



LICENSING SUB-COMMITTEE
LOCATION OF HEARING: VIRTUAL TEAMS MEETING
DATE AND TIME OF HEARING: FRIDAY, 1 APRIL 2022 10.00 AM

LICENSING ACT 2003 NOTICE OF HEARING

In accordance with Regulation 6(1) of the Licensing Act 2003 (Hearings) Regulations 2005, the Licensing Authority of Mid Suffolk District Council hereby gives notice that a hearing of a Sub-Committee of the Authority’s Licensing and Regulatory Committee has been arranged as set out above in order to determine the following application:

Application	
Applicant:	Stuart and Jill Scarff
Application date:	7 th February 2022
Premises:	Burnt House Vineyard, Bildeston Road, Little Finborough, Stowmarket IP142LA

Please ensure that the attached ‘Attendance at Hearing Notice’ is completed and returned.

Sub-Committee Members	
Members	Reserve Member
Kathie Guthrie Dave Muller Penny Otton	TBC

This meeting will be broadcast live to YouTube and will be capable of repeated viewing. The entirety of the meeting will be filmed except for confidential or exempt items. If you attend the meeting in person you will be deemed to have consented to being filmed and to the possible use of the images and sound recordings for webcasting/ training purposes.

The Council, members of the public and the press may record/film/photograph or broadcast this meeting when the public and the press are not lawfully excluded.

AGENDA

PART 1

MATTERS TO BE CONSIDERED WITH THE PRESS AND PUBLIC PRESENT

Page(s)

- 1 **WELCOME - LEGAL ADVISOR TO THE SUB-COMMITTEE**
- 2 **ELECTION OF CHAIRMAN FOR HEARING (IF APPROPRIATE)**

3 **APOLOGIES FOR ABSENCE**

4 **DECLARATION OF INTERESTS BY COUNCILLORS**

5 **M/LASub/21/4 LICENSING ACT 2003 - HEARING TO DETERMINE AN APPLICATION MADE FOR THE GRANT OF A NEW PREMISES LICENCE - BURNT HOUSE VINEYARD, BILDESTON ROAD, LITTLE FINBOROUGH, STOWMARKET IP14 2LA** 5 - 48

Report from the Licensing Team attached.

6 **EXCLUSION OF THE PUBLIC (WHICH TERM INCLUDES THE PRESS)**

Sub-Committee deliberations to be held in closed session.

To consider whether, pursuant to Part 1 of Schedule 12A of the Local Government Act 1972, the public should be excluded from the meeting for the business specified below on the grounds that if the public were present during this item, it is likely that there would be the disclosure to them of exempt information as indicated against the item.

The author of the report proposed to be considered in Part 2 of the Agenda is satisfied that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

PART 2

7 **RE-ADMITTANCE OF THE PUBLIC (WHICH TERM INCLUDES THE PRESS)** 49 - 52

The Procedure and Rights of a Party are attached.

Webcasting/ Live Streaming

The Webcast of the meeting will be available to view on the Councils YouTube page: https://www.youtube.com/channel/UCSWf_0D13zmegAf5Qv_aZSg

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact the Committee Officer, on: 01473 296373 or Email: Committees@baberghmidsuffolk.gov.uk

Introduction to Public Meetings

Babergh/Mid Suffolk District Councils are committed to Open Government. The proceedings of this meeting are open to the public, apart from any confidential or exempt items which may have to be considered in the absence of the press and public.

Protocol for Virtual Meetings

Live Streaming:

1. The meeting will be held on TEAMS and speakers will be able to join via invite only. Any person who wishes to speak at the meeting must contact Committee Services at: committees@baberghmidsuffolk.gov.uk at least 24 hours before the start of the meeting.
2. The meeting will be live streamed and will be available to view on the Council's YouTube page as detailed below:

https://www.youtube.com/channel/UCSWf_0D13zmeqAf5Qv_aZSg

Note – if you join the meeting from a mobile phone after the meeting has started, your mobile number may be visible on the screen.

Recording of proceedings:

1. Proceedings will be conducted in video format.
2. A second Governance Officer will be present and will control the TEAMS call and Livestreaming.

Disclosable Pecuniary Interests:

A Councillor declaring a disclosable pecuniary interest will not be permitted to participate further in the meeting or vote on the item. Where practicable the Councillor will leave the virtual meeting, including by moving to a 'lobby' space and be invited to re-join the meeting by the Committee Officer at the appropriate time. Where it is not practicable for the Councillor to leave the virtual meeting, the Committee Officer will ensure that the Councillor's microphone is muted for the duration of the item.

Confidential items:

The Public and Press may be Excluded from the meeting by resolution in accordance with normal procedural rules. The Committee Officer will ensure that any members of the public and press are disconnected from the meeting and the livestream will cease.

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Agenda Item 5

MID SUFFOLK DISTRICT COUNCIL

TO: Licensing Sub-Committee	REPORT NUMBER: M/LASub/21/4
FROM: Jo Wyatt - Food, Safety and Licensing Assistant Manager	DATE OF MEETING: 1 APRIL 2022
OFFICER: Kay Sanders – Licensing Officer	KEY DECISION REF NO. N/A

LICENSING ACT 2003 – HEARING TO DETERMINE AN APPLICATION MADE FOR THE GRANT OF A NEW PREMISES LICENCE – BURNT HOUSE VINEYARD, BILDESTON ROAD, LITTLE FINBOROUGH, STOWMARKET IP14 2LA

1. Purpose of Report

- 1.1 To report information to the Sub-Committee to enable the determination of an application made for the GRANT of a NEW premises licence made by Stuart Scarff and Jill Scarff in relation to the above premises.

2. Recommendations

- 2.1 The Sub-Committee must, having regard to the representations made, take such of the steps below (if any) as it considers appropriate for the promotion of the licensing objectives:

- to GRANT the licence subject to conditions which are consistent with the operating schedule accompanying the application - modified to such extent as the authority considers appropriate for promotion of the licensing objectives - and subject to any mandatory condition(s) which must be included in the licence;
- to EXCLUDE from the scope of the licence any of the licensable activities to which the application relates;
- to REFUSE to specify a person in the licence as premises supervisor; or
- to REJECT the application.

For these purposes conditions of the licence are modified if any of them are altered or omitted or any new condition is added.

That the Sub-Committee determines this application at the hearing

3. Financial/Legal Implications

- 3.1 There is a statutory right of appeal to the magistrates' court for any party aggrieved by the decision taken by the Licensing Authority.

4. Risk Management

- 4.1 None, other than those that inherently apply to the Licensing Authority when carrying out its licensing functions. The four licensing objectives are prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm.

5. Consultations

- 5.1 The application made has been subject to the statutory consultation period as prescribed by regulation. The notices advertising the application have been on display at the premises and published in the East Anglian Daily Times – 8th February 2022 edition.

6. Equality Analysis

- 6.1 There are no equality impacts arising directly from the matters contained within this report.

7. Key Information

- 7.1 The hearing is to determine an application for the GRANT of a NEW premises licence made under section 17 of the Licensing Act 2003. A copy of the application was received on 7th February 2022. This is attached as **Appendix A** to this report.

- 7.2 The application has been submitted by:

Stuart Scarff and Jill Scarff

For the proposed licensed premises:

Burnt House Vineyard, Bildeston Road, Little Finborough, Stowmarket IP14 2LA

The designated premises supervisor (DPS) is:

Catherine Scarff

- 7.3 Full details of the proposed activities and timings are contained within the application form attached to this report as **Appendix A**.
- 7.4 The steps proposed by the applicant to promote the licensing objectives in the operating schedule (part M) are attached as **Appendix B**.
- 7.5 The plan detailing the areas to be licensed are attached to this report as **Appendix C**.
- 7.6 A hearing is necessary to determine the application following receipt of representations which have not been withdrawn. The Sub-Committee will be aware that its consideration is confined to promotion of the four licensing objectives and the 'need', or commercial demand, for licensed premises are not considerations for the Licensing Authority when discharging its licensing functions (as outlined by the Secretary of State at paragraph 14.19 of the Guidance issued under section 182 of the Licensing Act 2003).
- 7.7 The Licensing Authority must carry out its functions under the Act with a view to promoting the licensing objectives, which are:

- (a) the prevention of crime and disorder;
- (b) public safety;
- (c) the prevention of public nuisance; and

(d) the protection of children from harm

- 7.8 In carrying out its licensing functions, the Licensing Authority must have regard to its Statement of Licensing Policy published under section 5 of the Act, and any guidance issued by the Secretary of State under section 182 of the Act.
- 7.9 Where revisions are made to the legislation or guidance issued by the Secretary of State, there may be a period of time when the local Statement of Licensing Policy is inconsistent with these revisions. In these circumstances, the Licensing Authority will have regard, and give appropriate weight, to the relevant changes, guidance and its own Statement of Licensing Policy.
- 7.10 The Sub-Committee will also be aware of Human Rights Act 1998 considerations - specifically Article 6 and Articles 8 and 1 of Protocol 1 when determining applications for the grant of a new licence.
- 7.11 Members of the Sub-Committee will be aware that the Licensing Act 2003 is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and therefore beyond the direct control of the individual, club or business holding the licence, certification or authorisation concerned. Nonetheless, the Licensing Act 2003 contributes towards a holistic approach to management of the evening and night-time economy (as outlined by the Secretary of State at paragraph 14.13 of the Guidance issued under section 182 of the Licensing Act 2003 and Mid Suffolk District Council's Statement of Licensing Policy at 1.9).
- 7.12 Members of the Sub-Committee will be aware of Statutory the Secretary of State's guidance at paragraph's 14.64 and 14.65, which states that planning and licensing are different regimes, and neither is bound by the others decisions. There are circumstances when as a condition of planning permission; a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law.
- 7.13 Public nuisance is given a statutory meaning in many pieces of legislation, however under the Licensing Act 2003 it is not narrowly defined and retains its broad common law meaning (as outlined in by the Secretary of State at paragraph 2.16 of the Guidance issued under section 182 of the Licensing Act 2003).

The Licensing Authority's general approach to considering licensing hours is contained within section 6 of the local Statement of Licensing Policy, and section 7 guides on relevant representations.

8. Representations

- 8.1 The Licensing Authority has received no representations from the Responsible Authorities under the Licensing Act 2003. Further conditions have been agreed by the applicant after mediation with Environmental Protection these are attached as **Appendix D**
- 8.2 The Licensing Authority has received 3 representations made by 'other persons' (which includes local residents, businesses and residence association). This is attached as **Appendix E** to this report.

9. Appendices

Title	Location
(a) Application for GRANT of NEW premises licence	Attached
(b) Steps proposed to promote licensing objectives	Attached
(c) Plan detailing the areas to be licensed	Attached
(d) Conditions as agreed with Environmental Protection	Attached
(e) Representation received from 'Other Persons'	Attached

10. Background Documents

10.1 The Licensing Act 2003

10.2 Guidance issued under Section 182 of the Licensing Act 2003

10.3 Mid Suffolk District Council's Statement of Licensing Policy

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Stuart Victor Alan Scarff & Jill Scarff

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Burnt House Vineyard, Bildeston Road, Little Finborough,			
Post town	Stowmarket	Postcode	IP14 2LA

Telephone number at premises (if any)	N/A
Non-domestic rateable value of premises	New Build

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **Please tick as appropriate**

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i as a limited company/limited liability partnership please complete section (B)
 - ii as a partnership (other than limited liability) please complete section (B)
 - iii as an unincorporated association or please complete section (B)
 - iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a statutory function or
- a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Scarff			First names Stuart Victor Alan		
Date of birth		I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes			
Nationality British					
Current residential address if different from premises address		West End Farm, Mill Lane, Combs			
Post town	Stowmarket			Postcode	IP14 2NF
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input checked="" type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Scarff			First names Jill		
Date of birth over		I am 18 years old or <input checked="" type="checkbox"/> Please tick yes			
Nationality British					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address		West End Farm, Mill Lane, Combs			
Post town	Stowmarket			Postcode	IP14 2NF
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)

Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
0	1	0 3 2 0 2 2

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)
 Burnt House Vineyard, is a vineyard, a building/wine centre (the building is currently being constructed) and two holiday lodges (which have not yet been built) which will allow for the current vineyard to sell their alcohol and generate tourism to the countryside. The building/lodges will allow for alcoholic and non-alcoholic beverages to be purchased on site and to be taken away, alcoholic and non-alcoholic beverages for the customer to purchase and stay on site to enjoy while at the vineyard, building and lodges. The building will allow customers to take tours of the vineyard and tastings and enjoy food. The building has an outside terrace overlooking the vineyard that will be used also for the consumption of alcoholic and non-alcoholic beverages. The vineyard itself will also be used for the tours & tastings and consumption of alcoholic and non-alcoholic beverages and the consumption of food. The vineyard and building will host a variety of events from time to time to allow tourism and consumers to visit the suffolk countryside including but not limited to harvest celebrations, weddings, an evening with music in the vines, club social events, wine celebrations, chef's nights and private events. The building is being constructed with road access and has provided enough space for cars to be parked (to cater for the day to day running and events) and is being constructed set back away from the road and opening doors/terrace situated away from the village looking over the vineyard to ensure no disturbance to the community. The building will also allow for online sales of the alcohol. The lodges are due to be constructed.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)

- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H)
- Provision of late night refreshment** (if ticking yes, fill in box I)
- Supply of alcohol** (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4) Events will be run from either the vineyard building or the vineyard where live music may feature. The music will be amplified.		
Mon	08:00	23:00			
Tue	08:00	23:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Wed	08:00	23:00			
Thur	08:00	23:00			
Fri	08:00	23:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	09:00	23:00			
Sun	10:00	17:00			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) Events will be run from either the vineyard building or the vineyard where recorded music may feature. The music will be amplified.		
Mon	08:00	23:00			
Tue	08:00	23:00			
			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Wed	08:00	23:00			
Thur	08:00	23:00			
			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	08:00	23:00			
Sat	09:00	23:00			
Sun	10:00	17:00			

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)			
Mon						
Tue			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)			
Wed						
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)			
Fri						
Sat						
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur					
Fri			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Sat					
Sun					
			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	00:01 online sales only	00:00 online sales only	State any seasonal variations for the supply of alcohol (please read guidance note 5)	Both	<input checked="" type="checkbox"/>
	08:00	23:00			
Tue	00:01 online sales only	00:00 online sales only			
	08:00	23:00			
Wed	00:01 online sales only	00:00 online sales only			
	08:00	23:00			
Thur	00:01 online sales only	00:00 online sales only		Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) Online alcohol sales will be 24 hours and facilitated between the normal opening hours of the premises.	
	08:00	23:00			
Fri	00:01 online sales only	00:00 online sales only			
	08:00	23:00			
Sat	00:01 online sales only	00:00 online sales only			
	09:00	23:00			
Sun	00:01 online Sales only	00:00 online sales only			
	10:00	17:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Catherine Louise Scarff

Date of birth	
Address	
Postcode	
Personal licence number (if known) MPA1244	
Issuing licensing authority (if known) Mid Suffolk District Council	

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).</p>

L

<p>Hours premises are open to the public Standard days and timings (please read guidance note 7)</p>			<p>State any seasonal variations (please read guidance note 5)</p>
Day	Start	Finish	
Mon	08:00	23:30	
Tue	08:00	23:30	
Wed			

	08:00	23:30	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
Thur			
	08:00	23:30	
Fri			
	08:00	23:30	
Sat			
	09:00	23:30	
Sun			
	10:00	17:30	

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

See Attached

b) The prevention of crime and disorder

See Attached

c) Public safety

See Attached

d) The prevention of public nuisance

See Attached

e) The protection of children from harm

See Attached

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	3-2-2022
Capacity	PARTNER.

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	3-2-2022
Capacity	PARTNER.

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.

- a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless

of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.

10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.

- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.

- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the

applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

The following conditions in Annex 2 are conditions consistent with the operating schedule submitted by the applicant within the application:

General

- 2.1 The Premises Licence Holder shall take all reasonable anti-fraud and underage sales precautions to ensure that no on-line/ telephone sales of alcohol are made or delivered to persons under the age of 18. On delivery when asked to do so, refusal or failure to provide only valid and accredited proof of age cards/documents will result in the delivery of an alcohol order being REFUSED OUTRIGHT.
- 2.2 The Premises Licence Holder shall take all reasonable precautions to ensure that delivery staff or contractors shall only deposit the order of alcoholic products with an adult and that the order is signed for.
- 2.3 Where the Premises Licence Holder maintains a website for the business or any forms of advertising/promotional material which is only supplied to customers of home deliveries or leaflet dropped to home or business addresses these shall contain:
 - a) The name of the delivery service, valid telephone numbers, email address, the premises licence number which authorises the sale/supply of alcohol and the relevant licensing authority which issued the premises licence;
 - b) The ordering by, sale/supply of any alcohol product to anybody under the age of 18, or delivery of any alcohol products to anybody under the age of 18 is strictly forbidden; and
 - c) On delivery when asked to do so, refusal or failure to provide only valid and accredited proof of age cards/documents will result in the delivery of an alcohol order being REFUSED OUTRIGHT.

The Prevention of Crime and Disorder

- 2.4 The Premises Licence Holder shall ensure that management and staff take appropriate steps to ensure that the business remains free from crime and disorder and neither creates nor contributes towards crime & disorder.
- 2.5 The Premises Licence Holder shall operate a policy of:
 - a) Maintaining staffing numbers at an appropriate level so as to ensure adequate security of the premises and within the delivery vehicles of the couriers and alcohol supplies
 - b) No cash handling by delivery drivers
 - c) Observing the duty to be a responsible alcohol retailer and always refuse to supply alcohol where there is a likelihood that such a sale might contribute towards crime & disorder.

2.6 A CCTV system has been installed and maintained on the licensed premises, with a minimum of four cameras covering the licensed premises. Recordings shall be accurately timed and dated and shall be retained for a minimum period of 31 days. Recordings shall be made available to an authorised officer of the Police of Licensing Authority upon request. Notices specifying CCTV surveillance is operating shall be displayed prominently at the premises. It should be noted that any retention, use or disclosure of personal information caught on CCTV must be carried out with data protection principles which shall override any conflicting element of this condition.

Public Safety

2.7 The Premises Licence Holder shall ensure that management and staff have an effective policy to promote public safety. The DPS shall liaise with responsible authorities to ensure public safety is promoted.

2.8 The Policy shall include:

- a) Delivery shall be conducted in a responsible and considerate manner, ensuring no disturbance to local residents
- b) No sales or supply of alcohol being undertaken where it is reasonably considered that this might negatively affect the public safety licensing objective
- c) Fire risk assessments being undertaken periodically and acted upon in accordance with current recommendations and requirements.
- d) Effective lighting being maintained and operated to ensure the safety of public and staff

The Prevention of Public Nuisance

2.9 The Premises Licence Holder shall ensure that the DPS and staff are mindful of the need to reduce the impact of nuisance caused by the operation of the business, whether by noise, odour, vibration, light or other cause and shall constantly assess the risk of public nuisance and take immediate steps to eliminate the problem. Staff shall ensure that:

- a) Deliveries shall be conducted in a responsible and considerate manner, ensuring no disturbance to local residents
- b) No sales or supplies of alcohol shall be undertaken where it is reasonably considered that this might negatively affect the public nuisance licensing objective.
- c) The premises shall be kept free from waste or litter associated with the operation of the business
- d) Any noise, light pollution, vibration, and any other potential nuisance shall be monitored and kept to an acceptable level
- e) Waste Removal shall be undertaken at a time that does not cause disturbance

The Protection of Children from Harm

2.10 The Premises Licence Holder shall ensure that the business is operated in such a way that reflects a commitment to be a responsible retailer. To protect children from harm there shall be a policy of:

- a) Strict terms and conditions stressing that the purchaser and those receiving the delivery of alcohol must be at least 18 years of age
- b) The business and courier shall refuse a sale or delivery of alcohol when it is reasonably considered that such a sale or delivery might directly or indirectly undermine the child protection objective.
- c) The age verification policy shall be one of Challenge 21. This shall be specified in promotional material, terms and conditions, within the premises and emphasised through staff training. Anyone not looking 21 at the point of delivery or sampling will be required to prove that they have turned 18, otherwise delivery or sampling will be refused and recorded. Acceptable ID

will be a photo driving licence, passport, PASS accredited proof of age card or other photo ID that is recommended for acceptance by the Police or other authorities.

For all other areas of the business we would recommend adding the following conditions that apply to your business.

All staff are to be trained in responsible alcohol retailing to the minimum standard of BIIAB level 1 or equivalent, the premises evacuation procedures and policies, within three months of commencing employment at the premises. Training records shall be kept on the premises and produced to the Police or an authorised Officer of the Licensing Authority upon request. For the avoidance of doubt this training may be administered in-house in accordance with the relevant criteria. Training shall be reviewed six-monthly to ensure that all staff are up to date with the latest legislation. All current staff shall be trained to the above standard within six months.

An incident book(s)/refusals register shall be kept and maintained on the premises at all times. The book(s) shall detail all incidents of injury/ejection/refusals/drug misuse/seizure/age challenge. Such matters shall be timed, dated and signed by the author and produced to police or an authorised officer of the licensing authority on demand. In the case of refusals register, there shall be one at each bar area, or any other area utilised for the supply of alcohol

Notices shall be prominently displayed and maintained on the premises requesting that attendees/users of the licensed premises leave the premises and the vicinity quietly and with respect to the needs of neighbouring properties.

The premises licence holder shall ensure that notices detailing emergency evacuation procedures shall be prominently displayed and maintained on the licensed premises. Adequate arrangements shall be in place to ensure the safe evacuation of any disabled persons on the premises.

Adequate provision of first aid materials and trained personnel shall be on duty at the premises during licensable activities, and in accordance with the premises licence holders risk assessment.

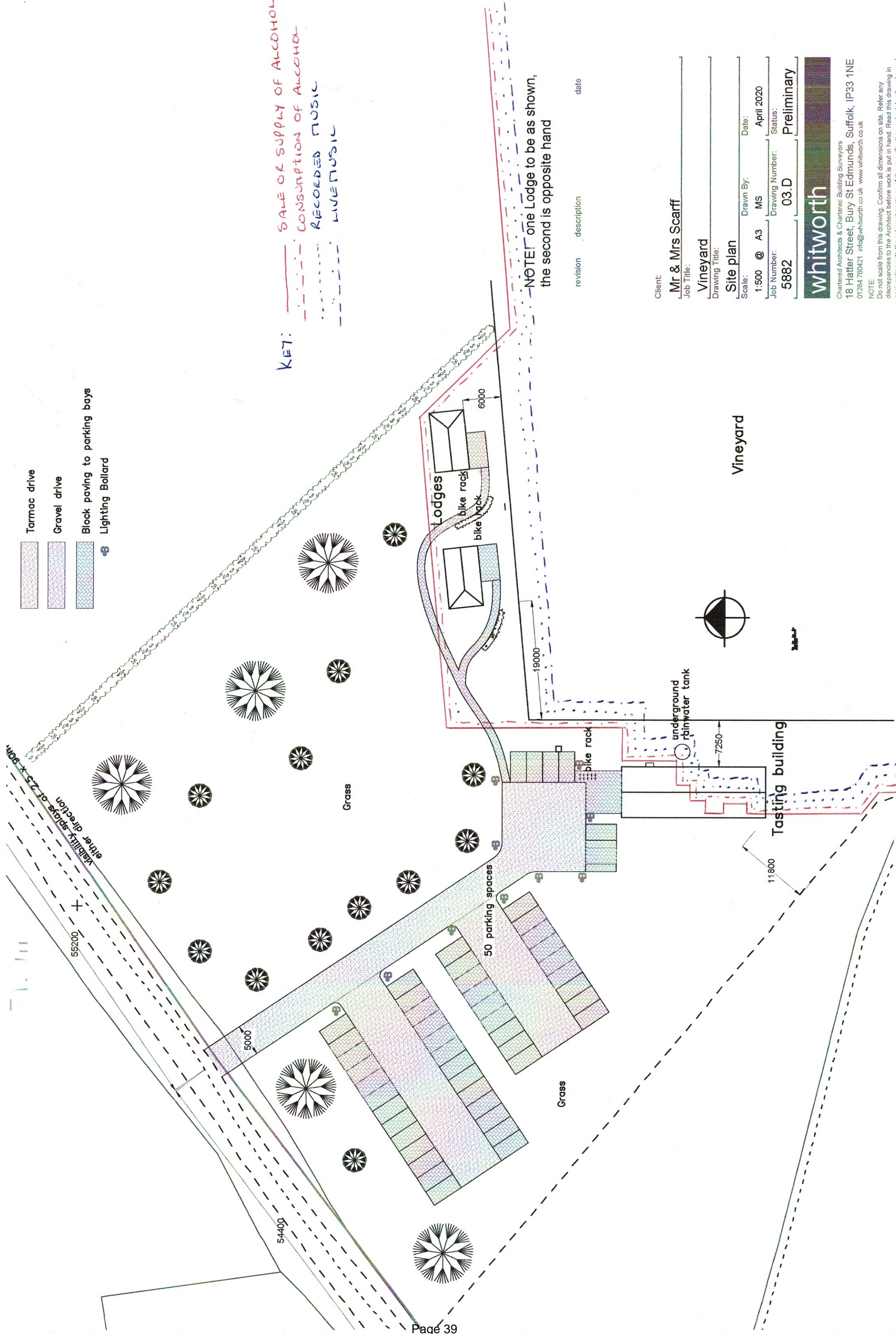
The premises licence holder shall ensure that suitable and satisfactory public safety risk assessments are undertaken with outcomes to be legibly recorded in a log-book maintained for that purpose.

There shall be no adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

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KEY:
 ——— SALE OF SUPPLY OF ALCOHOL
 - - - CONSUMPTION OF ALCOHOL
 ···· RECORDED MUSIC
 ···· LIVE MUSIC

- Tarmac drive
- Gravel drive
- Block paving to parking bays
- Lighting Bollard



NOTE: one Lodge to be as shown, the second is opposite hand

revision	description	date

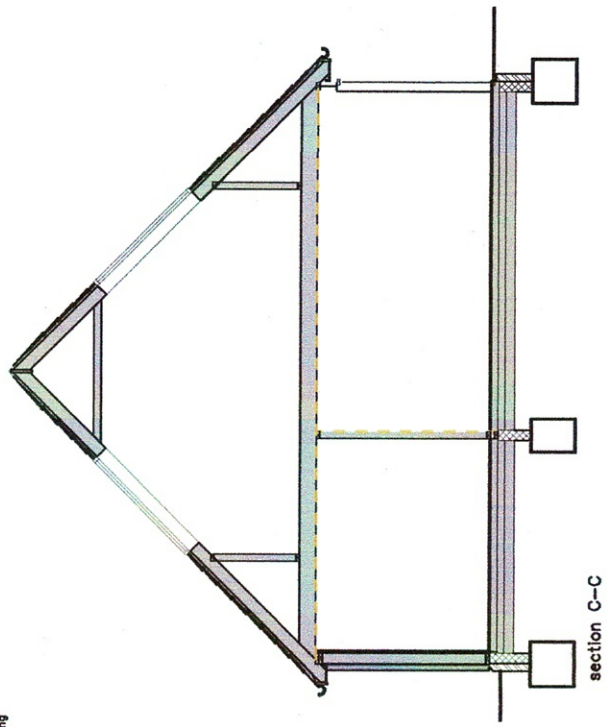
Client: **Mr & Mrs Scarff**
 Job Title: **Vineyard**
 Drawing Title: **Site plan**
 Scale: **1:500 @ A3** Drawn By: **MS** Date: **April 2020**
 Job Number: **5882** Drawing Number: **03.D** Status: **Preliminary**



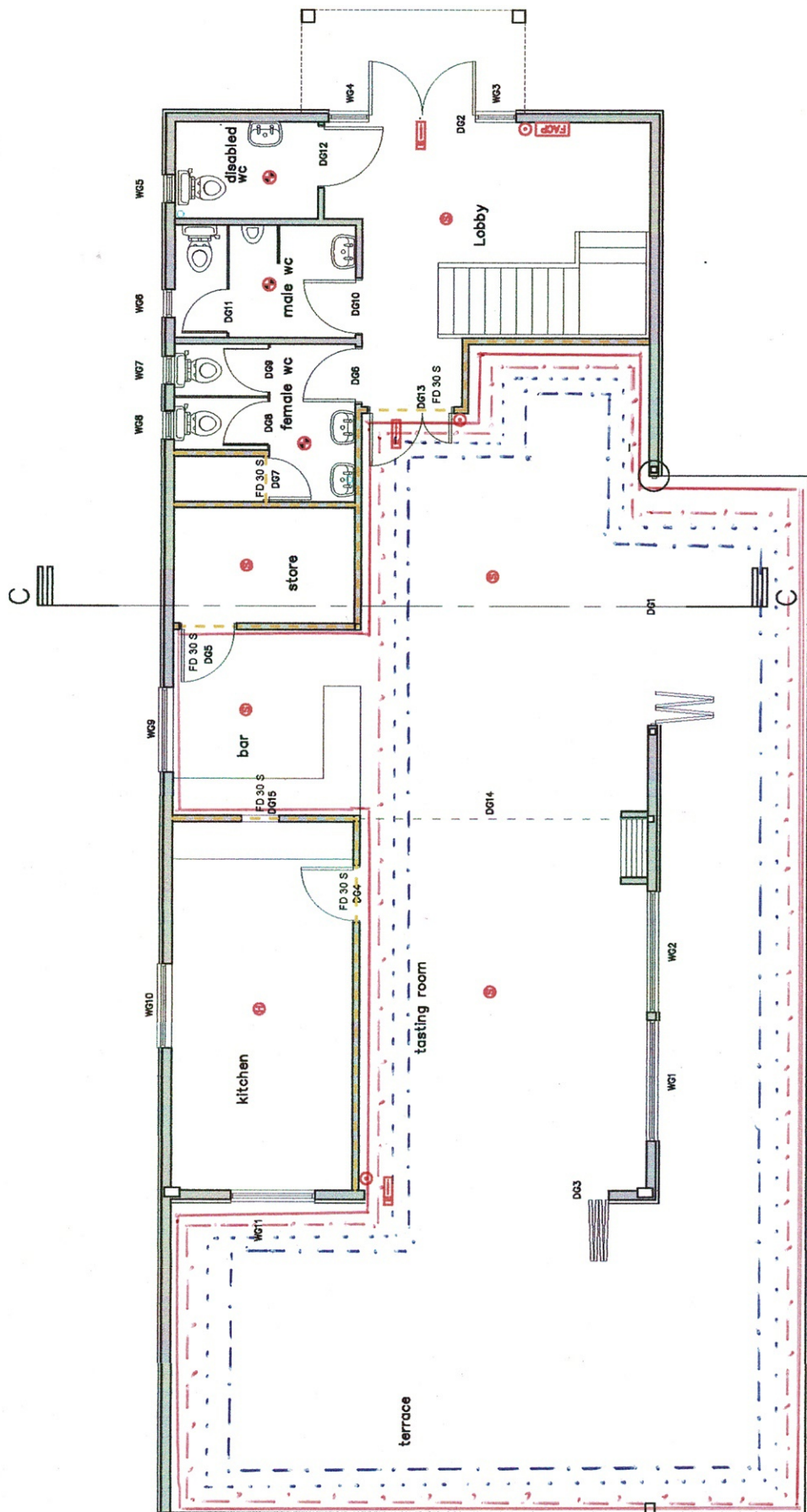
Chartered Architects & Chartered Building Surveyors
 18 Hatter Street, Bury St Edmunds, Suffolk, IP33 1NE
 01284 760421 info@whitworth.co.uk www.whitworth.co.uk

NOTE: Do not scale from this drawing. Confirm all dimensions on site. Refer any discrepancies to the Architect before work is put in hand. Read this drawing in conjunction with the relevant sections of the specification, schedule of works and other drawings.

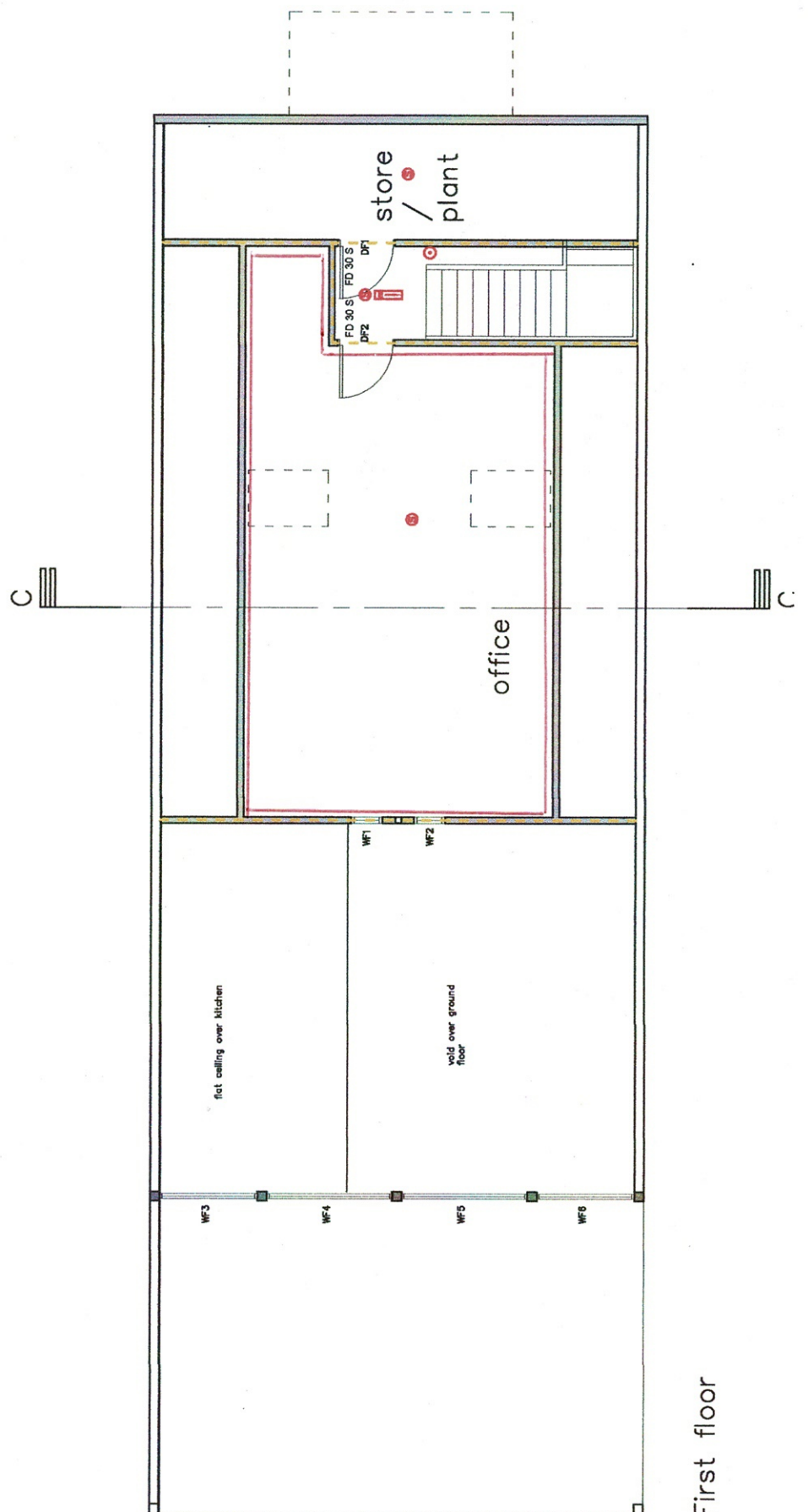
- - - - 30 minute fire resisting construction
 FD 30 S 30 minute fire and smoke resisting door / shutter
 Fire detection and alarm system installed in accordance with BS 5839-1, BS 5839-4 and provide notification on completion.
 [FACP] Fire alarm control panel
 [C] call point
 [SD] smoke detector & monitor
 [HSD] Heat detector & monitor
 [S] Straps
 [R] Illuminated fire exit sign
 Emergency lighting to be installed in accordance with BS 5266-1:2016



KEY:
 ——— SALE OR SUPPLY OF ALCOHOL
 - - - - CONSUMPTION OF ALCOHOL
 RECORDED MUSIC
 - - - - LIVE MUSIC



Ground floor



First floor

revision: Rev B description: Door DF2 hung on opposite side date: Jan 2022

Client: Mr & Mrs Scarff
 Job Title: Vineyard tasting building
 Drawing Title: Fire Plan
 Scale: NTS @ A1
 Date: Nov 2021
 Job Number: 5682 Drawing Number: 16.B Status: Outline

whitworth
 Chartered Architects & Chartered Building Surveyors
 18 Hutter Street, Bury St Edmunds, Suffolk, IP33 1NE
 01284 790211 whitworth.co.uk www.whitworth.co.uk
 Do not scale from this drawing. Confirm all dimensions on site. Refer any discrepancies to the Architect before work is put in hand. Read this drawing in conjunction with the relevant sections of the specification, schedule of works and other drawings.
 This drawing is copyright of whitworth.



KEY: — SALE OR SUPPLY OF ALCOHOL
- - - CONSUMPTION OF ALCOHOL
..... RECORDED MUSIC
- - - - LIVE MUSIC

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1. The premises licence holder shall ensure that volume levels from both live and recorded music are monitored by a responsible person throughout the duration of the activity. Monitoring shall take place both inside and outside of the licensed premises and due regard shall be had to whether the activity may lead to excessive noise at neighbouring properties. Appropriate remedial steps shall be taken, and recorded, in the event of any excessive noise levels being experienced.
2. The premises licence holder shall ensure that close residents are kept informed of the programme of events to be held at the licensed premises. It is recommended that the programme be published on any website for the premises and be displayed and kept updated in the immediate vicinity of the premises.
3. Doors and windows shall be kept closed (except for ingress and egress) during licensable activities to reduce noise breakout or nuisance from the premises.
4. Licensable entertainment activities which take place in outdoor areas of the licensed premises, and which involve amplified music or speech, shall be limited to not more than 20 (twenty) per calendar annum and no more than 4 (four) in any calendar month. Any such licensable activities in outdoor areas shall cease by 23:30 hours on all occasions.

The part of any day on which an event takes place shall count as one event day for the purposes of this limitation. The number of smaller scale non-event day activities involving one or more licensable activity shall not be limited by this condition. For the avoidance of doubt an 'event day' for the purposes of this condition is a licensable activity involving a minimum of 51 persons. The number of indoor events involving licensable activities is not number limited by the premises licence.

5. There shall be a maximum number of 20 (twenty) wedding/functions related events involving licensable activities during a calendar year, with these activities to be held in the main building, a marquee/temporary structure located in the vineyard grounds, being part of the licensed site All events of this nature shall terminate by 23:30 hours.
6. For outdoor events (including use of the marquee) during operating hours, the premises licence holder, DPS or authorised individual will be available to receive and respond to any nuisance related (or similar) complaint. The contact telephone for this individual shall be provided to the Licensing Authority and Environmental Protection Team for this purpose prior to the starting day of the event. The contact number and details will be provided on our website prior to the starting day of the event.
7. The Music Noise level (MNL) shall not exceed the LA90(1Hr) by more than 5dB(A) in any 15 minute period.
8. The premises licence holder or his nominated representative shall ensure that a competent individual shall, hourly, survey noise breakout from the licensed premises whilst regulated entertainment is being provided. Where the noise or vibration level is

such that it is likely to cause disturbance to residential properties, he/she shall decrease the volume level accordingly.

9. The premises licence holder or his nominated representative shall turn the music level down for the final hour of opening so that the music is discernibly quieter.

10. The car park shall be adequately illuminated during the hours of darkness whilst licensable activities are taking place on the licensed premises. Lighting and emergency lighting shall be installed and maintained so as to ensure that good levels of visibility are maintained whilst the premises are being used for licensable activities

The application to sell alcohol is understandable . My objection to the application is the inclusion of a request to have recorded or live amplified music from eight in the morning to eleven in the evening nearly every day of the week.

The original application for the building was for a shop and a visitor and tasting center only with opening times limited to daylight hours.

No mention of weddings and other events going on late into the evening was ever mentioned. I consider this to be a change of use and planning permission was not given for these events. The possibility of cars all arriving, to pick up people, and leaving at 11.30pm will increase noise levels , people shouting goodnight to each other ,doors slamming and cars accelerating away. The opening hours are more suited to a wine bar with people popping in for a drink, similar to a public house. Planning permission was not given for this type of use, We live in a listed building and our property is opposite the vineyard, the granting of permission for amplified music will effect us detrimentally and possibly effect the value of our property. For these reasons we object to this application.

Yours sincerely,

Paul Smith and Julie Crickmore.
America Cottage, Bildeston Road,
Combs
Stowmarket.
IP14 2LB.

Englewood Bildeston Road Little Finborough Stowmarket Suffolk IP14 2LA

4 March 2022

Licensing Team Mid Suffolk District Council

Dear Sir or Madam,

Reference Application for a Licence for Burnt House Vineyard, Bildeston Road, Little Finborough, IP14 2LA

I wish to make comments regarding this application, all of which focus on issues relating to public nuisance and public safety.

Part 3 Operating Schedule

Does the application include the selling of alcohol besides that from the wine produced from the vineyard grapes and associated vineyards' wine production? If so, the premises would be comparable to a public house, adding to noise, traffic and adverse behaviour generally associated with such a use and is therefore not appropriate to the overall concept of the purposes, processes and function related to the vineyard.

Therefore, I do not support this application because of:

- a) Its lack of clarity;
- b) The inappropriateness of selling alcohol other than that produced by the vineyard and associated vineyards' wine production;
- c) The premises would function as a public house rather than its avowed purpose.

Part 3 Operating Schedule

Quote: 'from time to time hosting a variety of events' including, 'an evening with music in the vines.' The term 'from time to time' is vague.

The frequency of events could be such that those already living a stone's throw from the extensive area in which these events are planned to take place would suffer noise not only during daylight hours but until late at night.

To the above noise pollution, should be added the noise created by traffic leaving the vineyard during the day and late at night.

Light pollution will also affect those living close to the vineyard.

My house is situated on the opposite side of the narrow road overlooking the vineyard. I will therefore be affected by the issues raised above, as will other close neighbours. Moreover, noise such as that arising will be heard much further afield at any time during the day and night. Events instigated by the late John Peel, the Disc Jockey who lived in Great Finborough, could be heard from where I live in Little Finborough. The distance from one to the other is approximately 1260m as the crow flies.

Yours truly,

Julia Truelove (Mrs)

The Cottage Bildeston Road Little Finborough Stowmarket Suffolk IP14 2LA
5 March 2022

Licensing Team Mid Suffolk District Council

Dear Sir or Madam,

Reference Application for Section 17/Grant of a New Premises Licence for Burnt House Vineyard, Bildeston Road, Little Finborough, IP14 2LA

As a neighbour of the property in question, I have talked informally with one of the applicants. I would like to make the following comments for deliberation when considering this application. All are related to the prevention of public nuisance.

Frequency of events In the Planning Application for the vineyard visitor centre the opening hours were stated as 11.00 until 16.00 Monday to Friday, 11.00 until 18.00 on Saturdays, Sundays and Bank Holidays. I understand that the requested wide licensing hours provide flexibility for special events, but they also cause uncertainty and anxiety to neighbours about the frequency and size of such events, with the concomitant increases in traffic, lights at night and noise.

- Perhaps there is a mechanism to add a condition to a licence, which would allow the flexibility of timing, but control to a maximum the number of events with large numbers of people and music.

- It may be possible to apply conditions which limit the licence only to events promoting the vineyard, its wines, the other wines produced by the processor of the grapes and the farm.

Such controls could be drafted and applied in a way which did not significantly impact promoting and growing the vineyard business, but would prevent the uncontrolled growth of the total number of events, with incremental increases in noise, light and traffic.

Control of noise and lighting How must noise and light levels be assessed to prevent public nuisance? The application documents say that staff will 'constantly assess the risk of public nuisance and take immediate steps to eliminate the problem', and that 'any noise, light pollution, vibration, and any other potential nuisance shall be monitored and kept to an acceptable level'.

How would a level acceptable to all the neighbours be determined and enforced?

Change of management What would be the licence position if the property were to change ownership, and the new owners were to be inconsiderate to the neighbours? Would they be able to exploit the licence to play music all day and every day?

Thank you for your consideration of these comments.

Yours faithfully, Kenneth Mudd

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NEW OR VARIATION APPLICATION HEARING PROCEDURE (PREMISES OR MEMBER'S CLUB)

NOTE: References to the 'Applicant' may also apply to an existing licence holder if the hearing consideration relates to a licence already on issue (for example a variation)

1. The Council's Licensing Officer will present a report to the Sub-Committee outlining details of the application and reasons for the hearing including representations/objections made. The Licensing Officer may then, through the Chair, be questioned on his report by any party to the hearing.
2. The Applicant (and/or his advocate/representative) will then present their case in support of the application they have made. The Applicant calls any witnesses (if applicable). The Applicant and witnesses (if any) may then, through the Chair, be questioned by any party to the hearing.
3. Responsible Authorities (and/or his advocate/representative) will then present their case in support of their representations. The Responsible Authorities call any witnesses (if applicable). The Responsible Authorities and witnesses (if any) may then, through the Chair, be questioned by any party to the hearing.
4. REPEAT STEP 3 FOR EACH RESPONSIBLE AUTHORITY.
5. Other Persons objecting (and/or his advocate/representative) will then present their case in support of their representations. Other Persons call any witnesses (if applicable). Other Persons and witnesses (if any) may then, through the Chair, be questioned by any party to the hearing.
6. REPEAT STEP 5 FOR EACH OTHER PERSON OBJECTING.
7. The Chairman may then allow additional questioning/ clarification of any of the parties in the order indicated by him.
8. The Council's Licensing Officer gives any closing comments to the Sub-Committee.
9. The Applicant (and/or their advocate) gives any closing address to the Sub-Committee.
10. The Sub-Committee retires to deliberate in private session. All parties will then be called back into the meeting for the announcement of the decision and reasons for the decision will be given by the Chairman or Legal Advisor to the Sub-Committee (in some cases the Sub-Committee may decide to defer making a decision in accordance with any regulatory timeframe). The full written notification of the decision and rights of appeal will follow forthwith.

NOTES:

- (a) The hearing will take the form of an informal discussion led by the Licensing Authority.
- (b) The Sub-Committee Chairman and, with his consent, any Member of the Sub-Committee may at any time question the Applicant, Responsible Authorities, Other Persons, Licensing Officer or any witnesses. The Sub-Committee Chairman may deviate from this procedure as he considers necessary or appropriate, to allow a discussion to flow and to allow all parties fair and equal opportunity to raise all points they may wish to make.
- (c) At all times during proceedings due regard shall be had to The Licensing Act 2003 (Hearings) Regulations 2005.

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Rights of a Party

Licensing Act 2003 (Hearings) Regulations 2005 - regs. 15 & 16

15. Right of Attendance, assistance and representation at the hearing

Hearing to be public The licensing authority may exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public.

Party to the hearing This is a person to whom the notice of hearing is given. This may be the applicant, or a person or body who has made a relevant representation or submitted an objection notice.

Assistance A party may attend the hearing and may be assisted or represented by any person, whether or not that person is legally qualified.

Disruptive Behaviour The licensing authority may, if they consider any person attending the hearing is behaving in a disruptive manner:

- Require them to leave the hearing
- Refuse to permit that person to return
- Permit the person to return only on such conditions as the authority may specify.

A person who is excluded may submit (in writing, before the end of the hearing) any information which they would have been entitled to give orally, had they not been required to leave.

16. Representations and Supporting Information

At the hearing a party will be entitled to:

- If you have been notified of any points upon which the Licensing Authority is seeking clarification, you will be entitled to respond, giving any further information in support of your application, representation or notice.
- Address the hearing.
- If given permission by the authority, question any other parties.

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