

BEFORE DORSET COUNCIL

IN THE MATTER OF A REVIEW OF THE PREMISES LICENCE AT:

ROYAL OAK 52-54 DORCHESTER RD WEYMOUTH DT4 7JZ ('The Premises')

PROPOSED CONDITIONS

RECITAL

FOLLOWING discussions between the premises licence holder and Dorset Environmental Protection the following amendments to the current premises licence (No. WPPL0016) ('The Licence') are put forward by the premises licence holder as a proportionate and appropriate response to the review application:

1. AMENDMENT TO THE LIVE MUSIC AND RECORDED MUSIC EXEMPTION (FOR REGULATED ENTERTAINMENT OUTSIDE ONLY) S.177A LICENSING ACT 2003

THE S.177A Licensing Act 2003 live and recorded music exemptions shall be removed in relation to external music only

2. MODIFICATION OF THE FOLLOWING CONDITION ON THE PREMISES LICENCE

APPENDIX 2, Condition 13 to be modified to read (amends **in bold** for ease of reference):

13. Where amplified music (either recorded or live) is being played **inside the premises** a tamper-proof sound limiting device must be installed at the premises to the level set in agreement with the Council. All amplified music (either recorded or live) played **inside** the premises must be subject to the control of the sound limiting device.

3. CONDITIONS TO BE ADDED TO THE PREMISES LICENCE

THE following conditions are to be added to The Premises Licence in relation to the provision of live and recorded music outside only as follows:

- a. No recorded music outside, with the exception of background music, which can only be played one hour prior to, in between, and one hour post any external live music sessions.
- b. No regulated entertainment outside will be permitted between 1st October and 1st May, with the exception of the Easter Bank Holiday weekend.
- c. For Live Music Outside
 - Live music outside on Friday, Saturday and Sunday only. Friday and Saturday sessions to be provided occasionally as defined below.
 - Sessions will be limited on Sunday to 1 session of up to 2.5 hours, ending no later than 18:00, except on Sunday preceding a Bank Holiday Monday, where 2 sessions of up to 2.5 hours will be permitted ending no later than 21:00 hours.
 - Friday sessions limited to 1 session of up to 2.5 hours to end no later than 21:00 hours and a maximum of 1 per calendar month
 - Saturday sessions limited to 1 session of up to 2.5 hours to end no later than 17:00 hours and a maximum of 1 per calendar month.
 - No Friday and Saturday sessions to be held on consecutive days.
 - All events will be clearly advertised on social media and notified to residents by email 14 days in advance for any resident wishing to receive notification and providing an email address for contact.
- d. An external music management plan ('the Plan') will be drawn up and implemented at the premises. The Plan will set out the following
 - Checks to be completed prior to musicians playing (including musician having agreed to reduce volumes if required by DPS/ manager)
 - Positions for monitoring music levels during sound check or if no sound check during first 20 minutes of performance
 - Method for checking likelihood of levels being considered a public nuisance
 - Method for recording check
 - Requirements for dealing with complaints

The Plan will be updated periodically and in line with changes in best practice. The Plan will be made available to officers from the Council Environmental Health team to inspect

- e. At the start of any external music event, sound checks will be carried out at locations in the vicinity of the premises as set out in the External music management plan. The person undertaking the checks will ensure that the levels are such that in their opinion they are unlikely to be considered a public nuisance. If required, the levels shall be reduced and re-checked to

ensure that they comply with this condition. Such plan to be agreed with the Environmental Protection Service.

- f. A complaints log will be maintained at the premises and any complaints received will be recorded therein. As a minimum the log will record: date and time of complaint, name of complainant (if known), description of complaint and any remedial action taken. The complaints log will be made available to officers from the Council Environmental Health team to inspect.

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FOR & ON BEHALF OF THE PREMISES LICENCE HOLDER