

## Licensing

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**Subject:** FW: Objection to application for Premises Licence, Pageant Gardens Sherborne

**From:** [REDACTED]

**Sent:** 16 March 2023 17:18

**To:** Licensing [REDACTED]

**Subject:** Re: Objection to Sherborne Town Council licensing application for Pageant Gardens

March 16<sup>th</sup>, 2023

Dear Kathryn

Thank you for your message of March 14<sup>th</sup>.

**I definitely wish to confirm my objection to this Licence application.**

**This application is for a Premises Licence, as governed by The Licensing Act 2003. "In UK Law, the term 'premises' refers to any office or meeting rooms, access to and within a building, reception and any other facilities and the immediate surroundings used by the organisation in the course of business."**

**Pageant Gardens has no buildings except a very small gardeners store and cannot come under this definition.**

1. One of my neighbours was only a few days ago assured in writing by Councillor Robin Legg that the number of events would not exceed previous occasions, viz: "This includes events like the Platinum Jubilee, the Pack Monday Fair weekend, performances by the Town Band and the monthly Sunday Market." Your message now includes an event in June with 1,000 people and words like 'mainly' and 'these events' etc which is exactly what myself and other residents fear is affording 'carte blanche' for Sherborne Town Council to arrange any number of events and as often as they see fit.

In any event, my understanding is that events exceeding 499 people would not be Licencable in this way?

2. The various statements in your message seem to be conflicting?

*The proposed licence will **focus on both Town Council led or locally supported events mainly taking place during the daytime to include the monthly markets and performances by Sherborne Town Band etc.***

But later:

*shall only apply to events both **authorised and managed by the Town Council***

These two statements seem to give sufficient latitude for the applicant to 'authorise' any and every event they desire.

3. If you grant this application, you seem to be circumventing the whole purpose of having a 'Premises Licencing scheme' and are handing the decision-making process to the applicant themselves, making it a self-policing permission. It is inevitable that the applicant will decide in their own favour when considering whether to run an event, be it a Garden Fete or (as with the new Pack Monday events), a succession of Rock Concerts.

4. Pageant Gardens is exactly what it says in the name. GARDENS. It would be a travesty to turn this into LICENCED PREMISES. It has been a peaceful garden with a single bandstand and a small pond for all of living memory and only suddenly become a venue for noisy concerts and the sale of alcohol in the last couple of years.

Even then, when has it been appropriate to sell alcohol whilst The Town Band is playing in the Gardens or celebrating a National event or holding a monthly market?

Presumably the new requirement to sell alcohol is purely one of making money?

I would again highlight my question as to whether children under the age of 16 would then be legally allowed to enter the Gardens unaccompanied in accordance with The Licencing Act 2003, for example section 145? Any Licence should relate to a specific structure eg: The Beer Tent and all relevant legislation complied with and for a specific event. This proposed Licence would require Marshalls on the entire perimeter of The Gardens for every event, not just when the applicant thinks it appropriate, checking age appropriateness of every person entering, turning unaccompanied children under 16 away, which would include events like The Town Band, the monthly market, The Pride event and National Celebrations.

It will also allow consumption of intoxicating liquor and revelry to be permitted over the entire Gardens, whether near residences or not.

I also believe that by selling intoxicating liquor in the gardens as Licenced Premises, The Town Council would be required to ensure that only alcohol purchased 'on the premises' were consumed and therefore need to arrange a stewarding mechanism to check all persons entering 'the premises'? It is difficult to understand how compliance with The Licencing Act has been thought-through? For another example, at the end of the proposed Licencing time, 23.00, people would legally be allowed to continue drinking alcohol, whether purchased 'on the premises' or not, through the night, at which point The Licencee would have no control nor responsibility. There may be other conditions of the Act which would become imoperable.

5. Councillor Legg's message continues; writing in reference to existing problems of antisocial behaviour and a recent assault incident in the gardens, to observe that Pageant Gardens does not have a secure perimeter and "those who are determined to gain access do so and with little Police presence in the town in the late evening I'm not optimistic that much can be done about it."

By granting a year-around Premises Licence for an entire set of public gardens, it would seem highly likely that you would be encouraging and facilitating the precise conditions to which the Licencing Act is designed to prevent, namely: The prevention of crime and disorder, public safety, the prevention of public nuisance and, most particularly, the protection of children from harm.

A much more appropriate existing Town Council location for this type of 'Premises Licence' to be operated is The Paddock Garden, adjacent to The Sherborne Town Council Offices, which is a totally defined area with a high wall and easily controlled entrance and is bordered by a road, a large supermarket car park and other gardens.

I am not aware how many other residents have raised written objections but I can assure you that quite a number have taken the opportunity to thank me for raising these concerns.

Kind regards

[Redacted signature block]

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**From:** Licensing [REDACTED]

**Sent:** 13 March 2023 15:33

**To:** [REDACTED]

**Subject:** RE: Objection to Sherborne Town Council licensing application for Pageant Gardens - Addendum

Dear [REDACTED] thank you for your e-mail regarding the application for a new premises licence for Pageant Gardens in Sherborne. I have forwarded your comments to the Town Clerk and he has asked for the following to be forwarded on to you:

*Just to confirm Town Council led or managed evening events in Pageant Gardens are usually limited to celebration or special events.*

*For example, during 2022, I believe only the Platinum Jubilee Celebrations in June and PACK Monday weekend in October took place during the evening in Pageant Gardens over two weekends.*

*The proposed licence will focus on both Town Council led or locally supported events mainly taking place during the daytime to include the monthly markets and performances by Sherborne Town Band etc. Arrangements are currently being made over a course of a weekend both daytime and evening in early May to coincide with the Kings Coronation celebrations. A PRIDE event is yet to be confirmed for a Saturday daytime and evening during June 2023. These events could potentially attract up to 1,000 people which are in line with our public liability insurance for the site itself.*

*As you are aware, I am happy for alcohol element of the licence application to revert to 10pm.*

The Town Council have agreed to have the following conditions, requested by the Police, to be added to the licence if it were to be granted:

1. The sale of alcohol under the licence shall only apply to events both authorised and managed by the Town Council
2. A written risk assessment will be carried out for events where the need for SIA door staff/stewards is considered and their need to employ any surveillance equipment such as BWV cameras
3. At all events, a Challenge 25 policy will be enforced

I would be grateful if the points above have, or have not, alleviated your concerns and if you are now satisfied with the application. Due to the time constraints surrounding an application I would be grateful if you could please let me know by 17 March 2023 whether or not you wish to have your representation withdrawn.

If, however, you wish to continue with your representation, a Licensing Sub Committee hearing has been arranged for 29 March at 11.30am, a formal invitation will be sent out to you in due course.

I would also like to inform you that any premises that holds a licence under the Licensing Act 2003, can be subject to a review at any time if an establishment fails to satisfy one or all of the four licensing objectives. (The prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm). A review would be heard at a Licensing Sub Committee where conditions or restrictions may be added to the licence to resolve outstanding issues.

**Many thanks**

**Kathryn Miller**  
**Senior Licensing Officer**



**From:** [REDACTED]  
**Sent:** 02 March 2023 12:28  
**To:** Licensing [REDACTED]  
**Subject:** Objection to Sherborne Town Council licensing application for Pageant Gardens - Addendum

Addendum

In addition to my objection a short while ago, I would query whether it is actually possible to 'License' an entire public gardens' all day, all year around as, surely, this would prohibit children from entering the gardens, except in accordance with Licensed premises Laws? There may be other conflicts, like people only being allowed to consume alcohol purchased on the premises etc?

Kind regards

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**From:** [REDACTED]  
**Sent:** 02 March 2023 11:43  
**To:** Licensing [REDACTED]  
**Subject:** Objection to application for Premises Licence, Pageant Gardens Sherborne

I would like to object to the application for a Premises Licence by Sherborne Town Council, for Pageant Gardens, Sherborne.

Pageant Gardens has a residential properties on about 50% of it's surround, which are directly affected by events in the gardens, often continuing into the late evening. In recent years, there has been an increase in using Pageant Gardens for events involving music and sales of alcohol, which previously were held away from all residential properties, in the Purley Field, on the other side of the railway line.

I object to you issuing a 'blanket' licence for Pageant Gardens and ask that you continue to operate by issuing separate licences for individual events which will ensure much greater input from the local community as regards the conduct of events.

The licence application requests permission to sell / provide alcohol between the hours of 10.00 and 23.00, all week for which I can see no justification. I ask that you only allow this permission for specific events at reasonable times and not permit Pageant Gardens to operate as an all day, open-air drinking venue.

The licence application requests permission to permit regulated entertainment all day until 23.00 and also to sell / provide alcohol until 23.00. I object to this and ask that you only allow the sale / provision of alcohol, until 22.00, being one hour before the end of the entertainment, otherwise it is inevitable that 'drinking-up time' will continue until midnight.

Please can you confirm receipt of my message.

[REDACTED]