

Licensing

From: [REDACTED]
Sent: 05 September 2023 17:44
To: LicensingTeamB
Subject: The Sherborne REPS TO APPLICATION Response to Mrs Oswald
Attachments: The Sherborne FINAL OS.docx

Categories: Roy

Roy

See below and email to be sent to [REDACTED]

If you would like to copy me in please do.

Dear [REDACTED]

By way of introduction I am instructed by Sherborne House Enterprises Limited (SHELtd) in connection with the above. I have been sent a copy of your representation and I thought it might be helpful if I were to set out the background to the application

Firstly can I apologise that you were not consulted in advance for the application. My clients have made every effort to engage with the local community and they will make every effort to continue to widen this net as the premises moves towards, and beyond, opening. I can confirm that on behalf of our client we did engage with the responsible authorities in advance of submitting the application

Background

As you will know, Sherborne House is a Grade I Listed Building with separately listed Grade II coach house, and separately listed Grade II garden walls. The property is on the Historic England Buildings at Risk Register

Sherborne House has been largely vacant since the closure of the Lord Digby's School for Girls in 1992. Despite numerous proposals put forward by both developers and local charities, the building remains on the Heritage at Risk register, without a use for 28 years.

Since Autumn 2018, the property is owned by the Sherborne House Trust 2018, a charity registered in 2018, number 1179440.

The objectives of the charity are:

- Promoting and advancing the education of the public in, the arts, in particular, but not exclusively, by:
 - Promoting and providing facilities for participation in the arts, and
 - Fostering and promoting the improvement and development of artistic knowledge, understanding and appreciation of the arts; and
- Restoring, preserving and maintaining, for the public benefit, Sherborne House, Sherborne, Dorset, including the Thornhill Mural, situated within Sherborne House.

The premises will be open to members of the public during the course of the day and will also be available for private hire/bookings for events and functions

Sherborne House Trust 2018 have been working with Dorset Visual Arts, who propose to take occupancy of office space for their headquarters. Dorset Visual Arts are excited by the opportunity to develop a high quality and wide ranging art, design, making and moving image programme at Sherborne House. Dorset Visual Arts look forward to being involved in the plans to restore and expand the potential of this special building and its grounds architecturally, culturally and sustainably for the benefit of the town, county and region

Sherborne House will be a regional landmark building and tourist destination to contribute significantly to the economy of the town and an inspirational venue for functions, events and Dorset based artists and makers, it will support the local and wider community for the benefit of all.

The Application

I attach a copy of the proposed operating schedule.

The intention is that the premises will provide licensable activities from 1000 to no later than 2300, save for events when there are private or pre booked events (wedding celebrations, charity fundraisers for example) when the terminal hour will be no later than 0100. These private events will of course not be held every day of the week, but the application has included this to provide the premises with some flexibility

The application is supported by a significant extensive list of conditions – attached – which are centred around an operating management plan. This will be a living document that will be updated and amended as circumstances dictate, to address any concerns that may be raised by the local residents and responsible authorities, as appropriate.

You will see from the attached that the OMP includes plans to address:

- Fire Risk Assessment,
- Security Management Plan
- Capacity control
- Special effects
- Alcohol Management Plan
- Medical Management Plan
- Noise Management Plan
- Access, egress and dispersal Plan
- Child Welfare Policy

In so far as the noise management plan is concerned, at the request of the Environmental Health Officer for the Council this will include monitoring of noise levels at the nearest residential premises and noise levels adjusted accordingly

The licence also includes the following conditions in so far as public nuisance is concerned:

22. There shall be no regulated entertainment provided in any outdoor areas after 2300
23. Where any external area is to be used exclusively by the premises and indicated on the plan as such, such area will be properly managed to ensure that as far as practicable customers behave in such a way as to promote the licensing objectives
24. Where any external area, as shown on the plan, forms part of a communal seating area, provision will be made for the proper management of customers to ensure that as far as practicable customers behave in such a way as to promote the licensing objectives.
25. A dispersal policy will be drawn up and implemented to ensure that as far as practicable customers leaving the premises at the end of each night's trading session do so quickly and quietly

The responsible authorities

A full process of consultation has been carried out with the responsible authorities (which includes the Council as a responsible authority, the Police, the EHO, Fire Safety)

Save for the small amend set out above requested by the EHO none of the responsible authorities has sought to add or amend the conditions or the hours proposed.

Furthermore, it is only fair to point out that none of the responsible authorities has made a representation to the application.

On-going consultation

It is important to my clients that, when the premises open, they make a positive contribution to the local economy and community.

This will include on-going consultation and communication with the local residents and they are happy to add a condition to the licence that

- A contact number for the duty manager of the site shall be made available to those local residents who request it

Next steps

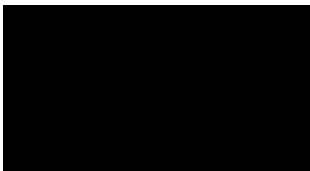
My clients are sensitive to the concerns and interests of the local community but they remain confident that they can operate the premises in the way described above in a manner which is consistent with the objectives under the Licensing Act 2003

My client now has your contact details and if you consent, then they will add your name to the list of people within the local community who will be consulted on an on-going basis.

If, on the basis of what is set out above, you feel in a position to withdraw your representation then can I ask that you drop me an email to this effect copying in the licensing authority on licensingteamb@dorsetcouncil.gov.uk

I look forward to hearing from you.

With best wishes



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www.tlt.com

Updated guidance on the COVID relaxation allowing all premises licence holders to carry out off sales can be found [here](#)

The permission will lapse on 31 March 2025, unless the temporary period is extended by regulations made by the Secretary of State or is otherwise suspended, removed or varied.

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Sherborne House

Newland

Sherborne

DT9 3JG

OPERATING SCHEDULE

Opening hours

- On each day of the week 07.00 to 0130

Hours for the provision of licensable activities

- **Sale of Alcohol (on and off sales)**

On each day of the week 1000 to 0100

- **Regulated Entertainment (indoors and outdoors)**

On each day of the week – 1000 to 0100

There shall be no regulated entertainment provided outdoors after 2300

- **Late Night Refreshment (indoors only)**

On each day of the week – 2300 to 0100

- **New Year's Eve**

Opening hours and the provision for all licensable activities - from the commencement of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day

Schedule of proposed conditions

GENERAL – ALL FOUR LICENSING OBJECTIVES

1. Any detail shown on the plan that is not required by the licensing plans regulations is indicative only and subject to change at any time
2. Locations of fire safety equipment and other safety equipment subject to change in accordance with the requirements of the Responsible Authorities or following a risk assessment.
3. A 30-minute drinking up time on top of the last permitted sale of alcohol to allow customers to use the toilet facilities and disperse from the premises.
4. Save for pre- arranged events and private functions, the sale of alcohol and the provision of licensable activities will cease at 2300
5. An Operational Management Plan (OMP) will be maintained and shared with the Licensing Authority, Police and other responsible authorities as requested
6. The OMP will include details on subjects such as, (but not limited to)
 - Site plan
 - Layout plans
 - Risk Assessments
 - Fire Risk Assessment,
 - Security Management Plan
 - Capacity control
 - Special effects
 - Alcohol Management Plan
 - Medical Management Plan
 - Noise Management Plan
 - Access, egress and dispersal Plan
 - Child Welfare Policy
7. The OMP (and appendices) will be 'living' documents which will be reviewed and revised as necessary
8. The OMP will be shared with the Licensing Authority, and responsible authorities on request

9. The Premises Licence Holder must comply with the OMP
10. The position of points of sale for alcohol/external bars in the external areas of the premises shall not impede access or egress to and from the premises
11. Service and sales from any external bars/points of sale shall cease no later than 2300
12. Any external bar/point of sale will be supervised at all times when in use
13. Any external bar/point of sale will be inaccessible to customers when not in use

THE PREVENTION OF CRIME AND DISORDER

14. CCTV shall be in use at the premises.
 - (i) Where a CCTV system is to be installed, extended or replaced, it shall be to an appropriate standard as agreed with the Licensing Authority in consultation with the Police. Where a CCTV system is to be installed it shall be fully operational before the licence is used to authorise licensable activities.
 - (ii) The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place and for a period of two hours afterwards.
 - (iii) The premises licence holder shall ensure images from the CCTV are retained for a period of 31 days. This image retention period may be reviewed as appropriate by the Licensing Authority
 - (iv) The correct time and date will be generated onto both the recording and the real time image screen.
 - (v) If the CCTV equipment (including any mobile units in use at the premises) breaks down the Premises Licence Holder shall ensure the designated premises supervisor, or in his/her absence other responsible person, verbally informs the Licensing Authority and the Police as soon as is reasonably practicable. This information shall be contemporaneously recorded in the incident report register and shall include the time, date and means this was done and to whom the information was reported. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. The Licensing Authority and the Police shall be informed when faults are rectified.

- (vi) The premises Licence holder shall ensure that there are trained members of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the justified request of an authorised officer of the Licensing Authority or a constable.
 - (vii) There shall be clear signage indicating that CCTV equipment is in use and recording at the premises.
- 15.** The provision of door supervisors on the premises shall be risk assessed. A copy of the risk assessment shall be kept on the premises and made available for inspection by the Police and authorised officers of other responsible authorities on request.
- 16.** The risk assessment shall be reviewed and updated at least once every 12 months.
- 17.** Where door supervisors are employed on the premises the following conditions will apply:
- (a) The licensed door supervisors shall be employed solely for vetting, regulating, controlling and supervising patrons whilst entering and whilst on the premises and to ensure the maintenance of good order, public safety and internal security.
 - (b) A register shall be kept at the premises to record the details of the door supervisors, the number of persons on the premises and any incidents. The register shall be produced to authorised officers of the Council and Thames Police upon request.
 - (c) The register shall contain the following details:
 - a. Full SIA registration number.
 - b. Date and time that the Door Supervisor commenced duty, countersigned by the Designated Premises Supervisor or Duty Manager.
 - c. Date and time that the Door Supervisor finished work, countersigned by the Designated Premises Supervisor or Duty Manager.
 - d. Any occurrence or incident of interest involving crime and disorder, or public safety must be recorded giving names of the Door Supervisor involved.
 - e. Training records
 - f. ID Photo and scan of SIA badge

- g. A record will be kept on site of all SIA checks, on the validity of all door staff licences.
- h. The name, home address and registration number of all door supervisors working at the premises.
- i. The door supervisor register must be kept at the premises and be available for inspection by the Police or an authorised officer from the Council and shall be retained for a period of 1 Year.

PUBLIC SAFETY

- 18.** The premises licence holder shall require the DPS, or in his/her absence other responsible person, to keep an 'incident/refusals logbook in a bound book in which full details of all incidents are recorded.
- 19.** This shall include details of any refused sales and shall give details of the persons involved, incident description, time and date, actions taken and final outcome of the situation. 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.
- 20.** The Incident Book is to be kept on the premises at all times and shall be produced to an authorised officer of the Licensing Authority or a constable when required.
- 21.** The premises licence holder, or the person appointed by the premises licence holder to be in charge of the premises when licensable activities are taking place, shall provide or have the unhampered use of a telephone on the licensed premises for use in an emergency.

THE PREVENTION OF PUBLIC NUISANCE

- 22.** There shall be no regulated entertainment provided in any outdoor areas after 2300
- 23.** Where any external area is to be used exclusively by the premises and indicated on the plan as such, such area will be properly managed to ensure that as far as practicable customers behave in such a way as to promote the licensing objectives
- 24.** Where any external area, as shown on the plan, forms part of a communal seating area, provision will be made for the proper management of customers to ensure that as far as practicable customers behave in such a way as to promote the licensing objectives.

- 25.** A dispersal policy will be drawn up and implemented to ensure that as far as practicable customers leaving the premises at the end of each night's trading session do so quickly and quietly.

THE PROTECTION OF CHILDREN FROM HARM

- 26.** All staff to be trained in the prevention of underage sales to a level commensurate with their duties. All such training to be updated as necessary, for instance when legislation changes.
- 27.** The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the Licensing Authority or a constable.
- 28.** All training shall be refreshed at least every 12 months
- 29.** At all times that the premises is operating under this licence, the Premises Licence Holder shall ensure that its staff operate a Challenge 25 Policy (to minimise the risk of alcohol being sold to underage customers). This Policy shall provide that before any sale of alcohol any person who appears to be under the age of 25 will be required to produce photo ID.
- 30.** Valid identification is limited to:
- a) Passport
 - b) Photo Driving Licence
 - c) PASS Accredited Holographic Proof of Age Card
 - d) National including EU Identity Card