
From: Jon Dunkley <Jon.Dunkley@wollens.co.uk>
Sent: 15 October 2021 14:07
To: Barlow, Amanda <Amanda.Barlow@forbav.gov.uk>
Subject: Comments on draft order Ref Wollens:MA:HEN3747/0001

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Dear Amanda

I have taken instructions on your proposed revisions to the draft consent order and must say that it seems extraordinary that Mr Hennessey might not be allowed in the premises at all during operational hours, even as a customer. Perhaps you could explain the rationale behind the proposed further conditions 1 and 2. Our client is of the view that if the licence is transferred to an acceptable person and the DPS is changed, then proposed conditions 1) and 2) appear to be manifestly unreasonable in the absence of any explanation by reference to licensing principles.

Our client also objects to the following further proposed conditions using your numbering:

21 - exemption of live music. Most bars across the country are able to exercise their rights to live music. My client has had live music approximately 4 times in the 3 years he has been at the premises and has never had a complaint about live music. It has always ceased at 11pm. Live music will never be regular for him but he started getting bookings for weddings and often an acoustic performance is requested. He is also situated within 10 metres of a live music venue - 'the blue anchor'. This requirement seems disproportionate and not based upon any current concern or breach of the licensing objectives.

22 - A DJ counts as recorded music, whether they are live mixing or not. The DJ always plays through the limiter, so again this seems excessive as it makes no difference whether our client plays music via Spotify or whether he has a DJ in regard to noise levels. This requirement seems disproportionate and not based upon any current concern or breach of the licensing objectives.

24 - Our client's premises is situated within 20m of 2 restaurants, a live music venue, a hotel and bar etc., all who are licensed to play recorded music to midnight on their licence. This requirement seems disproportionate and not based upon any current concern or breach of the licensing objectives.

31 - Constructing a lobby would mean structural changes to the building which our client will not get consent for. This requirement seems disproportionate and not based upon any current concern or breach of the licensing objectives.

It would appear that my client will simply have to proceed to the appeal hearing whereupon he will raise these issues in relation to costs. I hope this will not be necessary and await your urgent response.

Kind regards

Jon Dunkley

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