



Ye Olde Two Brewers Inn

24 St James Street
Shaftesbury
Dorset
SP7 8HE

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Date: 18 Oct 2021

Evidence for the licencing Review from the Ye Olde Two Brewers

Chris Henson-Ball, Landlord of the Yeo Old Two Brewers.

1. Firstly, and importantly, we have not breached the four licencing objectives, Prevention of Crime and Disorder, Public Safety, The Prevention of Public Nuisance and Protection of Children from Harm. We have no warnings from police/environmental or any other public order. We have stayed compliant and have taken positive steps to be fair to the community in terms of monitoring and control (Our recorded DB readings are within guidelines). In fact, we have closed the garden early (10PM in most instances), cut of music early outside by 10PM (in most instances) and even cleared out the pub early thinking about the environment and our neighbours (this has had a financial impact on our business). All music events finish by 11 inside, in most cases by 10.30 We have clear signage about respect to our neighbours but sadly all these steps are not enough.
2. We believe this campaign started before we moved in, Mr Roland Merry (One complainant) heard an interview in August 2020 on this is Alfred before we moved in as he was concerned about the potential music and drag acts. Enterprise ask me to phone in as he had concerns and hoped my engagement would help. During that chat we discussed our plans and reassured him we would not be a music venue every night as one we didn't want to, but we would be doing music approx. every two weeks but would always be considerate. The dissatisfaction was evident and kept saying we will see, we will see. I took this as a threat and ask

him why he was saying that, and he said there are some, some who believe we should not play music and some who didn't even want the pub. I even said it sounds as if you have a campaign already and he said we will see. The intolerance started before we moved in.

3. I would also like to point out that I firmly believe the lockdown and quietness has given some in St James a taste of quietness, country life and solitude they love, now the community has been subjected to life again and Patrick's Riley undercover targeted letter box campaign has raised hope and opportunity for those who do not want the pub to survive. I also fear that a very small amount of people have been fed incorrect information on John and I (same sex) therefore on a negative note we have been threatened, told we want you gone, described as awful people, fragmenting the community and blamed for mental health issues leaving us stressed and low.
4. The local council had a meeting (as a trustee) and two councillors who have a conflict of interest (one a chair) voted against other councillors who said they had no evidence or breaches that warranted their input so advised no statement. However, the councillors who didn't want the music said they cannot leave it liked this and eventually overruled. This can be verified through recordings. The main point their proposals would stifle this pub and make it unviable. The claims of all weekends and extended lengths of music is rubbish. Two days later we had trading standards walk in, then planning about a bar that has been there a long time. We are getting paranoid by the coincidence.
5. We are the first at the Brewers to positively engage with PUB watch being responsible and responding to any issues if they arise. We have a good rapport with the local police and have assisted with the covid campaign. We have taken bold steps banning people from the Brewers who we feel are a problem to us or the local community. We have personally excluded several people from the pub to ensure we deliver a community spirited, diverse pub accepting people from all walks of life providing our high standard is maintained.
6. We have refurbished, furnished the pub at considerable expense and been positively appraised on the improvements we have made both inside and out. We even updated the skittle alley and now have a team in the local league. The room has also been used for a wedding venue and this weekend for a baby shower.




7. The Brewers is a difficult pub to keep financially viable and you must keep enticing people down the hill. Quiz nights, music, events, bowling etc, if constraints are placed upon us, the impact could be costly, we will most likely have to leave, with the potential of permanent closure, the loss of jobs, the loss of a welcoming community spirited pub. For the record we have only just cleared the covid overdraft and have very little money in the black.
8. You'll note that the list of music attached has timings against them and will immediately dismiss claims of all-day music every weekend, with exception of the Shaftesbury Fringe. Additionally, you'll notice that claims of people's afternoons being loud is in the main are local folk music which is a community gathering and certainly cannot be heard as claimed. We believe this is an intolerance to music / events as there is no evidence and recordings stated are very low.

In summary we find ourselves subject to a review when we have done nothing wrong, no breaches, and kept compliant

Regards

Chris Henson-ball

Day	Date	Band	Style	Location	Start	Finish
Sat	12-Sep-20	Mustang Sally	Country / Jazz	Outside	5.30pm	9.30pm
Sat	03-Oct-20	Georgie Girl & Sam on the Fiddle	Country	Inside	6.30pm	9pm
Sat	24-Oct-20	Georgie Girl Duo	Country	Inside	6.30pm	9pm
Sat	31-Oct-20	No Fixed Abode	Irish	Inside	6pm	9pm
Wed	04-Nov-20	Jason Chant	Solo Rock	Inside	7.30pm	10pm
Bank Holiday	28-May-21	Jason Chant	Solo Rock	Outside	7.30pm	10pm
	29-May-21	Mustang Sally	Country / Jazz	Outside	7.30pm	10pm
	30-May-21	No Fixed Abode	Irish	Outside	2pm	5pm
Sun	13-Jun-21	No Fixed Abode	Irish	Outside	4pm	7pm
Sat	19-Jun-21	Loose Connections	Veriority	Outside	7.30pm	10pm
Sun - Farthers Day	20-Jun-21	JP Christian	Pop / Jazz	Outside	3pm	6pm
Sun	27-Jun-21	Folk Music	Folk Music - Gathering of music	Outside	3pm	6pm
Sun	04-Jul-21	Folk Music	Folk Music - Gathering of music	Outside	3pm	6pm
Fri	09-Jul-21	Jason Chant - Private Party	Solo Rock	Outside	6.30pm	9.30pm
Sat	10-Jul-21	Kris Steele	60's, 70's, 80's Pop Artist	Outside	7.30pm	10pm
Fri	16-Jul-21	Billy Boy	R&B	Outside	7.30pm	10pm
Sat	31-Jul-21	Mustang Sally	Country / Jazz	Outside	7.30pm	10pm
Sun	01-Aug-21	Folk Music	Folk Music - Gathering of musicians, No Amps Very low			
Sat	14-Aug-21	Nick Coleman - Private Party	Pop	Outside	4.30pm	7.30pm
Fringe	27-Aug-21	Plastic Jeezus	Up-tempo wryness	Outside	7pm	8pm
	27-Aug-21	Jason Chant	Solo Rock	Outside	8.30pm	10.30pm
	28-Aug-21	Connor	Solo Pop	Outside	3pm	4.30pm
	28-Aug-21	Darwins	Jazz	Outside	5.30pm	6.30pm
	28-Aug-21	Mustang Sally	Country / Jazz	Outside	7.30pm	10.30pm
	29-Aug-21	Dream Weaver	60's & 70's	Outside	12pm	1.30pm
	29-Aug-21	Nick Coleman	Solo pop	Outside	1.45pm	3pm
	29-Aug-21	Carey Andrews	Solo Country	Outside	3.30pm	4.30pm
	29-Aug-21	Band Camp	Country	Outside	5pm	6pm
	29-Aug-21	No Fixed Abode	Irish	Outside	6.15pm	7.15pm
	29-Aug-21	Loose Connections	Veriority	Outside	7.30pm	10.30pm
	30-Aug-21	No Fixed Abode	Irish	Outside	4pm	5pm
	30-Aug-21	Unfringed	Country	Outside	5.30pm	7.30pm
Sat	04-Sep-21	Big Brass Ska Band	Ska - 10 Piece Brass Band	Outside	7.30pm	10pm
Sun	05-Sep-21	Folk Music	Folk Music - Gathering of music	Outside	3pm	6pm
Sat	18-Sep-21	Drag Nigh	Drag	Outside	6pm	11pm

-  Fringe
-  Bank Holiday
-  Private Party

1 Full Year
18 Outside events
3 Inside
This excludes the Fringe
NB: The average duration of an event is 2.5hrs including breaks

GOSSCHALKS

BY EMAIL ONLY

The Licensing Authority
Dorset Council
County Hall Colliton Park
Dorchester
Dorset DT1 1XJ

Please ask for: Richard Taylor
Direct Tel: 01482 590216
Email: rjt@gosschalks.co.uk
Our ref: RJT / MJM / 098454.27467
#GS4149102
Your ref:
Date: 14 October 2021

Dear Sirs,

**Re: Licensing Act 2003 – Review Proceedings
The Two Brewers, St James’ Street, Shaftesbury SP7 8HE**

We act on behalf of Ei Group Ltd. Our client is the freeholder owner of the premises and we have received a copy of the application for review of the premises licence lodged by Patrick Riley.

We would be grateful if you would accept this letter as a formal representation to the review on behalf of our client.

Our client operates the lease/tenanted estate of the Stonegate Pub Company. Our client owns around 4000 public houses in England and Wales. The vast majority of these premises are the subject of lease/tenancy agreements by which the tenant operates his/her/its own business out of our client’s premises. The lease/tenancy agreement makes it clear that all operational responsibility for the premises lies with the tenant. The Two Brewers is the subject of a 5 year tenancy agreement in favour of The Candy Cafe Ltd for whom Christopher Henson-Ball holds the premises licence and is designated premises supervisor.

We note that the application for review has been submitted by a local resident rather than a responsible authority. At the time of writing, we are unaware as to whether or not this application for review is support by the Environmental Health Officer who, according to the Section 182 Guidance, is to be regarded as an expert in the field of noise and nuisance. If this application for review is not support by the Environmental Health Officer, the Committee will, no doubt, take that significant fact into account.

Section 182 Guidance (April 2018) is clear at paragraph 9.43 that when determining applications and the appropriate action to take, *“the Authority’s determination should be evidence based, justified as being appropriate for the promotion of the licensing objectives and proportionate as to what it is intended to achieve.”* In the event that the Licensing Authority finds that there is prima facie evidence of noise and nuisance emanating from these premises then we respectfully submit that a proportionate response to promote the licensing objectives would be to impose conditions relating to where music may be provided and the times between which that music may be

provided. If necessary, a s177A direction may also be made in relation to the provision of entertainment that would otherwise be unregulated.

We would be grateful if you could acknowledge receipt of this representation and advise as to the date of the hearing as our client may seek to expand upon the issues raised within this letter of representation at the hearing.

We look forward to hearing from you.

Yours faithfully,



GOSSCHALKS LLP