memorial day ect</i>	Both	<input type="checkbox"/>
Tue	0800	2359			
Wed	0800	2359	State any seasonal variations for the exhibition of films (please read guidance note 5) <i>NONE</i>		
Thur	0800	2359			
Fri	0800	2359	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) <i>NONE</i>		
Sat	0800	2359			
Sun	0800	2359			

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	0800	2359	Darts tournaments Pool tournaments.
Tue	0800	2359	
Wed	0800	2359	State any seasonal variations for indoor sporting events (please read guidance note 5) None
Thur	0800	2359	
Fri	0800	2359	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) None
Sat	0800	2359	
Sun	0800	2359	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (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						
Wed						
Thur			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)			
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 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 checked="" type="checkbox"/>	
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon	0800	23.59	Live Bands Playing Weekly. Piped music outside seating area (if granted)			
Tue	0800	23.59				
Wed	0800	23.59	State any seasonal variations for the performance of live music (please read guidance note 5)			
Thur	0800	23.59				
Fri	0800	23.59	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)			
Sat	0800	23.59	CHRISTMAS EVE 0800 - 0100 NEW YEARS EVE 0800 - 0100.			
Sun	0800	23.59				

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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	0800	23:59	<p>Please give further details here (please read guidance note 4)</p> <p>Recorded music played. When live music not</p>	Both	<input checked="" type="checkbox"/>
Tue	0800	23:59			
Wed	0800	23:59	<p>State any seasonal variations for the playing of recorded music (please read guidance note 5)</p> <p>NONE</p>		
Thur	0800	23:59			
Fri	0800	23:59	<p>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)</p> <p>Christmas Eve 0800 - 0100 New years Eve 0800 - 0100</p>		
Sat	0800	23:59			
Sun	0800	23:59			

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 checked="" type="checkbox"/>	
				Outdoors <input type="checkbox"/>	
				Both <input type="checkbox"/>	
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	0800	23:59	<i>Dancing to live Bands & Recorded Music</i>		
Tue	0800	23:59			
Wed	0800	23:59	State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur	0800	23:59	<i>None</i>		
Fri	0800	23:59	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)		
Sat	0800	23:59	<i>CHRISTMAS EVE 0800 - 0100</i> <i>NEW YEARS EVE 0800 - 0100</i>		
Sun	0800	23:59			

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 <i>stage shows, talent shows . ect one Arm Bandits</i></p>		
Day	Start	Finish	<p>Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)</p>	Indoors	<input checked="" type="checkbox"/>
Mon	0800	2359		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	0800	2359	<p>Please give further details here (please read guidance note 4) <i>Various Events</i></p>		
Wed	0800	2359			
Thur	0800	2359	<p>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)</p>		
Fri	0800	2359			
Sat	0800	2359	<p>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 (please read guidance note 6)</p>		
Sun	0800	2359	<p><i>Christmas Eve 0800 - 0100 New Years Eve 0800 - 0100</i></p>		

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 checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) <i>Serving Hot & cold food</i>		
Mon	0800	23.59			
Tue	0800	23.59	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Wed	0800	23.59			
Thur	0800	23.59			
Fri	0800	23.59	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 (please read guidance note 6) <i>CHRISTMAS EVE 0800 - 0100</i> <i>New years EVE 0800 - 0100</i>		
Sat	0800	23.59			
Sun	0800	23.59			

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 type="checkbox"/>
Day	Start	Finish	Both <input checked="" type="checkbox"/>		
Mon	0800	23.59	State any seasonal variations for the supply of alcohol (please read guidance note 5) NONE		
Tue	0800	23.59			
Wed	0800	23.59			
Thur	0800	23.59	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)		
Fri	0800	23.59	CHRISTMAS EVE 0800 - 0100 NEW YEARS EVE 0800 - 0100		
Sat	0800	23.59			
Sun	0800	23.59			

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	GLENN CHADWICK
Date of birth	[REDACTED]
Address	[REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	WDPA 1964
Issuing licensing authority (if known)	DORSET 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).

None.

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)

Day	Start	Finish
Mon	0800	23:59
Tue	0800	23:59
Wed	0800	23:59
Thur	0800	23:59
Fri	0800	23:59
Sat	0800	23:59
Sun	0800	23:59

State any seasonal variations (please read guidance note 5)

None

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 (please read guidance note 6)

CHRISTMAS EVE
NEW YEARS EVE

0800 - 0100
0800 - 0100

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)

b) The prevention of crime and disorder

INSTALL CCTV
Full Staff training
Drugs Policy
Join pub watch

c) Public safety

Risk Assessment
Hand Book
staff training
CCTV
Signage
drugs Policy

d) The prevention of public nuisance

CHALLENGE 21
noise monitoring
Litter clearing
no smoking
Safety lighting
Signage
CCTV

e) The protection of children from harm

Monitor language
Drug policies
CCTV
age restrictions

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 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). • 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	04/05/2021

Capacity	
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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	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)	

Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

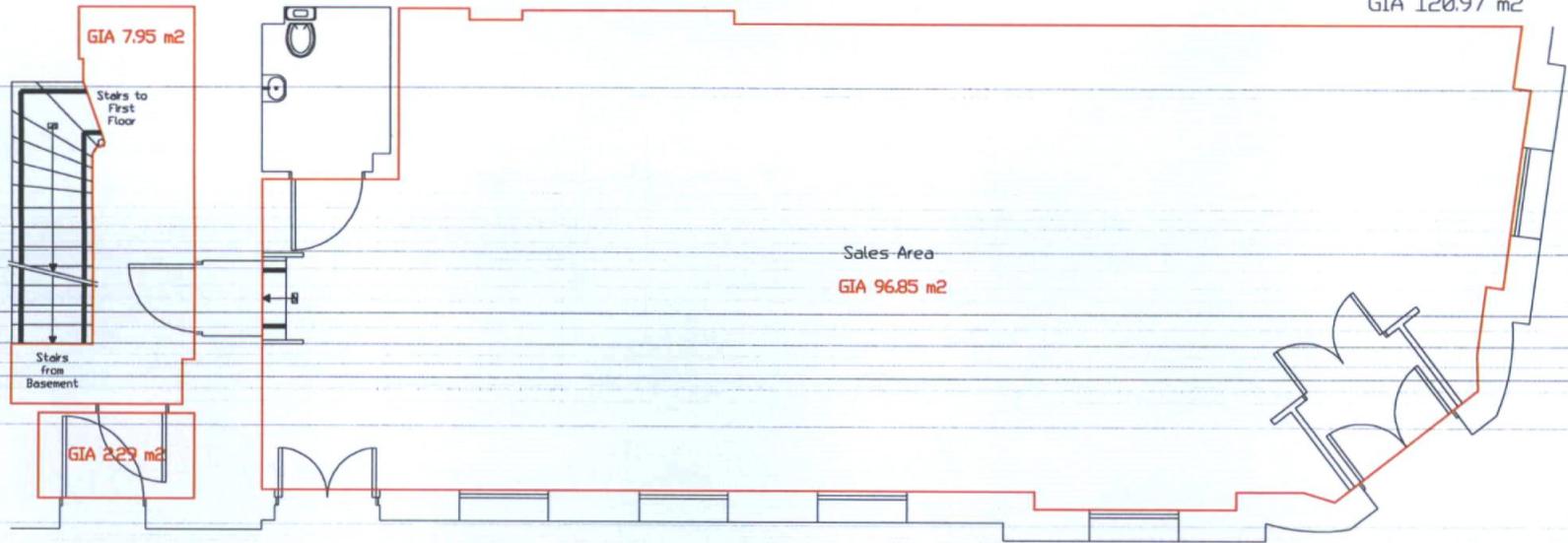
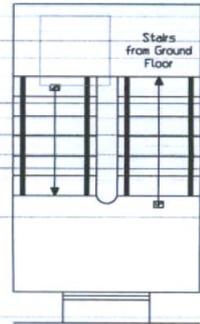
1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, 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.

GROUND FLOOR

GIA 120.97 m²

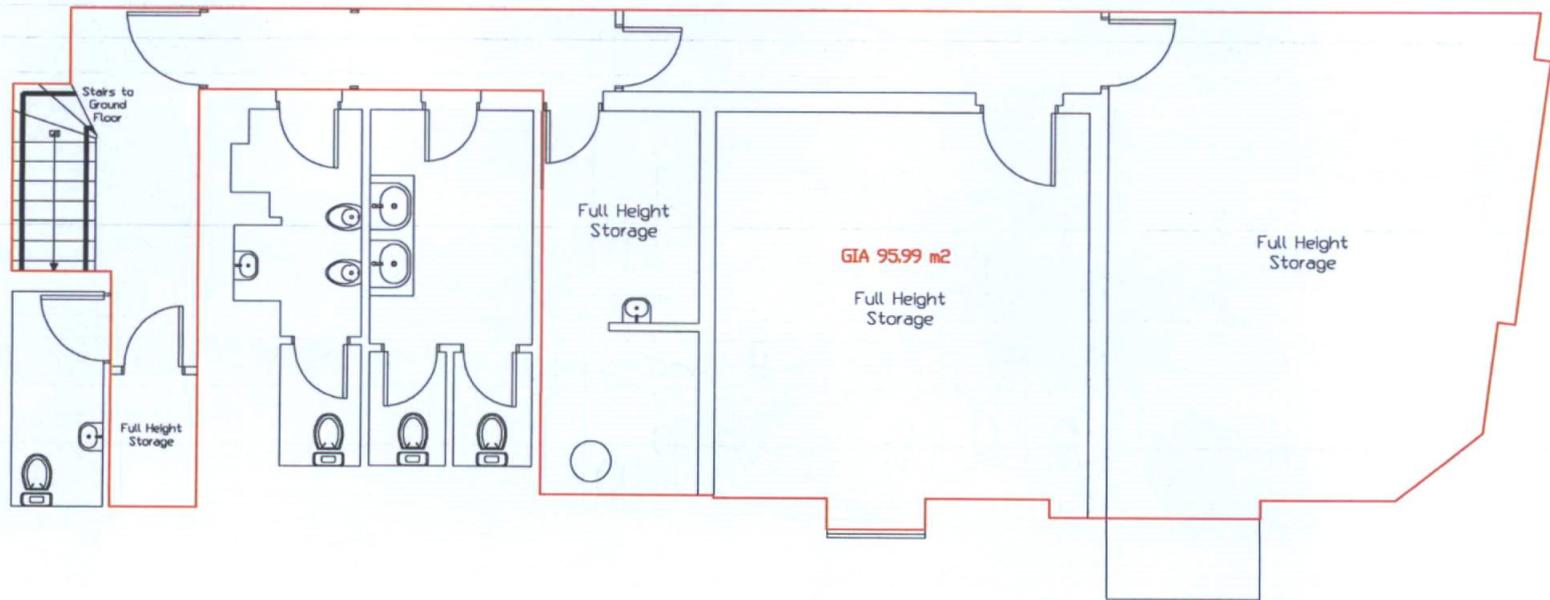
FIRST FLOOR

GIA 9.00 m²



BASEMENT

GIA 121.16 m²



GROUND FLOOR

GIA 120.97 m²

GIA 7.95 m²

Stairs to First Floor



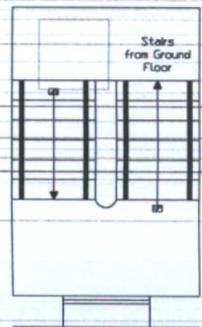
Stairs from Basement

GIA 8.29 m²

Sales Area
GIA 96.85 m²

FIRST FLOOR

GIA 9.00 m²



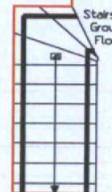
Stairs from Ground Floor

Stairs to Ground Floor

BASEMENT

GIA 121.16 m²

Stairs to Ground Floor

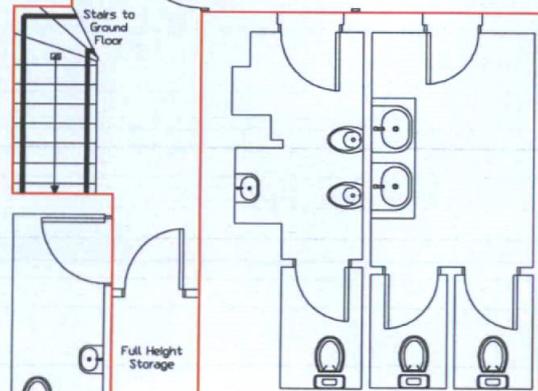


Full Height Storage

Full Height Storage

GIA 95.99 m²
Full Height Storage

Full Height Storage



Appendix 2 - Responsible Authority Representations

Police – 17 May 2021

I have had an opportunity to fully review your application and given the timings are the same as the licence previously held by the premises under the name Durnovaria, then I can see no reason to raise an objection from a licensing perspective.

The conditions that you have offered, I am sure will be written more comprehensively by the Council and I am pleased to see that CCTV, Challenge 21, a drugs policy, staff training, membership of pub watch and signage which I trust will remind your patrons to have respect for neighbours and leave the premises quietly are all included.

I would ask that two items not mentioned are included as conditions on the licence, namely an incident log and refusals book.

Also I note the words 'risk assessment' under the public safety condition and I would ask that this appears on the licence as 'when the premises are used for any booked event (to include as examples live music and functions), the DPS will undertake a full written risk assessment on the need for the employment of SIA registered door staff.'

I trust this will be satisfactory and await to hear from you in due course.

Regards

John Bean
Licensing Officer
Dorset Police

Response - 17 May 2021

Good afternoon John

Thank you for your time to consider our application
Risk assessment will be done as a matter of course and be available for inspection anytime along with log books
signage has already been sorted and will be displayed in prominent places

many thanks

Glenn Chadwick

EH – 7 May 2021

I wish to object under the nuisance objective of the Licensing Act. The premises was formally Durnovaria. To date I have not been made aware of any structural changes to the premises to prevent the conveyance of sound from the premises to the residential properties above which share the same ceiling/floor. The lobby that was formally in place and is shown on the plan supplied does go some way to prevent the noise of the patrons internal to external and should remain in place or be more robust in structure.

The following conditions if agreed by the applicant would enable Environmental Protection to withdraw our objection:

- No regulated entertainment externally.
- No regulated entertainment after 23.00hrs internally except for the non-standard timings listed for Christmas Eve and New Year's Eve.
- No external speakers shall be fitted to convey amplified music or speech.
- If external seating is granted this shall be removed by 21.00hrs.

The supply of alcohol and late night refreshment shall cease at midnight. Door staff /SIA should be made aware that their actions in the street will be audible to those living above as well.

The applicant should be advised that whilst the amplified music and speech has been restricted to before 23.00hrs there is still the potential for the music and noise from patrons to be conveyed at such a volume that would be deemed a statutory nuisance in the residential properties above and as such careful management of the site would be required. It is strongly recommended that a noise management plan be drawn up by a qualified and competent acoustic consultant. If suitable management and structural changes are made to improve the control of sound, a variation may be considered to enable regulated entertainment to occur later in the day but at this stage, with the known nature of the property the objection stands unless the conditions above are agreed.

Jane Williams
Team Leader Environmental Protection

Response - 12 May 2021

I have no objections to those conditions
and happy to work with anyone that comes and speaks to us now or in the future

Many Thanks

Glenn

Appendix 3 – Representation from Resident

Representation - 1 June 2021

RE: The Last Post, Dorchester - Licence Application - Mr Glenn Chadwick Without Prejudice

I write with reference to the above licence application and firstly wish to point out that I have no objection in principle to an appropriate café/bar occupying the premises. However, I do not believe a 'live music venue with amplified music' is suitable within this residential development, I am most concerned with the resulting noise pollution. Mr Chadwick's application for a live music licence seven days a week up [until midnight](#), outside as well as in, is totally unreasonable and I suggest that the following would be fairer:

- Acoustic (unplugged) music only with performances to [finish at 11pm](#) on all days.
- Live or piped music should not be permitted outside. This is a public thoroughfare and it would be detrimental to the residents of the ten apartments within the complex as well as all within the locale.
- Alcohol consumption [until 11pm](#) each day and bar closing [at 11pm](#), with every effort being made to move people on from the establishment after closing (Hardys in Trinity Street, run by the same applicant, has had issues with this).
- Fully effective soundproofing to be installed by Mr Chadwick (as the agent of change) between the café's ceiling and the flat above - For reference, the leases of the flats state that no-one within the building should cause noise disruption to any part of the building between the hours of [11pm](#) and [8am](#). The National Planning Policy Framework (NPPF2) came into force on 24th July 2018 and states "**Where a new music venue is proposed near an existing residential building, then the 'agent of change' – the music venue – would need to ensure it included appropriate measures to reduce noise.**" I can understand why music venues object to complaints from people who choose to move next door but when a new residential development is placed next to a pub, the developer is the 'agent of change' and responsible for soundproofing the residential building. However, in this instance, the residential complex was there first - built in 2007.

I would also like to point out that Mr Chadwick will obviously need to supply a smoking area for the establishment – where will this be and how will the smoke and noise of people congregating outside be prevented from affecting the local residents?

I'm also concerned that this new live music venue will be similar to Mr Chadwick's other venue, Hardys on Trinity Street, which received a written warning for continued anti-social behaviour in September 2020 (Dorset Council Ref: 23866 Officer Jane Williams). A letter from Environmental Protection states "Mr Chadwick agreed to turn it down but explained he didn't like doing that as he is a music venue and that his business requires it to have music at a level people could enjoy." Hardys is a music venue, with no residential accommodation above but the Old Post Office is not and amplified music in a residential

complex would be wholly inappropriate, as well as being against the terms of the leases held by these properties.

I also note, following the above written warning, environmental health stated that “*Mr Chadwick keeps records of sound assessments undertaken both internally and externally throughout the course of an evening when live music is played*”. With this in mind, I cannot see how music levels can be monitored within the residential property above The Last Post as Mr Chadwick has no access? Further to this point, one of the conditions listed in the Hardys licence is that “*no noise shall emanate from the premises or vibration to be transmitted through the structure of the premises which gives rise to a nuisance.*”

PREVIOUS USE OF PREMISES

Durnovaria Wine Bar (2013 to 2015)

I note that the previous occupant (Jim Ross of Durnovaria Wine Bar) was granted a licence to serve alcohol only [until 11pm Monday](#) to Saturday and [10.30pm](#) on Sundays, with the service of cold foods only (i.e. no kitchen facilities). He also restricted music to acoustic only and was not permitted the use of alcohol outside. A second soundproof door was installed which presumably will remain in place (please confirm). Although Mr Ross proposed a wine bar suitable for the area with occasional acoustic music, he was still not permitted a licence past [11pm](#), even on New Year’s Eve. Based on this precedent, It would be difficult to understand how somebody who is proposing a ‘live music venue with amplified music’ would be given a licence past [11pm](#).

Starbucks (2007 till 2012)

In May 2009, Starbucks were refused permission for any seating in New Street as there would be no room for pedestrians to walk by. In September 2009, Starbucks were granted a permit for two tables and six chairs to be positioned outside the premises in South Street - exact wording being “***The use of the application site shall not be used for customers outside of the hours of [7.30am](#) and [6.00pm](#) Mondays to Saturdays and outside the hours of [9.30am to 4.00pm](#) on any other day. REASON: To define the permission and to safeguard the amenities of neighbouring occupiers from general disturbance from the use of the application site beyond these times having regard to Policy DA6 of the West Dorset District Local Plan.***” This plan is valid until at least 2031.

In conclusion, an appropriate café/wine bar with noise pollution and reasonable time restrictions would add value to the area - but a live music venue including amplified music, with the possible associated anti-social behaviour as seen in Hardys in Trinity Street, does not seem appropriate for either the residents of the already in-situ development or for the main high street & public thoroughfare of the county town.

Response from Applicant 3 June 2021

Thank you for the email

We respond as follows:-

we will be limiting the live music to duo and soloist only no bands so level of amplified sound will be at a much lower level than that of rock bands etc

As already agreed with a previous objection and have agreed with conditions no music will be played outside we see no problem with serving alcohol etc within the scope of the license we have applied for cannot see that there would be any difference to stop serving and closing at 11pm or 11.59pm

As to sound proofing well i see no need for it as we will have stopped live music before the 11pm deadline therefore falling within permitted guide lines

As to smoking area that will be out the front of the building where there is a council supplied smoking bin

There is no comparison between Hardy's and the last post and to imply such is drawing comparisons where there none the last post is a cafe/bar Hardys is a late-night Music venue and the complaint against hardy's as sufficiently dealt with

Durnovaria had a full license for sales and music until 11.59 each day as seen in the license WDPL0650 so i cannot see why the complainant says it was until only 11pm

We will be planning to apply for outdoor seating but again this has been covered in previous objections and conditions agreed to be placed on license

I hope this address all points any further information needed please get back to me

Many thanks

Glenn Chadwick

Further Email from Resident 9 June 2021

RE: The Last Post, Dorchester - Licence Application - Mr Glenn Chadwick
Without Prejudice

In answer to your email of Friday 4th June, my concerns have not yet been alleviated and I do not wish to have my representation withdrawn until the following one condition has been considered regarding the licence:

- I am aware that with the granting of the licence for the café/bar underneath my residential flat there can be no restrictions on amplified music between 8pm and 11pm. For this reason, it is imperative to address noise pollution (I note Environmental Health 'strongly recommend that a noise management plan be drawn up by a qualified and competent acoustic consultant'). My partner is a fully professional sound engineer spanning a 40 year music career that involves the building of recording studios and, with his considerable acoustic knowledge, he is mindful of the huge implications of amplified music on the residential property directly above the venue, currently without soundproofing. Mr Chadwick states that music will be solo/duos only but there can be no restrictions placed upon the licence preventing louder bands with drum kits.
- Durnovaria Wine Bar (which closed in 2015) cannot be used as a precedent for the issuing of a new licence. In August 2018, the UK Parliament passed an amendment to the National Planning & Policy Framework (NPPF), which included the 'Agent of Change' Principle. Under this principle, a live music venue opening next to a residential development would need to provide suitable mitigation before opening, in this instance in the form of soundproofing the boundary between the two properties. Please note, notices to respect residents and the closing of windows will not protect the property above from unacceptable levels of noise disturbance and vibration through the ceiling.
- I do not have a problem with a café/bar opening in the premises and I support live music venues but the residents of Crown Post Court should not incur unreasonable or unnecessary interference. Intrusive noise and vibration can be considered a statutory nuisance at any time, not just after 11pm. Surely it is in everyone's interests, especially the landlord's, to address this concern before a licence is issued. If decibel levels should reach an unacceptable level, incidents will be logged and reported in the interests of residential amenity.

Finally, as touched upon in my previous email, I would just like clarification around the issue of hot food and smells:

- When change of use was granted to A4 in 2013, the decision stated: *"The applicant intends to serve food, which is not materially different to the previous café use. If there is a future need for additional extraction equipment for the kitchen this would be subject to separate planning and listed buildings applications where the impact on the extraction relating to noise or smell would be given proper consideration in consultation with the Council's Environmental Health officers. Environmental health legislation provides additional controls over these aspects."* Does this still stand as the smell of cigarette smoke rising from the premises has recently been noticed in the flat above?

Thank you.

Appendix 4 - Conditions Consistent with Operating Schedule and/or agreed with Responsible Authority

Prevention of crime and disorder

A CCTV system shall be installed at the premises. The CCTV system shall be maintained in working condition and record the premises 24 hours every day. Recordings to be retained for a minimum of 28 days and be made available to the Police or officers of the Council upon request and be of evidential quality.

All cameras must be tamper-proof and all equipment shall have a constant and accurate time and date generation. There must be sufficient camera able to cope with operating illumination and located to cover all public areas within the premises.

At least one member of staff on duty during the operation hours will be fully trained in the use of CCTV. They must be able to download/copy any required recordings and any recordings made must be in a retrievable format and must be completed within twelve hours of a request being made by an authorised person.

The Premises Licence Holder shall ensure that an "Incident report register" is kept in a bound book, in which full details of all incidents are recorded. This shall be completed as soon as possible and, in any case, no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The register is to be kept on the premises at all times and shall be produced to an authorised officer of the Licensing Authority or the Police when required.

The Premises must have a written drugs policy which all staff at the premises shall receive regular training on and written records of such training will be maintained.

Any drugs found on the premises will be seized and will be recorded in a Police issued drugs index and stored in a Police approved lockable safe on the premises or handed to Police if an arrest is made.

Public safety

When the premises are used for any booked event (including live music events) the Designated Premises Supervisor will undertake a full written risk assessment on the need for the employment of SIA registered door staff.

Prevention of public nuisance

No regulated entertainment externally

No regulated entertainment after 2300 hours internally except for the non-standard timings listed for Christmas Eve and New Year's Eve.

No external speakers shall be fitted to convey amplified music.

External seating shall be removed by 2100 hours.

A clear notice shall be displayed at every exit from the premises to instruct customers to respect the needs of local residents and leave the premises and the area quietly.

The licence holder shall ensure that adequate measures are in place to remove litter or waste arising from their customers and to prevent such litter from accumulating in the immediate vicinity of their premises. In particular, where necessary the premises licence holder shall ensure that adequate measures are in place to provide customers with sufficient receptacles for the depositing of waste materials such as food wrappings, drinks containers, smoking related litter, etc.

Protection of children from harm

The Licensee will adopt a "Challenge 21" policy where all customers who appear to be under the age of 21 and attempt to purchase alcohol or other age-restricted products are asked for proof of their age.

The Licensee to prominently display notices advising customers of the "Challenge 21" policy. The following proofs of age are the only ones to be accepted:

- Proof of age cards bearing the "Pass" hologram symbol
- UK Photo Driving licence
- Passport

Staff Competence and Training:

The Licensee will keep a written record of all staff authorised to sell alcohol, the record to contain the full name, home address, date of birth and national insurance number of each person so authorised. The staff record to be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police.

The Licensee will ensure that each member of staff authorised to sell alcohol has received adequate training on the law with regard to age restricted products and that this has been properly documented and training records kept. The training record to be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police.

The Licensee will ensure that each member of staff authorised to sell alcohol is fully aware of his /her responsibilities in relation to verifying a customer's age and is able to effectively question purchasers and check evidence of proof of age.

The Licensee will ensure that each member of staff authorised to sell alcohol is sufficiently capable and confident to confront and challenge under - 18s attempting to purchase alcohol.

Refusals book:

The licence holder will keep a register of refused sales of all age- restricted products (Refusals Book).

The refusals book will contain details of time and date, description of the attempting purchaser, description of the age restricted products they attempted to purchase, reason why the sale was refused and the name/signature of the sales person refusing the sale.

The Refusals book will be examined on a regular basis by the Licensee and date and time of each examination to be endorsed in the book.

The Refusals Book will be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police.