



## **Notification of Determination**

### **Application for Variation to a Premises Licence**

**7 and 8 September 2021**

**Applicant(s):** Parnham Estates Limited

**Premises:** Parnham House, Beaminster Dorset DT8 3LZ

**Sub-Committee members:** Cllrs E Parker (Chair), K Wheller and L Fry.

#### **Decision**

To GRANT a Premises Licence for the area within the dashed blue line on the revised application plan dated 19/04/21 titled 'Parnham House Masterplan 101\_A\_MP\_1.1250 Rev A' submitted to the hearing on 8 September 2021 and attached to this Notification of Determination, with the mandatory conditions and the conditions consistent with the Operating Schedule as amended by the Sub-Committee as set out below, to permit the following:

#### **On and off sales of alcohol**

Every Day 24 hours

#### **Films, Live Music, Recorded Music, dance and any similar entertainment (indoors)**

('Indoors' does not include a marquee or other structure where doors and windows cannot be closed to prevent noise escape)

Thursday to Saturday 08:00 to 02:00

Sunday to Wednesday 08:00 to 00:00

#### **Films, Live Music, Recorded Music, dance and any similar entertainment (outdoors)**

Every Day 08:00 to 23:00

10 days per year 08:00 to 01:00

#### **Plays, Boxing and Wrestling (indoors) and Indoor Sports**

Thursday to Saturday 10:00 to 01:00

Sunday to Wednesday 10:00 to 00:00

#### **Plays, Boxing and Wrestling (outdoors)**

Every Day 10:00 to 23:00

10 days per year 10:00 to 01:00

## **Late-Night Refreshment (indoors and outdoors)**

Every Day 23:00 to 05:00

### **Mandatory Conditions**

#### **ANNEX 1 - MANDATORY CONDITIONS**

##### **Supply of Alcohol (s19(2)&(3))**

1. No supply of alcohol may be made under the premises licence –
  - (a) at a time when there is no designated premises supervisor, or
  - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence has been suspendedEvery supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence

##### **Exhibition of Films (s20(2))**

2. Admission of children must be restricted in accordance with any recommendation by the British Board of Film Classification or the Licensing Authority.

##### **Drinks Promotions**

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  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
    - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the



- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—
    - (i) the holder of the premises licence,
    - (ii) the designated premises supervisor (if any) in respect of such a licence, or
    - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
  - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994(2).
9. Where the permitted price given by Paragraph (b) of paragraph 8 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub- paragraph shall be taken to be the price actually given by that sub- paragraph rounded up to the nearest penny.
10. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 8 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

### **Conditions consistent with the Operating Schedule as amended by the Sub-Committee**

1. A list of residents shall be kept at reception and available for inspection by an authorised officer of the Licensing Authority, Trading Standards or the Police.
2. The Premises Licence Holder 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 Premises Licence Holder 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 Authority, Trading Standards or the Police. The Premises Licence Holder 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 Premises Licence Holder 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.

3. The Premises Licence Holder will keep a register (Refusals Book) of refused sales of all age- restricted products. 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 salesperson refusing the sale. The Refusals Book will be examined on a regular basis by the Premises License Holder and the date and time of each examination will be endorsed in the Refusals 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.

4. The Premises Licence Holder shall ensure that an "Incident Report Register" is kept, 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 Incident Report 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.

5. The Premises Licence Holder will adopt a "Challenge 25" policy where all customers who appear to be under the age of 25 and attempt to purchase alcohol or other age-restricted products are asked for proof of their age. The Premises Licence Holder will prominently display notices advising customers of the "Challenge 25" 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

6. The premises shall support crime prevention initiatives and clearly display crime prevention notices or advice which supports current crime and disorder patterns as advised by the Police to the Premises Licence Holder and/or Designated Premises Supervisor/Duty Manager.

7. Clear notices shall be displayed at reception stating any admission restrictions to particular areas.

8. Warnings shall be displayed at reception about the supply of alcohol to minors and the relevant offences.

9. The premises shall have a written Children's Policy which will outline the times and areas of the premises children may use.

10. The Premises Licence Holder shall ensure that a clearly visible notice will be placed at reception advising those attending, that the Police will be informed if anyone is found in possession of controlled substances or weapons.

11. The premises shall not be used for striptease or entertainment of a like kind to dancing which involves nudity or the sexual stimulation of patrons. This Condition does not apply to any entertainment that is an integral part of a licensed performance of a play.

12. At all times when regulated entertainment is taking place, an easily identifiable, qualified first aid person, trained to a nationally recognised standard, must be on the premises to provide first aid. There must be an adequate and appropriate supply of first aid equipment and materials readily available at the premises. Notices detailing the availability of first aid shall be displayed at reception, and any relevant areas, and shall be protected from damage or deterioration.

13. The Designated Premises Supervisor or a nominated representative shall have full control at all times over any sound amplification equipment in the premises. The volume shall be adjusted according to the requirements of the Licensing Authority/Responsible Authorities.

14. All escape routes and exits including external exits shall be maintained unobstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified in accordance with the approved arrangements.

15. The Designated Premises Supervisor/Duty Manager shall ensure that, whenever disabled people are present, adequate arrangements are made to enable their safe evacuation in the event of an emergency and that they are made aware of these arrangements.

16. Notices detailing the actions to be taken in the event of fire or other emergencies, including how the Fire Service can be contacted, shall be prominently displayed, and shall be protected from damage or deterioration.

17. The use of special effects is not permitted without the written consent of the Licensing Authority. Special effects will include, but not be limited to, fireworks and lasers. The Licensing Authority shall be given at least 10 days' notice in writing of any proposal to use special effects. The notice shall include exact details of the proposal including the date and time when the special effects can be demonstrated.

18. Clear notices shall be displayed at reception requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.

19. When any licensable activity is specially presented for children an attendant shall be stationed in the area(s) occupied by the children in the vicinity of each exit provided that, on each level occupied by children, the minimum number of attendants on duty shall be one attendant per 50 children.

20. Externally all licensing activities except the sale of alcohol and late-night refreshments shall cease at 23.00hrs except for on 10 separate days per year when the activity may extend to 01.00hrs. The days on which activities are permitted to extend to 01.00hrs shall not occur on consecutive weekends and there shall be no more than two such days in any one calendar month. Such days shall be notified to the Licensing Authority at least 1 month in advance. One day shall equal a period of 24 hours.

21. Internal events within buildings shown on the master plan can be held from 08.00 to 02.00hrs providing doors and windows remain shut during the period of regulated

entertainment on Thursday to Saturday. On all other days the regulated entertainment activity shall cease at midnight.

22. A Personal Licence Holder, Premises Licence Holder, or the DPS is to be present at the premises at all times during licensing hours.

23. The Premises Licence Holder shall provide to residents, businesses and the Licensing Authority the name of a nominated person, a direct telephone number and email address for the receipt of complaints about licensed events, which complainants can use to lodge their complaint during or after events. The Premises Licence Holder shall keep a written record of all complaints including the time of complaint, cause of complaint and complainant information and action taken to address the complaint. The written record shall be made available for inspection by an authorised officer of the Licensing Authority, Trading Standards or the Police.

24. All outdoor events will be run in accordance with the Core Noise Management Strategy v1.1, dated 15<sup>th</sup> July 2021 or any subsequent Strategy document that has been submitted to the Local Authority and is accompanied by a written acceptance from the Environmental Protection Team that the revised document is sufficient and suitable for the prevention of public nuisance.

25. For all events with a capacity of more than 300 people, the Premises Licence Holder will submit the following documentation to the Licensing Authority for prior approval, no later than 6 weeks before the start of any event: -

- a) An Event Management Plan which shall be prepared by a competent person and shall include (but not be limited to) details of health & safety, management plans, risk assessments, venue and site design, contingency and emergency planning, medical, communications, location of stages and venues including temporary demountable structures, fire safety, electrical safety, barriers and fencing, crowd management, security, special effects, waste management, welfare, sanitation and safeguarding.
- b) A Traffic Management Plan which shall be prepared by a competent person and shall include (but not be limited to) a full external road signage schedule, car parking and coach drop-off details.

All events will run in accordance with the agreed plans submitted.

26. For events that extend beyond 23:00hrs and events of more than 300 persons at the premises, the DPS, Premises Licence Holder or other competent person shall carry out observations in the vicinity of the cottages bordering the boundary of the premises and such other monitoring points as agreed with the Environmental Protection Team, at a minimum of hourly intervals between 19:00 and the end of the event whilst the premises licence is in use, in order to establish whether there is a noise breakout from the premises. If the observation reveals noise breakout at a level likely to cause disturbance to the occupants of properties in the vicinity, then the volume of music shall be reduced to a level that does not cause disturbance. A record of such observations shall be recorded for that purpose, such a record shall be completed immediately after the observation detailing the time, location and duration of the observation, the level of noise breakout and any action taken to reduce noise

breakout. All such records to be made available at all times upon request, to an authorised officer.

### **Reasons for the Decision:**

The Sub-Committee carefully considered all the documents presented to it and the oral and written representations made by the parties. They had regard to the four Licensing Objectives, the Section 182 Statutory Guidance, and the Dorset Council Statement of Licensing Policy.

This application was unusual in that it related to a wide scope of potential licensable activities over a very large site and it had attracted a large number of representations covering a range of issues. At the hearing the Sub-Committee was addressed by the applicant's representatives and a significant number of members of the public and a Councillor. During the course of the hearing it became clear that it was the extent of the licence applied for which had particularly concerned local people. There was great support for the restoration of Parnham House, but there was an underlying fear that if the licence was granted as applied for, it was likely that there would be a large number of events over a vast area, attended by substantial numbers of people, with the real risk of considerable noise nuisance and disturbance to local people.

The applicant's representatives explained the owner's plans for the site and his wish to work in harmony the local community, whilst also running a business to finance the restoration of the listed building. On the second day of the hearing the applicant submitted a revised application plan reducing the licensable area considerably.

The Sub-Committee was very grateful for the positive approach shown by all the parties who took part in the process. The representations submitted were comprehensive and constructive and it was plain to the Sub-Committee that all parties were very keen to see Parnham House restored appropriately. It was also helpful that during the hearing the applicant submitted a revised plan, reducing the area to be licensed, to take account of some of the concerns raised by the local residents. The Sub-Committee recognised that this went some way to allay the fears of residents but noted that concerns remained about noise. When representations are received in connection with a premises licence application, the role of the Sub-Committee is to try to strike a balance between what has been applied for and the concerns raised in the representations, but at all times the paramount consideration is the promotion of the four licensing objectives. The Sub-Committee wanted to ensure that the undertakings made during the hearing were reflected in the conditions in a way that both allowed some flexibility for the estate to grow whilst ensuring that any protections to the community were retained, they welcomed the submission of the Core Noise Management Strategy by the applicant and were reassured by the Environmental Protection Team Leaders assurance that it was satisfactory.

The Sub-Committee reviewed all the representations made by the parties before coming to a decision and concluded that it was appropriate to grant a Premises Licence for the area on the revised plan, outlined with a dashed blue line, together with the mandatory conditions and amended conditions from the Operating Schedule, to promote the licensing objectives. In making this decision the Sub-Committee recognised the relevant concerns of those people who had made representations particularly in relation to noise

and sought to address the issues raised through the application of conditions, which it considered to be proportionate and relevant to this site.

The Sub-Committee agreed with the sentiments expressed at the hearing that communication was key, and it very much hoped that the owner would provide a forum to facilitate discussions between his team and people living locally. The plans for the site could represent an interesting and exciting new phase for the estate, which would enable the restoration of the listed building and it would be important to ensure that local people were consulted as part of the process. They wanted the licence to allow for controlled room for growth and encourage an atmosphere of mutual trust and communication.

**Right of Appeal:**

Any party who wishes to appeal the decision has 21 days from the date of receipt of this notice to submit an appeal to Weymouth Magistrates Court, Westwey Road, Weymouth, DT4 8BS.

Councillor E Parker

Date 10 September 2021