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LICENSING SUB-COMMITTEE

DATE AND TIME OF HEARING:
FRIDAY, 6 MAY 2022 AT 10.00 AM

LOCATION OF HEARING:
ASSEMBLY ROOM, SUDBURY TOWN HALL,
MARKET PLACE, SUDBURY CO10 1TL

LICENSING ACT 2003 NOTICE OF HEARING

In accordance with Regulation 6(1) of the Licensing Act 2003 (Hearings) Regulations 2005, the Licensing Authority of Babergh 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 for the GRANT of a premises licence (section 17)

Application date: 17 March 2022
Applicant: Mount Farm Vineyards Ltd
Premises: Mount Farm Vineyards, Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO10 9BY

Please ensure that the attached 'Attendance at Hearing Notice' is completed and returned

Sub-Committee Members

Members

Sue Ayres
Peter Beer
Margaret Maybury

Reserve Member

TBC

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 **B/LASub/21/4 LICENSING ACT 2003 - HEARING TO DETERMINE AN APPLICATION MADE FOR THE GRANT OF A NEW PREMISES LICENCE - MOUNT FARM VINEYARDS, BLOOMS HALL LANE, STANSTEAD, SUDBURY CO10 9BY**

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Report from the Licensing Team attached.

APPLICANT – RESPONSIBLE AUTHORITIES – INTERESTED PARTIES

Please ensure that you complete and return the attached 'Attendance at Hearing Notice' NO LATER than 5 (five) working days before the date of the hearing.

A party who wishes to withdraw any representations they have made should do so as soon as possible.

If you consider that the hearing is not necessary, the Licensing Authority may dispense with a hearing providing all parties subject to the hearing agree that a hearing is not necessary. If you consider this to be the case, then you should give notice to the authority as soon as possible.

Procedure to be followed at the hearing

The procedure is attached.

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

Sub-Committee deliberations to take place in closed session.

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

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact the Committee Officer, Committee Services 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.

Domestic Arrangements:

- Toilets are situated opposite the meeting room.
- Cold water is also available outside opposite the room.
- Please switch off all mobile phones or turn them to silent.

Agenda Item 5

BABERGH DISTRICT COUNCIL

TO: Licensing Sub-Committee	REPORT NUMBER: B/LASub/21/4
FROM: Jo Wyatt - Food, Safety and Licensing Assistant Manager	DATE OF MEETING: 6 May 2022
OFFICER: Katherine Green 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 – MOUNT FARM VINEYARDS, BLOOMS HALL LANE, STANSTEAD, SUDBURY, SUFFOLK CO10 9BY

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 by Mount Farm Vineyards Ltd 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 Suffolk Free Press – 24 March 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 17 March 2022. This is attached as **Appendix A** to this report.

- 7.2 The application has been submitted by:

Mount Farm Vineyards Ltd

For the proposed licensed premises:

Mount Farm Vineyards, Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO10 9BY.

The designated premises supervisor DPS is:

Amanda Engstrom (a personal licence holder with Babergh District Council)

- 7.4 The information provided with the application outlines the following licensable activity: sale and supply of alcohol (for consumption both ON and OFF the premises)
- 7.5 Full details of the proposed activity and timings are contained within the application form attached to this report as **Appendix A**.
- 7.6 The steps proposed by the applicant to promote the licensing objectives in the operating schedule (part M) are attached as **Appendix B**.
- 7.7 The plan detailing the areas to be licensed are attached to this report as **Appendix C**.
- 7.8 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).
- 7.9 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

- 7.10 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.
- 7.11 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.
- 7.12 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.
- 7.13 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 Babergh District Council's Statement of Licensing Policy at 1.9).
- 7.14 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.
- 7.15 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 any of the Responsible Authorities under the Licensing Act 2003.
- 8.2 There have been **68** representations received made by 'other persons' (which includes local residents, businesses and residence association). This is attached as **Appendix D** to this report.

9. Appendices

Title	Location
(a) Application for GRANT of NEW premises licence	Attached
(b) Part M proposed Licensing Conditions	Attached
(c) Plan detailing the areas to be licensed	Attached
(d) Representations received from 'Other Persons'	Attached
(e) Operating Schedule	Attached
(f) Highway Consultation Letter	Attached

10. Background Documents

10.1 The Licensing Act 2003

10.2 Guidance issued under Section 182 of the Licensing Act 2003

10.3 Babergh 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 **MOUNT FARM VINEYARDS LTD**

(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			
Mount Farm Vineyards, Blooms Hall Lane, Stanstead			
Post town	Sudbury	Postcode	CO10 9BY

Telephone number at premises (if any)	TBC
Non-domestic rateable value of premises	£To be confirmed as determines fee

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 type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth			I am 18 years old or over <input type="checkbox"/> Please tick yes		
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
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 type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		<input type="checkbox"/> Please tick yes	
Nationality					
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					
Post town		Postcode			
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 MOUNT FARM VINEYARDS LTD
Address MOUNT FARM VINEYARDS, BLOOMS HALL LANE, STANSTEAD, SUDBURY, CO10 9BY
Registered number (where applicable) 11404379
Description of applicant (for example, partnership, company, unincorporated association etc.) LIMITED COMPANY

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
4	2	0
2	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)

ONLINE SALES, CELLAR DOOR, OCCASIONAL TASTINGS/VINEYARD TOURS, OCCASIONAL SERVING OF FOOD/SNACKS.

SEE SUPPORTING DOCUMENT 'PART 3 – DESCRIPTION OF PREMISES' FOR MORE INFORMATION AND BREAKDOWN OF OPERATIONAL SCHEDULE

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

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	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Tue					
			<u>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</u> (please read guidance note 6)		
Wed					
Thur					
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			<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)
Thur			
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"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
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 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 performance of live music</u> (please read guidance note 5)		
Thur					
Fri			<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					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded 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 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 the playing of recorded music</u> (please read guidance note 5)		
Thur					
Fri			<u>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</u> (please read guidance note 6)		
Sat					
Sun					

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		Both	<input type="checkbox"/>
Mon				<u>Please give further details here</u> (please read guidance note 4)	
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri			<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)		
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			<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)		
Fri					
Sat			<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)		
Sun					

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"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	closed	closed	State any seasonal variations for the supply of alcohol (please read guidance note 5) Standard opening days for the public will be Fri-Sun however weekdays will be operational for appointments. See Part 3 – Description of Premises for more information 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) 24 hour online sales to be facilitated during normal opening hours		
	00:00	00:01			
Tue	10:00	17:00			
	00:00	00:01			
Wed	10:00	17:00			
	00:00	00:01			
Thur	10:00	17:00			
	00:00	00:01			
Fri	10:00	17:00			
	00:00	00:01			
Sat	10:00	17:00			
	00:00	00:01			
Sun	10:00	14:00			
	00:00	00:01			

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 Amanda Engstrom	
Date of birth	
Address	
Postcode	
Personal licence number (if known) BPA1222	

Issuing licensing authority (if known)
 Babergh District Council

K

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).

ALCOHOL SALES

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	closed	closed	<p><u>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</u> (please read guidance note 6)</p>
Tue	10:00	17:00	
Wed	10:00	17:00	
Thur	10:00	17:00	
Fri	10:00	17:00	
Sat	10:00	17:00	

Sun	10:00	14:00	

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 documents labelled PART M

b) The prevention of crime and disorder

See attached documents labelled PART M

c) Public safety

See attached documents labelled PART M

d) The prevention of public nuisance

See attached documents labelled PART M

e) The protection of children from harm

See attached documents labelled PART M

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
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	<p>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).</p> <ul style="list-style-type: none"> 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	15/03/22
Capacity	DIRECTOR

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	15-03-22	15/3-22
Capacity	DIRECTOR	DIRECTOR

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

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Mount Farm Vineyards - Part M **Conditions for the online side of the business**

Operations

No person under the age of 18 shall be employed by the premises licence holder to act as the driver of a vehicle to be involved in the operation of the licensed business nor shall any person under the age of 18 have any responsibility for the delivery of alcoholic products from the licensed premises.

Staff members will be properly authorised and trained including:

- A notice of authority record for all staff who sell or supply alcohol
- Suitable and sufficient training and refresher training at least once every 12 months for staff and records kept for inspection
- Contact details of the Designated Premises Supervisor available to staff and responsible authorities
- Deliveries of alcohol only to pre-arranged addresses
- The carrying and maintenance of records of orders on-board delivery vehicles
- Strict terms and conditions over purchase, ordering and delivery emphasising the right to and the duty to refuse alcohol sales or supplies where there are concerns over age, drunkenness, location or the vulnerability of customers

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 and disorder.

The premises licence holder shall operate a policy of:

- 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
- No cash handling by delivery drivers
- 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 and disorder

There shall be no deliveries to and from the licensed premises outside of the following operating times; Monday to Friday between the hours of 17:00 hrs to 09:00hrs.

Public Safety

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 that public safety is promoted.

- any risk to safety shall be assessed before the premises are opened to the public and throughout the hours of operation
- delivery vehicles being maintained, secured and operated safely
- no sales or supplies of alcohol being undertaken where it is reasonably considered that this might negatively affect public safety

- the entrance and any walkways within the premises shall be kept free from obstruction or hazard
- public safety and fire risk assessments shall be undertaken periodically and acted upon in accordance with current recommendations and requirements.
- effective lighting shall be maintained and operated to ensure the safety of the public and staff

Public Nuisance

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 will ensure that:

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

Children

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:

- Strict terms and conditions stressing that the purchaser and those receiving a delivery of alcohol must be at least 18 years of age.
- 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
- Staff training shall occur before a staff member is authorised to sell or deliver alcohol for the business
- The age verification policy shall be one of Challenge 25. This shall be specified in promotional material, terms and conditions, within the premises and emphasised through staff training. Anyone not looking 25 at the point of delivery or sampling will be required to prove that they have turned 18, otherwise the 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.

Website

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:

- The name of the delivery service, valid telephone numbers, e-mail address, the premises licence number which authorises the sale/supply of alcohol and the relevant licensing authority which issued the premises licence;
- 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 of age 18 is strictly forbidden; and
- 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.

Delivery

The premises licence holder shall take all reasonable anti-fraud and underage sales precautions to ensure that no online/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.

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.

The sale of alcohol shall be for consumption off the premises with a delivery to a home or bona fide business address only. For the avoidance of any doubt there shall be no deliveries of alcohol to open air outdoor locations under any circumstances.

The premises licence holder shall ensure that all refusals are promptly recorded in a legible format and shall be produced to an authorised officer of the Police or Local Authority upon request.

Mount Farm Vineyards - Part M **Conditions relating all parts of the business' activities**

General

The premises licence is only for the area as delineated in the site plan attached to the licence.

The premises licence holders shall ensure that relevant members of staff receive and complete suitable and sufficient training to include licensing law, offences in relation to prohibited sales and good practice in relation to promotion of the licensing objectives, with written records retained of training undertaken and made available for inspection by the Police or an authorised officer of the Licensing Authority upon reasonable request. An appropriate training manual shall be operated and retained at the licensed premises. Refresher training shall be undertaken at least once every 12 months, with any new member of staff to be trained within six weeks of taking their position and prior to undertaking any direct duties. For the avoidance of doubt this training may be administered in-house/on-line in accordance with the relevant criteria.

Alcohol sales

No supply of alcohol for consumption OFF the licensed premises shall be in an opened bottle or glass.

No alcohol bought from the licensed premises can be consumed on any part of the premise that is NOT outlined in the site plan.

The premises licence holder or designated responsible person on the premises shall not permit customers to enter the licensed premises with open containers of alcohol.

The premises licence holder shall adopt a 'Challenge 25' proof of age scheme. The premises licence holder shall operate a requirement for the production of a passport, driving licence or other bona fide form of identity carrying a photographic image, where the individual requesting the supply of alcohol appears to be under the age of 25.

Children on the premises

Children shall not be permitted to attend the licensed premises for the duration of tasting events at the premises.

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. Children shall only be permitted on the licensed premises during licensed activities or events where accompanied and/or under the supervision of an adult.

Public safety

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.

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

No illegal drugs shall be permitted on the premises, and all hirers/users made aware of a zero tolerance to drugs on the premises.

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.

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.

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 and the public are on the premises. External lighting should be of such specification and positioning so as to meet this objective without causing any public nuisance by light pollution.

Public nuisance

Waste from the licensed premises shall be removed in a timely manner (outside of the hours between 11pm and 7am) to an appropriate waste disposal facility, so as to minimise the risk of public nuisance.

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.

Attendees acting in a drunk, disorderly or anti-social manner shall be ejected from the site and afforded assistance by the event staff to ensure safe departure (for example via taxi) or handover from the site. Serious matters/incidents shall be reported to the Police immediately.

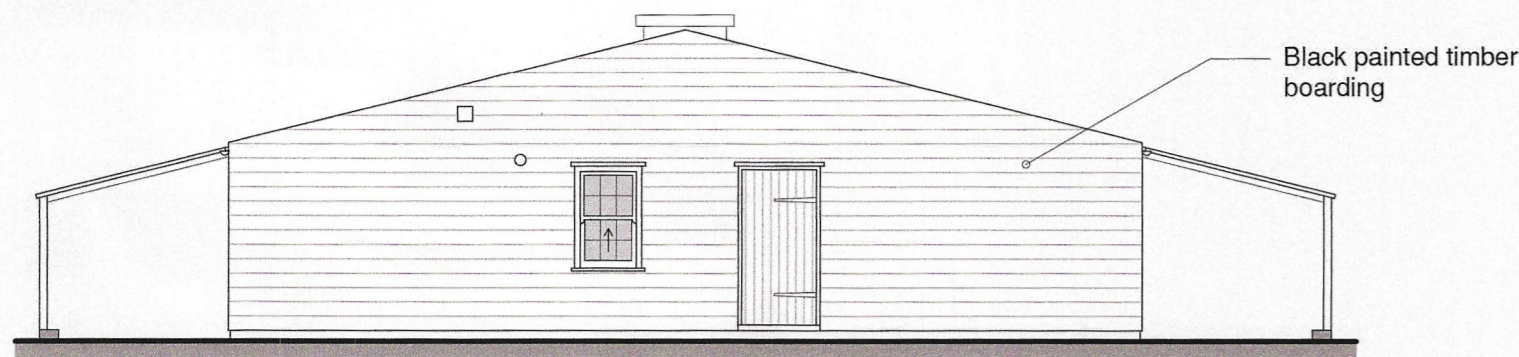
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Scale Bar Legend

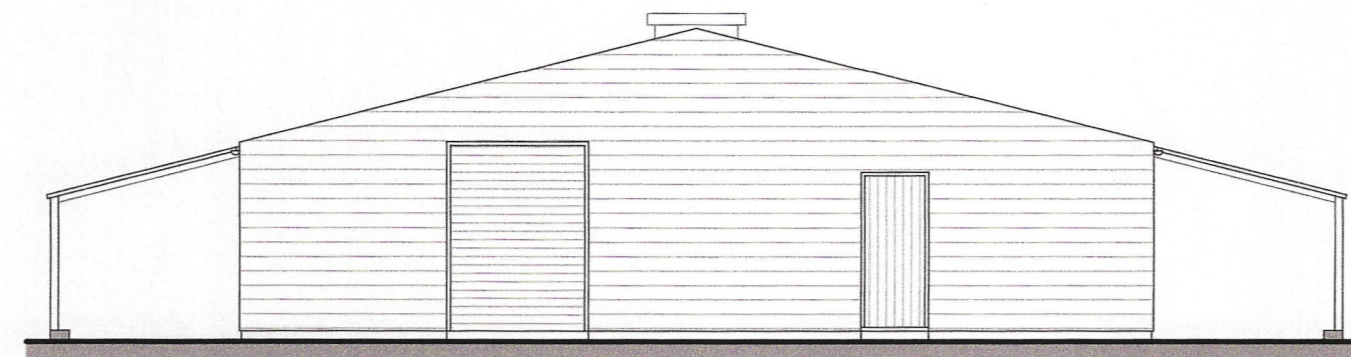
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Scale Bar 1:100

Scale Bar 1:200



Front (East) Elevation
Scale 1:100



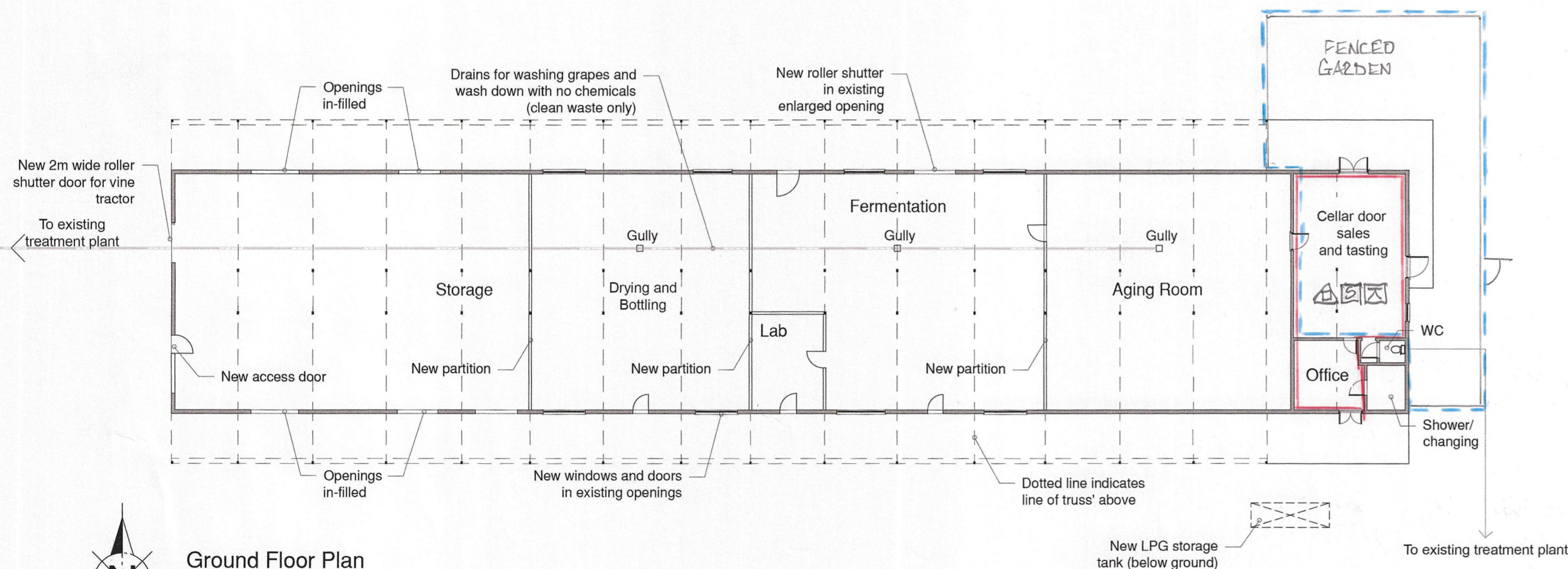
Rear (West) Elevation
Scale 1:100



Side (South) Elevation
Scale 1:100

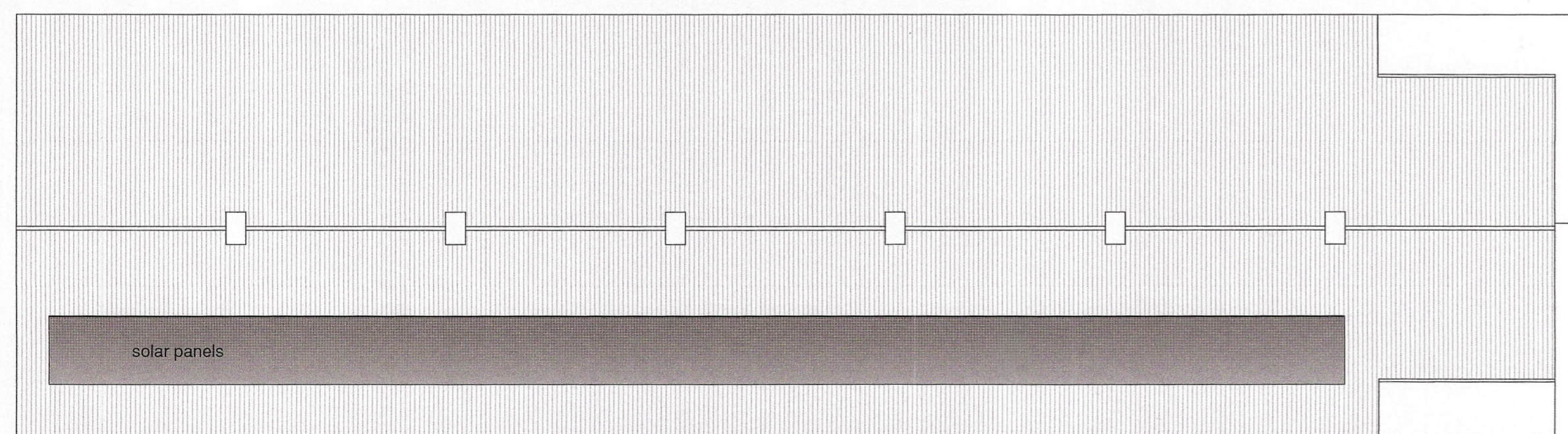


Side (North) Elevation
Scale 1:100



RED - SALE/SUPPLY OF ALCOHOL
BLUE - CONSUMPTION OF ALCOHOL

Ground Floor Plan
Scale 1:200



Roof Plan
Scale 1:200

Rev:	Date:	Details:
A:		
B:		
C:		
D:		
E:		
F:		

Site Address:
Mount Farm, Blooms Hall Lane, Stanstead, Suffolk, CO10 9BY

Project:
Proposed change of use and alterations of existing Chicken Barn to a Winery

Client:
Mr H & Mrs K Engstrom

Drawing Status:
Planning

Drawn by:
HD

Drawing Content:
Proposed Ground Floor, Roof Plans & Elevations

Scales:
See Drawing @A1

Drawing No:
1166-02-03

Date Created:
February 2019

Planning status:
Pre-Application

Building Regulation status:

OPTIMUM Architecture Ltd

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www.optimum-architecture.co.uk
Nags Corner, Nayland, Nr. Colchester CO6 4LT

Chartered Institute of
Architectural Technologists
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Representation 1

I would like to give my support to the application made by Mount Farm Vineyards. I think it will bring needed employment to the area, make good use of the land and as there are already businesses of a similar nature in the area it will compliment those too. Mount Farm Vineyards have provided us with employment over the past three years and we have found them to be hard working in a sustainable manner whilst using local trades where possible.

J. Whymark
The Massing Crowcroft Road, Nedging With Naughton,
Suffolk, IP7 7HR

Representation 2

As a resident at the end of blooms hall lane I wanted to contact yourselves regarding the recent application at Mount Farm Vineyard.

I am first of all horrified at how the local village has responded to this application. The British country side relies on local farming and local business in order to survive and how this has been met with such negativity is beyond me. 70% of all UK land is agricultural and the UK government has pledged to unlock this massive economic opportunity by focusing on encouraging all rural business. Surely this is no different.

This should be even more valued in light of Brexit. Local produce should be welcomed by all to support the economy and provide employment and encourage tourism.

For the village this venture could provide a source of employment and a heart to the village which would in turn make the village more desirable and increase property prices. The vineyard would be an excellent venue for village fêtes etc which would have benefitted all the residence.

I'm aware the main concerns that have been raised is in regards to the lane. Although it's narrow at times is really no different to any other country lane in the UK. Mount farm has previously been run as a working farm, with lorries etc going down the lane at regular intervals so this would if anything be an improvement for road users. At no point have I walked down the lane (as a dog owner or mother of two young children) and felt unsafe.

It feels like this is more of a personal attack rather than people having any real concerns about the business. It appears to me that a great deal of consideration has been made to the local community and yet it's been met with pure negativity and a complete unwillingness to discuss options to make all parties happy. With all going on in the world if this is their biggest concern they should count themselves very lucky indeed.

Nova Capstick
Corn Barn
Blooms Hall Lane

Representation 3

To whom it may concern.

I live at Mount Farm, Blooms Hall Lane, Stanstead. In close proximity to Mount Farm Vineyard.

My parents were arable farmers on this land from 1946, they were followed by my brother who farmed Free Range eggs. At his retirement, the land and buildings were purchased by the Enstrom family, farming vines to produce wine.

Farming is a diverse industry and I believe that any farmer has the rite to produce and bring their produce to market.

In the past people have visited the farm to buy potatoes, both to eat and to grow also corn for their poultry and in more recent times to buy eggs and chickens.

I can see no difference in visiting the farm to taste the wine that is grown and produced on the farm prior to purchase.

Without a licence being granted this can not happen.

I have researched the approximate amount of visitors that other vineyards receive for tastings and tours, as obviously this is of importance to me. It seems to be somewhere in the region of 12 to 30 visits per week depending on the time of year.

I do not consider that this volume of potential customers will disturb my peace or impact adversely on my life or anyone else's for that matter.

The Enstrom family have worked very hard and invested a great deal to create this vineyard.

It is a place of great biodiversity and in the changing seasons a thing of remarkable beauty.

They have my complete support in furthering this enterprise and I very much hope that their license is granted.

Regards,

Diana Wilson.

Mount Farm, Blooms Hall Lane, Stanstead, Sudbury CO10 9BY

Representation 4

Re: Mount Farm Vineyards CO10 9BY

Dear Sir/Madam

I would like to express our support for the above licensing application.

It may seem counter-intuitive that as a licensed premises ourselves we would wish to support an additional application in the area but as a local business I believe it is vital we continue to support and encourage other enterprises which are seeking to grow and diversify the rural economy. I understand the application will help create additional employment but perhaps more importantly it will help further develop agri-tourism in East Anglia.

There are a number of vineyards in our area, with new ones being established, and the Engstroms at Mount Farm are working hard to establish a protected designation of origin for vineyards in the Stour Valley area. If this sector can be nurtured and offer a further reason for more tourists to come, they are sure to bring economic benefits for many promoting an increased spend on accommodation, dining out, visiting other attractions, shopping etc., and I believe it can only be positive for our region.

Yours faithfully

S St J Chapman

**The Queen's Head
Rede Road
Hawkedon
Bury St Edmunds
IP29 4NN**

Representation 5

Dear Licensing team,

I am writing in support of an application for an on and off licence for Mount Farm Vineyard, Stanstead.

I should, first of all, state that I was the founder and previous owner of Gifford's Hall Vineyard which is no more than half a mile from Mount Farm as the crow flies, although I am now retired. Vineyards are an increasingly popular and successful form of agricultural diversification and the Engstroms have invested significantly in the development of the vineyard and its infrastructure.

I have watched the initial establishment of Mount Farm Vineyard with much interest and not a little admiration. It is quite one of the most carefully laid out and planted vineyards I have ever seen with many experimental varieties.

Mr Engstrom and his daughter, Amanda, who run the vineyard between them, have already started experimental winemaking with, I have to say, some stunning results.

It stands to reason that in order to succeed they must have a licence to sell alcohol at the vineyard and on-line.

They will be having their first real harvest this year and I know they plan to sell much of it to Sweden (from which country the family originates) and on-line.

I know there has been some opposition to the application by local people concerned about possible noise from the venue and additional traffic in Blooms Hall Lane which is also being considered for signposting as an official "Quiet Lane".

I have spoken to Mr Engstrom, and I know he is a keen supporter of making Blooms Hall Lane a Quiet Lane, so it stands to reason he is not planning the sort of vineyard which depends on attracting large numbers of tourists. I understand he has offered to pay for the creation of more passing points in the lane if necessary. It is worth noting that there has always been agricultural traffic along Blooms Lane which would occasionally have involved lorries and delivery trucks so the additional passing points would be generally welcome.

The development of the vineyard and associated buildings has already created much new work in the district and will continue to do so in future. I believe their venture deserves support and I do hope that they will obtain their essential licences.

Yours sincerely

John Kemp
The Woodshed
Shimpling Road
Stanstead
IP29 4EX

Representation 6

Good morning,

Support for the premises licence for Mount Farm Vineyard from Chair and Vice-Chair of WineGB East.

Burn Valley Vineyard, North Creake, Norfolk

We set up our vineyard in 2016 and were lucky enough to secure a grant to help with the building of our Winery on site in 2019. Key to our business plan was the ability to perform Wine tastings at our winery in order to sell the wine from our cellar door, at the best margins. All tastings as prebooked online through our website so we know exactly how many are visiting, the tastings generally last 2 hours. Guests can then buy our wine following the tasting. In my view, when guests book, the majority are coming to have an experience. Trying Norfolk wines, alongside Norfolk produce on our charcuterie and seafood platters. At no point do I believe they are coming to party, or to consume excess alcohol. There are numerous examples of this model across the region and would urge those who haven't been on a tasting to book on this summer and see what is involved.

Laura Robinson, Chair, WineGB East

Laura Robinson
Burn Valley Vineyard
North Creake
Beacon Hill Road
King's Lynn
Norfolk
NR21 9LN

Representation 7

Coopers Croft Vineyard

Having the potential to operate tours and tastings direct from the vineyard is an important way to raise awareness of the quality and passion that is at the heart of the UK wine sector. My tours are usually not more than a dozen people, professionally run with only small quantities tasted, and often not consumed. This aids the visitor to decide which particular wine they prefer, followed by 'off-sales' which will then be enjoyed at their own home.

Nick Watson, Vice Chair, WineGB East.

Please contact me for any further clarification or questions.

Best regards

nick

Nick Watson
Coopers Croft
Ashfield Green
Wickhambrook
Newmarket
Suffolk
CB8 8UZ

Representation 8

Matthew Capstick
Corn Barn
Blooms Hall Lane
Stanstead
Suffolk
CO109BY

12th April 2022

Section 17/Grant of a New Premises Licence for Mount Farm Vineyards, Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO10 9BY

Dear Sir / Madam,

I write to you to advise of my full support, as a permanent resident of Blooms Hall Lane, for the Licensing Application related to Mount Farm Vineyards Ltd. It is unquestionable that there would be no cause for concern related to the four licensing objectives (public safety, public nuisance, crime prevention, child protection), when considering in full the specific details of the Licensing Application.

I commend the applicants, who are making extensive efforts to develop a small agricultural business, at premises that have long been in alternative agricultural use, for developing their business in a sustainable manner, that adds real value to the local environment (including extensive creation of native wild habitats), adds much needed employment and economic benefit for the local population (including extensive use of the local supply chain), and will create a business that the local community and the county should be proud of.

I would stress that this licensing application, should any of these objectives have been a concern, would impact my permanent residence more so than any complainants, given the close proximity I live to the Vineyard, yet I have zero concerns. Furthermore, with two young children (both 5 years or younger), I particularly discount the ascertain that there are any child safety concerns, and I would highlight to the Licensing Authority the complete absence of any reported incidents that would substantiate the erroneous claims made in submitted complaints, made by individuals who chose to utilise Blooms Hall Lane as a race track in their younger years.

It should be noted that the manner in which certain complainants have conducted themselves with regards this application is deplorable, and crosses a line into the realms of harassment of the applicants i.e. are vexatious in nature. It is noteworthy to observe the escalation of objections as each prior one has been rejected for carrying no weight. This has progressed to the extent it has become highly personal, orchestrated by an extremely small minority, making accusations and reports (including to Highways) far beyond the extent of the Licensing Application. This is particularly so with regards to the latest Human Rights claims, which sit centrally in the categories of repetitive, frivolous and vexatious in nature, in the eyes of a reasonable person. I find it unfathomable how this licensing could breach anyones Human Rights, and it is clear by making such claims individuals are trying any conceivable angle to try and object. I trust that the Licensing Authority will use its extensive experience to recognise where frivolous, vexatious and repetitious representations, with zero grounding in reality, have been made by individuals, and suitably discount these as non-viable.

I thank you for your consideration of my support, and trust the Licensing Authority arrive at the logical decision with regards this application.

Kind regards

Matthew Capstick

Representation 9

Reference/Type: Section 17/Grant of a New Premises Licence - Premises: Mount Farm Vineyards, Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO10 9BY - Applicant: Mount Farms Vineyards Ltd

I am writing to register my strong objection to this Application.

This objection is made on the grounds that, if a license were to be granted, the licensable activities on the Premises would inevitably give rise to a significant public nuisance, which will adversely effect the existing rights of members of the public, living, working or carrying out their normal activities in the vicinity of the Premises.

To be clear, my objection is not based on infrastructure or traffic issues, but rather that the activities on the premises will give rise to a public nuisance, one of the Licensing objectives that the Licensing Committee is bound to consider.

The Applicants are seeking a Premises Licence permitting the sale of alcohol to the public for consumption on and off the premises. The Licensable activities for which a licence is sought include online sales, sales through an on-site shop and events such as wine tastings where people would be consuming food and drink on the premises.

The premises are situated at the end of Blooms Hall Lane, a single track, No through road with poor visibility, steep banks, no pavements, no passing places and no street lights. Blooms Hall Lane is the only means of vehicular access to the property. If a licence were granted the only way that the licensable activities could take place is if members of the public travel down Blooms Hall Lane.

Given the physical characteristics of the Lane, and the fact that the Lane is heavily used by village residents, the licensable activities on the Premises will inevitably give rise to a public nuisance and would adversely effect the existing rights of all those people who either live on the Lane or use it for the purposes of exercise and recreation.

I live at the Stanstead end of Blooms Hall Lane, at the top of a particularly steep and narrow stretch of the Lane. Given the absence of passing places, two vehicles cannot pass each other outside my home. When two vehicles meet on this stretch of the lane, vehicles frequently drive onto my property in an attempt to allow the other vehicles to pass. When this happens it causes a significant nuisance to me and my family.

Any grant of a license for activities which involve members of the public travelling to or from Mount Farm Vineyards, will cause a public nuisance in Blooms Hall Lane. Accordingly, I object to the grant of this licence.

Yours faithfully,

Marnie Bragg

6 Blooms Hall Lane, Stanstead, CO10 9BY

Representation 10

Reference/Type: Section 17/Grant of a New Premises Licence - Premises: Mount Farm Vineyards, Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO10 9BY - Applicant: Mount Farms Vineyards Ltd

I am writing to register my objection to this Application.

This objection is made on the grounds that, if a license were to be granted, the licensable activities on the Premises would inevitably give rise to a significant public nuisance, which will adversely effect the existing rights of members of the public, living, working or carrying out their normal activities in the vicinity of the Premises. To be clear, my objection is not based on infrastructure or traffic issues, but rather that the activities on the premises will give rise to a public nuisance, one of the Licensing objectives that the Licensing Committee is bound to consider.

The Applicants are seeking a Premises Licence permitting the sale of alcohol to the public for consumption on and off the premises. The Licensable activities for which a licence is sought include online sales, sales through an on-site shop and events such as wine tastings where people would be consuming food and drink on the premises.

The premises are situated at the end of Blooms Hall Lane, a single track, No through road with poor visibility, steep banks, no pavements, no passing places and no street lights. Blooms Hall Lane is the only means of vehicular access to the property. If a licence were granted the only way that the licensable activities could take place is if members of the public travel down Blooms Hall Lane.

Given the physical characteristics of the Lane, and the fact that the Lane is heavily used by village residents, the licensable activities on the Premises will inevitably give rise to a public nuisance and would adversely effect the existing rights of all those people who either live on the Lane or use it for the purposes of exercise and recreation. The public nuisance would include noise pollution, environmental pollution and littering caused by visitors to the Premises.

I live at the end Blooms Hall Lane, and I have experienced, first-hand, how dangerous it can be, especially to inexperienced users. Blooms Hall Lane is a narrow, single-track road that has steep banks and a deceptively visibility limiting curve. In 2008, I was the passenger in a car that was hit by an inexperienced user of this lane. The driver of the vehicle was driving too quickly, had limited time to react given the curve of the lane, and with the steep banks, had nowhere to redirect the car that ensured that it was a front-on collision for both vehicles, causing significant damage and writing-off both cars.

Therefore, the Licensing Authority should refuse this application.

Yours faithfully
Charles Johnsen

Coppins House, Blooms Hall Lane, Stanstead, Suffolk CO109AY.

Representation 11

With reference to the above application for a licence to sell alcohol I am registering an objection on the grounds of public nuisance.

Reasons:

Applicant has requested online and offline sales at the premises. I have no objection to online sales with collections once a day by couriers or registered commercial companies. I do have objections to the standard opening to the general public for offline sales on the basis of increased 'public nuisance'. I am not a lawyer but the definition of public nuisance *"arises from an act that endangers the life, health, property, morals or comfort of the public or obstructs the public in the exercise or enjoyment of rights common to all"***

The act of selling offline alcohol at this outlet, which is situated at the end of a No-Through Road, endangers the life, health, property, and comfort of the public and obstructs the public in the exercise and enjoyment of rights common to all as follows:

Endangers Life: by enticing the general public to visit the premise to buy alcohol, the applicant has not taken into account the increased danger to human life. I have lived in this lane for 20 years and we had one head-to-head collision with a commercial vehicle who had no idea of the speed necessary to make this a safe environment and been witness to two other incidents.

Endangers Health: the increased pollution from the commercial and consumer traffic will have an adverse effect on the health of the natural life (the adjoining Woodhouse Wood is a place of SSI) and on human life (many mothers walk their children up and down the lane) and any increase in pollutants from vehicles must be detrimental to their health

Endangers Property: alcohol sales, where the general public have had tastings, will result in drivers, who have had even a small amount of wine, driving with excessive speed down this lane/bridlepath/walk and very likely cause accidents to other cars, horses and pedestrians coming in the opposite direction

Obstruction to the Public in the exercise and enjoyment of rights common to all: this lane has been used as a walkway and bridleway for many years by the inhabitants of the Stanstead village. It has very recently been recognised in the changes to the Highway Code, (which came into operation on January 29th 2022) that there is a hierarchy of users of public highways "The 'hierarchy of road users' is a concept that places those road users most at risk in the event of a collision at the top of the hierarchy. The hierarchy does not remove the need for everyone to behave responsibly. The road users most likely to be injured in the event of a collision are pedestrians, cyclists, horse riders and motorcyclists, with children, older adults and disabled people being more at risk." ** It is hard to emphasise without a physical visit, how this application to sell alcohol to members of the public from a shop on the premises, will raise the risk to those road users who are at the top of this hierarchy.

The Future

If this premise and company is to be successful, the owners have advised that they need to generate large amount of sales from the vineyard shop. What is deemed 'successful' will be largely determined by the quantity of sales, which can only come by heavily advertising (as the vineyard is off the beaten track) as being open for business and enticing potential clients into the 'No-Through' lane and to the shop for tastings – the idea that they will be successful with minimal visits is directly contradictory to any business model I am aware of. We have all seen how many small farm shops have grown into successful shopping destinations with

huge car parks and the accompanying noise, pollution and danger and it is no doubt in my mind that this is what the applicant envisages in the future.

Finally, I see that the applicant has submitted a 'Highways Comments' report from GW Bullard, which I understand has no bearing on the decision of the licensing authority but in case this report is taken into account, I would like to point out that it was commissioned by the applicant and is factually incorrect; I give you two examples:

- As the Bullard report correctly points out, it is a No Through Road, but there are no signs to indicate this, so vehicles do use it with an idea that they can access Shimpling village. Before they realise their mistake, it is impossible for them to turn around as due to the narrowness of the lane there is no turning point. As a consequence, it is not 'lightly trafficked' lane; it is already heavily trafficked.
- To my knowledge there have been at least 3 accidents in the lane in the last 22 years; one of which involved my wife and children who were driven into headlong by a delivery van and our car was written off. I do not have the photographs any more but the claim was registered and paid by Aviva Insurance Company.

I therefore respectfully request that you treat this report with the bias associated with a any report commissioned by the applicant.

For all the reasons above I ask that you only allow online sales and turn down the request for offline sales with a shop, which would only give rise to a significant public nuisance to residents, and other users of the lane as explained above. I understand that Licensing Authorities no longer have the time to visit premises but I would strongly recommend any of your committee, who are in the area, to experience the situation I am describing and make their own conclusions rather than relying on our written objections. If it helps, I am very happy to meet anyone at the beginning and conduct them the length of the lane to visually show them what I am talking about.

Yours sincerely

Hugo Johnsen

Coppins House, Stanstead, Sudbury, Suffolk CO10 9AY

Representation 12

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

Reference/Type: Section 17/Grant of a New Premises Licence - Premises: Mount Farm Vineyards,
Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO10 9BY - Applicant: Mount Farms Vineyards Ltd

I am writing to register my objection to this Application.

This objection is made on the grounds that, if a license were to be granted, the licensable activities on the Premises would inevitably give rise to a significant public nuisance, which will adversely effect the existing rights of members of the public, living, working or carrying out their normal activities in the vicinity of the Premises.

To be clear, my objection is not based on infrastructure or traffic issues, but rather that the activities on the premises will give rise to a public nuisance, one of the Licensing objectives that the Licensing Committee is bound to consider.

The Applicants are seeking a Premises Licence permitting the sale of alcohol to the public for consumption on and off the premises. The Licensable activities for which a licence is sought include online sales, sales through an on-site shop and events such as wine tastings where people would be consuming food and drink on the premises.

The premises are situated at the end of Blooms Hall Lane, a single track, No through road with poor visibility, steep banks, no pavements, no passing places and no street lights. Blooms Hall Lane is the only means of vehicular access to the property. If a licence were granted the only way that the licensable activities could take place is if members of the public travel down Blooms Hall Lane.

Given the physical characteristics of the Lane, and the fact that the Lane is heavily used by village residents, the licensable activities on the Premises will inevitably give rise to a public nuisance and would adversely effect the existing rights of all those people who either live on the Lane or use it for the purposes of exercise and recreation. The public nuisance would include noise pollution, environmental pollution and littering caused by visitors to the Premises.

Name:

ALAN REIDER

Address:

HIGHFIELDS
WAPER ST. STANSTEAD
CO10 9AT

Email:

Representation 13

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

Reference/Type: Section 17/Grant of a New Premises Licence - Premises: Mount Farm Vineyards,
Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO10 9BY - Applicant: Mount Farms Vineyards Ltd

I am writing to register my objection to this Application.

This objection is made on the grounds that, if a license were to be granted, the licensable activities on the Premises would inevitably give rise to a significant public nuisance, which will adversely effect the existing rights of members of the public, living, working or carrying out their normal activities in the vicinity of the Premises.

To be clear, my objection is not based on infrastructure or traffic issues, but rather that the activities on the premises will give rise to a public nuisance, one of the Licensing objectives that the Licensing Committee is bound to consider.

The Applicants are seeking a Premises Licence permitting the sale of alcohol to the public for consumption on and off the premises. The Licensable activities for which a licence is sought include online sales, sales through an on-site shop and events such as wine tastings where people would be consuming food and drink on the premises.

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Given the physical characteristics of the Lane, and the fact that the Lane is heavily used by village residents, the licensable activities on the Premises will inevitably give rise to a public nuisance and would adversely effect the existing rights of all those people who either live on the Lane or use it for the purposes of exercise and recreation. The public nuisance would include noise pollution, environmental pollution and littering caused by visitors to the Premises.

Yours faithfully,

[Redacted Signature]

C J Mison

Address:

Shelley
Upper Street
Stanstead Suffolk

Email:

[Redacted Email]

Representation 14

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

Reference/Type: Section 17/Grant of a New Premises Licence - Premises: Mount Farm Vineyards, Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO10 9BY - Applicant: Mount Farms Vineyards Ltd

I am writing to register my objection to this Application.

This objection is made on the grounds that, if a license were to be granted, the licensable activities on the Premises would inevitably give rise to a significant public nuisance, which will adversely effect the existing rights of members of the public, living, working or carrying out their normal activities in the vicinity of the Premises.

To be clear, my objection is not based on infrastructure or traffic issues, but rather that the activities on the premises will give rise to a public nuisance, one of the Licensing objectives that the Licensing Committee is bound to consider.

The Applicants are seeking a Premises Licence permitting the sale of alcohol to the public for consumption on and off the premises. The Licensable activities for which a licence is sought include online sales, sales through an on-site shop and events such as wine tastings where people would be consuming food and drink on the premises.

The premises are situated at the end of Blooms Hall Lane, a single track, No through road with poor visibility, steep banks, no pavements, no passing places and no street lights. Blooms Hall Lane is the only means of vehicular access to the property. If a licence were granted the only way that the licensable activities could take place is if members of the public travel down Blooms Hall Lane.

Given the physical characteristics of the Lane, and the fact that the Lane is heavily used by village residents, the licensable activities on the Premises will inevitably give rise to a public nuisance and would adversely effect the existing rights of all those people who either live on the Lane or use it for the purposes of exercise and recreation. The public nuisance would include noise pollution, environmental pollution and littering caused by visitors to the Premises.

Yours faithfully,

[Redacted Signature]

Name: CHARLIE GIBLING

Address: 17 UALW VIEW

STANSTEAD

CO10 9BY

Email:

Representation 15

FROM: Claire Johnsen, Coppins House, Blooms Hall Lane, Stanstead, Sudbury, Suffolk, CO10 9AY

TO: Licensing Team, Babergh District Council,
Babergh and Mid Suffolk District Councils
Endeavour House
8 Russell Road
Ipswich IP1 2BX

By email: licensing team@baberghmidsuffolk.gov.uk

Reference/Type: Section17/Grant of new premises license - premises: Mount Farm Vineyards, Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO109BY- Applicant: Mount Farms Vineyards Ltd.

I want to register my objection to this licence application on the grounds of public nuisance and public safety.

Public Nuisance: Noise pollution Mount Farm Vineyard sits next to our home. The applicant's ambitions indicate that he is looking to scale this business, which will increase noise levels due to higher volumes of traffic, delivery vehicles, waste collection, and customers eating and drinking. Traffic to and from the Vineyard passes beside our house and is audible from our home office and bedroom; any increase in traffic volume will make a considerable public nuisance to our family. Noise pollution has the potential to radically and permanently change the tranquil environment our family has the right to enjoy.

Public Nuisance: Public safety. All visitors arriving and departing from the venue will have to use Blooms Hall Lane. This is a very narrow single track lane, with high banks, no pavement, no street lights or passing place. It will be a significant nuisance to residents and visitors who will have to reverse often 100's of meters to allow oncoming traffic to pass.

Public nuisance: Public Safety. - In the new highway code, which came into effect January 29th 2022, cars need to be vigilant of pedestrians and allow 1.5 meters between a vehicle and pedestrian and adhere to the new hierarchy of road users. Many Local dog owners and ramblers enjoy walking in Blooms Hall Lane. The increased number of cars and delivery vehicles will risk public safety for those walking in the lane.

Public nuisance: Public safety - The only access to Mount Farm Vineyard is via a bridle path which many local horse owners use. The bridle path is narrow, barely 2.5 meters wide, with no passing places. The highway code stipulates traffic must allow 2 meters between a passing vehicle and a horse. Drivers unfamiliar with the blind spots, narrow width of the track, or rough surface of the bridle bath will put riders and their horses at significant risk.

Due to the ambition of the owners, the size of the visitor and retail space, the engagement of professional consultants to lobby their application, I believe the owners have the vision to make this a large destination venue, considerably more extensive than their license application implies.

Representation 16

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

Reference/Type: Section 17/Grant of a New Premises Licence - Premises: Mount Farm Vineyards,
Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO10 9BY - Applicant: Mount Farms Vineyards Ltd

I am writing to register my objection to this Application.

This objection is made on the grounds that, if a license were to be granted, the licensable activities on the Premises would inevitably give rise to a significant public nuisance, which will adversely effect the existing rights of members of the public, living, working or carrying out their normal activities in the vicinity of the Premises.

To be clear, my objection is not based on infrastructure or traffic issues, but rather that the activities on the premises will give rise to a public nuisance, one of the Licensing objectives that the Licensing Committee is bound to consider.

The Applicants are seeking a Premises Licence permitting the sale of alcohol to the public for consumption on and off the premises. The Licensable activities for which a licence is sought include online sales, sales through an on-site shop and events such as wine tastings where people would be consuming food and drink on the premises.

The premises are situated at the end of Blooms Hall Lane, a single track, No through road with poor visibility, steep banks, no pavements, no passing places and no street lights. Blooms Hall Lane is the only means of vehicular access to the property. If a licence were granted the only way that the licensable activities could take place is if members of the public travel down Blooms Hall Lane.

Given the physical characteristics of the Lane, and the fact that the Lane is heavily used by village residents, the licensable activities on the Premises will inevitably give rise to a public nuisance and would adversely effect the existing rights of all those people who either live on the Lane or use it for the purposes of exercise and recreation. The public nuisance would include noise pollution, environmental pollution and littering caused by visitors to the Premises.

Yours faithfully,

Name:

..... D DAVEY

Address:

..... FAIRFIELDS
..... UPPER ST
..... STANSTEAD

Email:

.....

Representation 17

Section 17/Grant of a New Premises Licence - Premises: Mount Farm Vineyards, Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO10 9BY - Applicant: Mount Farm Vineyards Ltd

I am writing to register my objection to the application for this premises licence.

This objection is made on the grounds that, if a license were to be granted, the licensable activities on the Premises would (a) give rise to a significant public nuisance, which will adversely effect the existing rights of members of the public, living, working or carrying out their normal activities in the vicinity of the Premises, (b) endanger public safety on the premises; and (c) cause a risk of crime and disorder.

I will expand on these issues at the hearing, but in the meantime I outline below a number of key points.

Executive Summary

- If a license is granted, the proposed licensable activities will cause a public nuisance which would impact on (a) residents living in the vicinity of the proposed licensed premises (b) anyone who currently enjoys Blooms Hall Lane or the bridleway and footpaths in the vicinity of the proposed licensed premises for amenity purposes and (c) those residents who have no option but to use Blooms Hall Lane in order to access their homes.
- The legal position is that public nuisance under the Licensing Act 2003 has a very broad meaning and is not confined to noise, odour, litter and street fouling;
- Because of the special rural characteristics of Mount Farm Vineyards and the difficulties of access, the area directly impacted by the proposed licensable activities includes the whole of Blooms Hall Lane;
- The Licensing Authority is accordingly obliged to take into account public nuisance that will be caused in Blooms Hall Lane by the proposed licensable activities;
- The public nuisance that will be caused if this licence were to be granted includes:
 - Nuisance to those living nearest to Mount Farm - noise, pollution etc from cars and other vehicles arriving and departing, car doors closing, cars starting, cars manoeuvring, guests eating and drinking at the premises (in particular in the outdoor seating area), guests on vineyard tours, etc;
 - Nuisance to those using the bridleway and footpath running through and to Mount Farm Vineyards - noise, pollution, etc as in 1 above plus safety issues since vehicles and users of the bridleway would share a single track;
 - Nuisance to those who use Blooms Hall Lane to access their houses or who use it for the purposes of exercise and recreation. The public nuisance of vineyard traffic would include noise, environmental pollution and littering. In addition, because of the broad meaning of public nuisance, the nuisance would include for pedestrians, having to avoid traffic by taking evasive action, climbing banks, etc; and for cars, having to reverse, etc;
 - Nuisance to those who own property bordering Blooms Hall Lane whose driveways are used as passing places by those using the lane, the nuisance being damage to those driveways. In relation to that point, any suggestion that traffic using Blooms Hall Lane cannot amount to a nuisance because it is a public highway fails owing to the point that traffic going to Mount Farm Vineyards will in practice use private driveways (e.g. at 6 Blooms Hall Lane, Coppins, Acorn House, and Blooms Hall) in order to pass; the use of those driveways as passing places is not the use of the highway and is a nuisance.

I expand on these points in more detail below.

The Legal meaning and scope of Public Nuisance under the Licensing Act 2003

As set out above, my first objection is on grounds that the proposed licensable activities on the premises will give rise to a public nuisance, one of the Licensing objectives that the Licensing Committee is bound to consider.

I understand the Babergh Licensing team may consider that the expression "public nuisance" in the Licensing Act 2003 is limited and the only relevant nuisances are noise, odour, litter, waste and street fouling. Although I am not a licensing lawyer, that view is clearly not correct. The expression "public nuisance" in the Licensing Act is not narrowly defined. The expression "public nuisance" has its common law meaning which is wide and includes any act not warranted by law (or the omission to discharge a legal duty) if the effect of the act or omission is to endanger the life, health, property or comfort of the public, or to obstruct the public in the exercise or enjoyment of rights common to all Her Majesty's subjects. This definition was approved in the House of Lords case *Rimmington; Goldstein [2005] UKHL 63*. See also the Revised Guidance issued under section 182 of the Licensing Act 2003 by the Home Office in April 2018 where paragraph 2.16 confirms that public nuisance is not narrowly defined and the licensing committee are bound to consider ***it in its widest sense***.

Therefore, public nuisance includes matters such as any damage, danger or inconvenience to members of the public even if that did not involve noise, odour, litter, waste or street fouling. For the reasons given below, the grant of this licence would give rise to damage, danger or inconvenience to members of the public.

I understand that it has been suggested that the widespread concerns the residents have about effect of the proposed licensable activities on other users of Blooms Hall Lane are not relevant to a licensing application. This is also incorrect. The correct position is that where the licensing authority's discretion is invoked (as it is in this application), the authority has to have regard to paragraph 1.6 of its statement of licensing policy. This reads "The area impacted by the presence of licensed premises is a question of fact and will depend on the particular circumstances of each case". Cases such as *R (4 Wins Leisure Ltd) v Licensing Committee for Blackpool, etc* show that distance is not the test in deciding matters such as the area impacted by licensed premises and that regard has to be to local circumstances. In the case of Mount Farm Vineyards, the very particular location – its very rural position and limited access - means that the area impacted will include the bridleway and footpaths running through and to the premises; the immediately neighbouring properties; and crucially also the whole length of Blooms Hall Lane. The location of Mount Farm Vineyards means the area impacted is very different to, for example, the area that may be impacted by a venue in a town centre. In a town, the impact on surrounding roads may well not be a factor in determining if the premises create a nuisance. In the case of Mount Farm Vineyards, the nuisance for users of Blooms Hall Lane is a direct impact of the proposed licensable activities taking place at the licensed premises. The cases also show that disturbance caused by patrons going to/from licensed premises is capable of being a public nuisance for licensing act purposes.

Therefore, in the light of objections made, the licensing authority has the duty to consider:

- First, what is the area impacted by the proposed licensable activities?
- Then second, whether the impact amounts to a public nuisance?

As set out in more detail below and in other objections in relation to this licence application, there would clearly be a public nuisance if this licence were to be granted. In these circumstances, grant of the licence would not promote the licensing objectives. The committee should therefore refuse the application.

Objection on grounds of public nuisance

Even if the definition of public nuisance is limited to noise, odour, litter, waste and street fouling, the grant of this licence would give rise to a public nuisance. The public nuisance would impact on (a) those residents living in the immediate vicinity of the proposed licensed premises (b) anyone who currently enjoys Blooms Hall Lane or the bridleway and footpaths in the immediate vicinity of the proposed licensed premises for amenity purposes such as dog walking, cycling, horse riding, etc and (c) those residents who have no option but to use Blooms Hall Lane in order to access their homes. The attached appendix has images taken in recent months of the area surrounding Mount Farm Vineyards and the access via Blooms Hall Lane. As can be seen, this is a very rural spot. The Mount Farm site itself has been designated as a Special Landscape Area. There is very little noise and those enjoying the public rights of way in the vicinity and local residents enjoying their gardens can currently do so in the absence of any significant manmade noise.

Members of the public attending Mount Hall Vineyards to buy wine and to taste wine will in practice have to travel by car, especially if they are buying wine to take away with them. Mount Farm is a considerable distance from any sizeable town (Bury some 12 miles, Sudbury some 8 miles). The nearest public transport is an infrequent rural bus stop some two miles away.

Mount Farm Vineyards is at the end of Blooms Hall Lane, a mile down a single track, no through road with poor visibility, steep banks, no pavements, no passing places and no street lights. Blooms Hall Lane is the only means of vehicular access to the property. If a licence were granted the only way that the licensable activities could take place is if members of the public travel down Blooms Hall Lane. The Lane is heavily used by village residents for amenity purposes and has to be used by local residents to get to their houses.

The public nuisance that will be caused if this licence were to be granted therefore includes:

1. Nuisance to those living nearest to Mount Farm - noise, pollution etc from cars and other vehicles arriving and departing, car doors closing, cars starting, cars manoeuvring, guests eating and drinking at the premises (in particular in the outdoor seating area), guests on vineyard tours, etc;
2. Nuisance to those using the bridleway and footpath running through and to Mount Farm Vineyards - noise, pollution, etc as in 1 above plus safety issues since vehicles and users of the bridleway would share a single track;
3. Nuisance to those who use Blooms Hall Lane to access their houses or who use it for the purposes of exercise and recreation. The public nuisance of vineyard traffic would include noise, environmental pollution and littering. In addition, in light of the points made above about what amounts to a public nuisance, the nuisance would include for pedestrians, having to avoid traffic by taking evasive action such as climbing banks, etc; and for cars, having to reverse, etc and/or leave the public highway and unlawfully enter private property in order to allow others to pass (thereby opening them to claims for damages);
4. Nuisance to those who own property bordering Blooms Hall Lane whose driveways are used as passing places by those using the lane, the nuisance being damage to, and obstruction of, those driveways. In relation to that point, any suggestion that traffic using Blooms Hall Lane cannot amount to a nuisance because it is a public highway fails owing to the point that traffic going to/from Mount Farm Vineyards will in practice use private driveways (e.g. at Coppins, Acorn House, Blooms Hall and 6 Blooms Hall Lane) in order to pass; the use of those driveways as passing places is not the use of the highway and is a nuisance.

These public nuisances will be a direct impact of the proposed licensable activities taking place at the licensed premises and will impact on members of the public living, working or engaged in normal activity in the locality of the licensed premises. As noted above, the location of Mount Farm Vineyards means the area impacted includes the whole of Blooms Hall Lane.

In any event, points 1 and 2 above do not relate to use of the lane but to activities on Mount Hall Vineyards itself.

Public Safety issues

Were there to be an incident at Mount Farm Vineyards requiring attendance by emergency services, there must be concerns that the limited access would give rise to a risk to the safety of members of the public attending the premises. Also the safety of those on the bridleway through Mount Farm, especially where it runs right beside the proposed licensed premises, would be put at risk by the proposed licence (a particular concern being the safety of those riding horses, whose mounts might be startled by the presence of cars on and near the bridleway and of Mount Farm Vineyards patrons eating and drinking in the outdoor eating area). Accordingly, in relation to the public safety licensing objective, the licence should be refused to the extent it allows attendance of members of the public, especially if in large numbers.

Scale of operation and nature of proposed activities

The Applicant seems to be presenting this licence application as relating to a small scale operation with reference made to traffic estimates for visitors of 0-5 visitors per day at best. No evidence is provided in support of these estimates, nor are any conditions offered to restrict the traffic to these numbers. Obviously the greater the number of visitors, the greater the public nuisance. A widespread concern is that these estimates are unrealistic for a vineyard that will be producing 40,000 bottles of wine a year. I can find no data to support the Applicant's traffic estimates, but published Wine GB statistics (2021) state that visits to vineyards and wineries rose on average by 57% last year. It is also not clear if the suggested 0-5 visitors per day is a yearly average; if it was then that might in fact show the Applicant expects much higher numbers for example on busy summer weekends. All of this would suggest that the traffic estimates provided by the Applicant should be treated with caution. The number of visitors could be significantly greater.

In addition to scale, there are particular concerns in relation to "on premises" consumption of alcohol and other "on premises" activities that do not directly relate to off premises sales. The application states:

In order to sell the wine, this application will be for a small cellar shop/tasting room in part of the winery barn. Here the wine will be *mainly* sold for off the premises, but the customers will also have the opportunity for wine tastings on the premises marked out in the Premise Site Plan. This includes an outdoor seated area overlooking the vineyard. On-licence purchases *such as tastings* will *mainly* be available during limited times that do not interfere with the normal working week of the vineyard – *for instance* Fri-Sun. *On these days customers would also be offered light snacks* (emphasis added)

In a document sent to the Stanstead Parish Council in December 2021 in connection with an earlier application for a licence (subsequently withdrawn after many objections were received) the then plans of the owners of the vineyards were set out. These appeared wide ranging, including quarterly events, tourism, a pop up restaurant and a cafe. It is possible the intentions have changed, but the inclusion of a licence for on premises consumption of alcohol in the current licence application seems to allow for the establishment of a cafe/restaurant with seating overlooking the vineyard; the licence application refers to "serving of food/snacks". The use of the words "on licence purchases such as tastings" demonstrates that on premises purchases will not be confined to tastings; if not in connection with tastings, then presumably the on premises sales will be part of a free standing venture such as a bar, café or restaurant. Any such venture would exacerbate public nuisance concerns by creating a "destination" for members of the public. It is not clear why a broad licence for on-premises consumption is required when the application states "wine will be mainly sold for off the premises".

Local residents fear that the inevitable public nuisance of the proposed licensable activities will be of a significant magnitude because the intention is not a small scale venue for sale of wine produced on the premises, but rather a "destination" to attract the public.

Other points – comments on the Highways Letter

The application attaches a letter (the “Highways Letter”) that makes comments on Highways issues. The letter does not appear to address any of the licensing objectives and is therefore strictly irrelevant.

However, several observations on the letter may be of interest to the licensing committee:

- By including the letter with the application, the Applicant is presumably itself acknowledging that access to Mount Farm Vineyards is an issue relevant to licensing.
- In the Highways Letter, reference is made to opening up alternate access. At a meeting with neighbours in December 2021, Hans Engstrom, a director of the applicant, accepted that Blooms Hall Lane is an unsatisfactory means of access for members of the public to the proposed licensed premises and stated that he was looking into an alternate means of access. This licence application should be refused until a satisfactory alternate means of access has been established.
- The Highways Letter makes reference to planning discussions regarding Mount Farm Vineyards. This appears to acknowledge that some or all of the proposed activities for which a licence is sought require planning permission (since as mentioned above until recently Mount Farm was used as an egg farm). I understand that the Planning Department are of the view that the proposed tasting room/cellar shop requires a full planning application. While the absence of planning permission is not relevant to a licensing application, there is nonetheless a statutory duty to consult with the Planning Department on any application. So that the Planning Department are able to make representations in relation to the licensing objectives in the light of full knowledge of the facts, I would therefore ask that the Planning Department are made aware that this application is being made to use premises apparently without proper planning consents being in place and that there are local concerns that the grant of a licence would give rise to a significant public nuisance, not least because of issues around access and amenity.
- The Highways Letter focusses on planning considerations, strictly not relevant, rather than the highly relevant question of public nuisance. But even taking the question of planning issues, the letter selectively quotes paragraph 111 of the NPPF and fails to mention the immediately following paragraphs 112 and 113. These provide that applications for development should give priority to pedestrian and cycle movements within neighbouring areas, address the needs of people with disabilities and be supported by a transport statement so that the likely impacts of the proposal can be assessed. The Highways Letter appears to do none of those things in a manner responsive to NPPF paragraphs 112 and 113. Moreover in stating that there is an existing absence of road traffic injury collisions in the lane, the letter ignores the knowledge of local residents who can give evidence of several road traffic accidents (albeit fortunately serious injury was avoided). It also ignores increases in traffic since buildings at Mount Farm were converted from an egg farm to residential occupation.

Further details about Blooms Hall Lane

Granting this licence application will cause a public nuisance in Blooms Hall Lane and on the footpaths and bridleway leading to and through the licensed premises for the reasons set out below. Mount Farm lies over a mile down Blooms Hall Lane which is a cul de sac ending in a public bridleway. See attached map and illustrations. This is currently the only means of access.

- Blooms Hall Lane is a narrow single track lane flanked by high banks and ditches.
- There are blind corners so visibility is poor.
- The road surface is prone to potholes which frequently go without repair for long periods – when potholes are present, driving down an already narrow road becomes especially difficult.
- In winter the lane regularly floods.
- Although the banks have been flailed since the attached pictures were taken, in spring and summer when flailing of the hedges is restricted for environmental reasons, vegetation means visibility is particularly limited.
- The lane is used extensively by wildlife including a large herd of fallow deer.
 - There is no street lighting.

- There are no pavements so pedestrians have to walk in the road where they are inevitably vulnerable to traffic. If a vehicle is encountered, pedestrians often have to climb a bank in order to allow the vehicle to pass (this is especially hazardous if there are children in buggies or dogs are involved). Any disabled person using a wheelchair/mobility scooter or child on a bicycle is at particular risk.
- There are no proper passing places. If another vehicle is encountered, this means one or other vehicle has to reverse, often for hundreds of metres. For some commercial vehicles reversing is impractical/impossible; if granted the application would result in an increased volume of these vehicles.
- Given the absence of proper passing places, when vehicles meet they have to leave the highway and drive onto private property in order to pass.
- The lane is extensively used by local residents for amenity walking, often in the company of children and dogs, and by children on bicycles.
- Blooms Hall Lane leads to the only local bridleway and is therefore frequently used by riders on horseback. There is no way to pass a horse; if a horse is met by a vehicle, the vehicle has to reverse, often for hundreds of metres (as above).
- The lane runs directly alongside Woodhouse Wood, a site of special scientific interest and an area of rich bio-diversity which would be damaged by increases in vehicle emissions caused by greater traffic volumes.

The public nuisance caused by granting a licence would impact on (a) those residents who have no option but to use Blooms Hall Lane in order to access their homes and (b) anyone who currently enjoys Blooms Hall Lane or the bridleway leading to the proposed licensed premises for amenity purposes such as dog walking, cycling, horse riding, etc.

The risk of nuisance will be increased if it involves vehicles being driven by those who have been drinking alcohol (even if within legal limits) and/or who are unfamiliar with the road and might not expect to encounter a dog walker, child in the middle of the road, fallow deer, badger, other wildlife, or another vehicle. Even knowledgeable local residents find it difficult enough to navigate especially in the dark (the proposed hours of operation will include hours of darkness in the winter).

Conclusion and suggestion for mediation

In view of the above, I urge the Licensing Authority to refuse this application as currently framed.

The location of Mount Farm – its very rural location, crossed by a bridleway, with its only access down a single track road - means that if the premises were licensed and encouraged attendance by members of the public, that would inevitably create a public nuisance as outlined above. Because of the public nuisance that would be created, Mount Farm is completely unsuitable as licensed premises for the public to visit for any purposes, be that retail sale of wine, wine tasting or anything else. That is especially the case if the visit would involve consumption of alcohol.

It is unfortunate that the Applicant and its associates have chosen the site of the former egg farm at Mount Farm for their proposed business without first applying for planning consent and a licence. The access issues and the nuisance that would be caused by establishing a retail business at Mount Farm will have been obvious before the vines were planted. It would also have been obvious that planning consent and a licence would be required if they wished to carry out retail sale from the site. One of the overriding aims of Babergh's licensing policy is "supporting strong and inclusive communities that balance the rights of licensable businesses [and] local residents". This licence application seeks to trample on the existing rights of local residents in order to set up a new business in an unsuitable location. For that reason the licence application should be refused. The licensing authority should not prioritise someone seeking to set up a new business over the existing interests of the residents of Stanstead.

I have no wish to fall out with the applicants who are near neighbours. I would like their vineyard venture to succeed. But In light of the licensing objectives and in order to avoid a public nuisance,

the application as presented should be refused. That said, the on line sales element of the licence application could be run in a way that did not cause significant public nuisance. While there would be public nuisance from a licence for on line sales only, it could be mitigated by suitable conditions. So I do not object to a licence for on-line sale only, provided there were conditions limiting collection of wine to no more than say one or two vans/lorries per day. That would mitigate the public nuisance. The application seems to contemplate less vehicle movements than that in relation to on line sales, so presumably such a condition would be acceptable to the applicant. If any licence is granted it should have a time limit (say 3 years), so that the scale and nature of actual operation of the vineyards can be assessed in practice in light of the licensing objectives.

To date there has been no meaningful consultation by the Applicant with local residents regarding the plans which have simply been presented as a fait accompli. I would be happy to meet with the applicant (as I suspect would others) if a constructive conversation could be held to explore possible solutions that might be acceptable to local residents.

Yours faithfully

David Harkness, Blooms Hall, Blooms Hall Lane, Stanstead, Suffolk, CO10 9AY

Images of area around Mount Farm Vineyards

Images 1 and 2 – views from footpath showing unspoiled and tranquil countryside



Image3–
BloomsHallLanenearstartoflanelookingbacktowardsStanstead.Notesteephill,highbanks,nopassingplaces



Image4–BloomsHallLanelookingtowardsStanstead–
roadoftenfloodsatthispointandisicyincoldweather.Noteblindbendandhighbanks.



Image5–
Further up the lane looking away from Stanstead. Note high banks. Footpath crosses at this point. This stretch has no passing place at all for approximately 450 metres.



Image6—LookingtowardsStanstead.Notehighbanksandlimitedvisibility.Nopassingplaces



Image7–
thelaneisheavilyusedbyfallowdeer.Seetracksonthehighbank.Deerappearinroadwithoutwarning.



Image8–LookingawayfromStanstead–roadoftenfloodsatthispoint



Image9–
notethenarrownessofthelane.Inthisspot,eventhoughthereisnobanktotheleft,thevergeisverysoftandhasasteepdropintoawaterfilledditch.WoodhouseWoodtotheleftisasiteofspecialscientificinterest



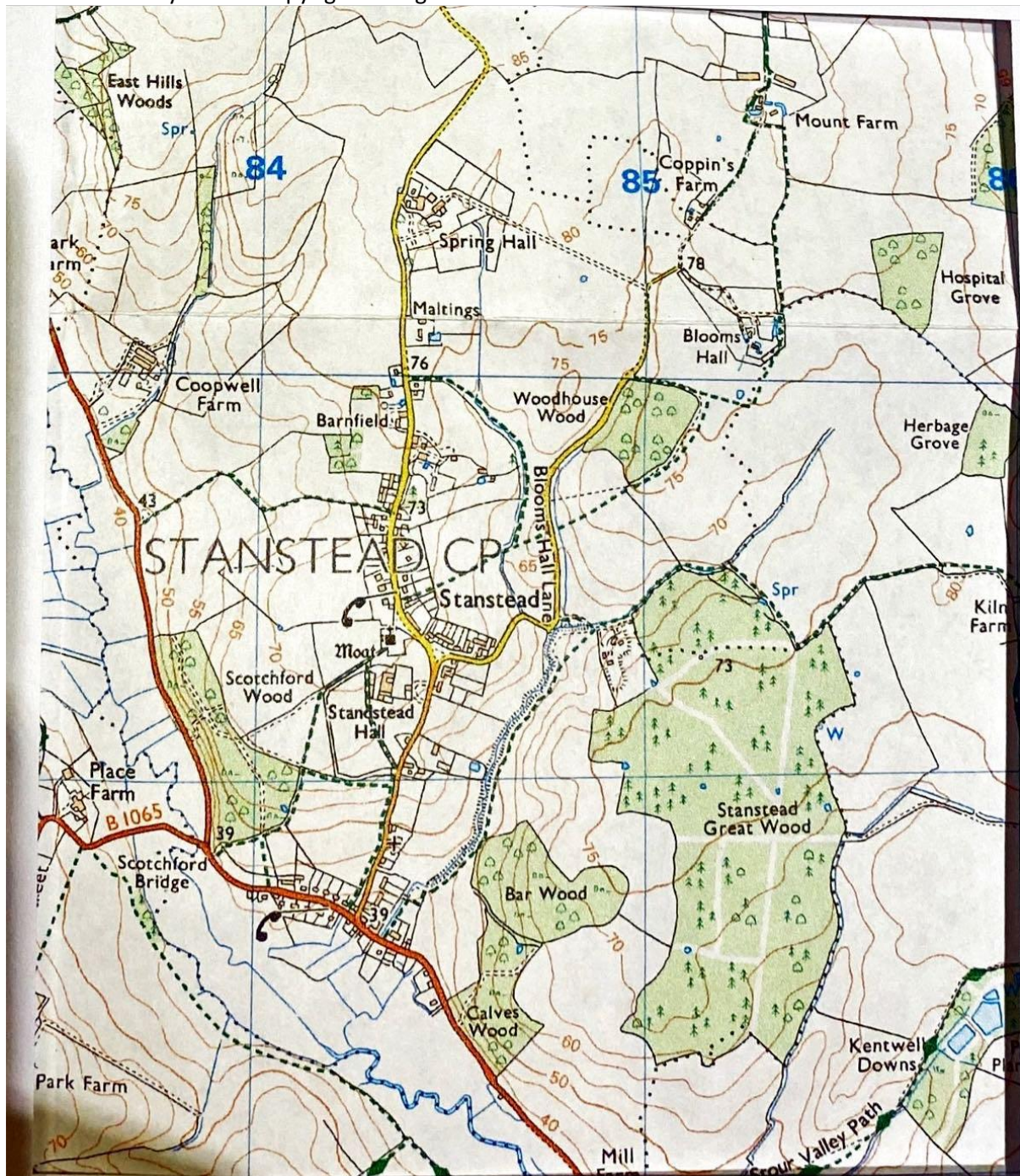
Image10—notehighbanksandlimitedvisibility.Particularlynarrowstretch



Image11–thiscardidnotmakeitroundthebendnearthestartofthelaneandendedupintheditch



Image 12 Map of the area
Ordnance Survey. Crown copyright. All rights reserved



Representation 18

Acorn House
Stanstead
Sudbury
Suffolk
CO10 9AP

25th March 2022

Reference/Type: Section 17/Grant of a New Premises Licence - Mount Farm Vineyards, Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO10 9BY

I am writing to register my objection to this Application.

This objection is made on the grounds that, if a license were to be granted, the licensable activities on the Premises would inevitably give rise to a significant public nuisance, which will adversely affect the existing rights of members of the public, living, working or carrying out their normal activities in the vicinity of the Premises.

To be clear, my objection is not based on infrastructure or traffic issues, but rather that the activities on the premises will give rise to a public nuisance, one of the Licensing objectives that the Licensing Committee is bound to consider.

This application is looking to hold events at the site, sales to the general public, wine tastings, cellar door shop along with food and alcohol. This could result in any number of members of the public attending these premises.

- The premises are situated at the end of Blooms Hall Lane, a single track, No through road with poor visibility, steep banks, no pavements, no passing places, no speed restriction, no drainage, no road markings and no street lights. Blooms Hall Lane is the only means of vehicular access to the property. If a licence were granted the only way that the licensable activities could take place is if members of the public travel down Blooms Hall Lane. There is no bus service in the area.
- The lane is in the process of being designated as a Quiet Lane as it is an asset to the community for recreation and is constantly used by pedestrians, those using mobility scooters, horse riders and cyclists. It is so well used that the Parish Council have installed a public seat beside the lane on my land for the enjoyment and rest of those enjoying the lane as part of their exercise and enjoyment of the countryside.
- I own the land along the first part of Blooms Hall Lane and have a driveway on one of the dangerous 90-degree bends. As two cars or a horse, bike, walker and a car cannot pass each other, my private driveway is frequently driven on by vehicles to get past each other. This results in my driveway being constantly damaged, my ground ripped up and leaves deep ruts making my access impassable causing me a significant nuisance. The banks of my land are being significantly eroded since the vineyard has been constructed.
- My friends and I ride our horses up the full length of Blooms Hall Lane at least 6 days a week as it is the route to the Public Bridleway. This is the only bridleway that we have in Stanstead, so it is well used as it is also only the only place where a horse rider can ride off the road and should be able to enjoy the freedom of riding on a soft surface and free

from traffic. Before it gets to Mount Farm Vineyard the lane becomes a designated Public Bridleway and it runs through the middle of the applicant's site and continues across farmland to the Stanstead Road, Shimpling. Vehicular traffic is not permitted on Bridleways. Anyone attending an event or buying alcohol would have to drive along the bridleway. This is the only bridleway in the village, this questions Public Safety, when riding through the premises on The Public Right of Way. The car parking and manoeuvring area for the premises, means cars will have to reverse out onto the Public Bridleway which runs right alongside the premises.

- The recent changes to the Highway Code make it explicit that when a car passes a rider on horseback the car should allow no less than a two-metre gap. There is simply not enough room on the bridleway or the lane for a car to adhere to that element of the Highway Code, in fact it is physically impossible to fit a car and a horse beside each other safely.
- Adjacent to the lane is Woodhouse Wood. This is an S.S.S.I, part of the Kentwell Woods statutory designation with vulnerable ancient woodland indicator species. Members of the public driving to and from the premises will undoubtedly increase emissions and have an environmental impact. This wood and the surrounding area supports local herds of over 300 Fallow Deer which spend their time in and around the lane.
- Babergh D.C themselves recognise that this access lane is restricted as they have to use a purpose-built waste collection vehicle to access these dwellings as the normal dust cart cannot fit up Blooms Hall Lane.
- There have been several accidents along the lane, a car overturned and crashed on the second blind bend destroying the village salt bin and ending up in the stream. Local residents have had head on collisions, with a driver unaware of the dangers, writing both vehicles off. The local Postman has also been hit on more than one occasion. Royal Mail will presumably have the records of those incidents. Horse riders, cyclists and pedestrians are constantly subject to near misses.

Given the physical characteristics of the Lane, and the fact that the Lane is heavily used by village residents, the licensable activities on the Premises will inevitably give rise to a public nuisance and would adversely affect the existing rights of all those people who either live on the Lane or use it for the purposes of exercise and recreation. The public nuisance would include noise pollution, environmental pollution and littering caused by visitors to the Premises.

It is not a safe or suitable location for any form of public events applied for or for any on-site sales.

Granting this licence will blatantly obstruct the public in the exercise or enjoyment of rights common to all i.e. walking, cycling or riding safely in their village.

Damage will be caused to adjacent landowners having their land driven over in attempt to form passing places.

There is absolutely no reason why this business cannot sell and have the public taste their wine locally through the myriad of local farm shops, existing retail outlets, farmers markets, county shows and struggling pubs and restaurants who would be delighted to have the public visit their already licenced premises with good public access on suitable roads.

Online sales could be handled sympathetically by bulking orders and using one daily courier run, but this is not a suitable location for any form of public access.

I object to this application and the granting of this licence will give rise to Public Nuisance

Therefore, the Licensing Authority should refuse this application.

Frances Browne

Addition to Objection – Mount Farm Vineyards - Frances Browne – March 2022

An example of the public nuisance - The applicant from Mount Farm Vineyards on Blooms Hall Lane trying to reverse past me and my horse this week with less than 2 feet of space. This is a situation common to both the access lane and the Bridleway passing through Mount Farm.

Highway code - When you see a horse on a road, you should slow down to a maximum of 10 mph. Be patient, do not sound your horn or rev your engine. When safe to do so, pass wide and slow, **allowing at least 2 metres of space.**



Representation 19

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

Reference/Type: Section 17/Grant of a New Premises Licence - Premises: Mount Farm Vineyards,
Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO10 9BY - Applicant: Mount Farms Vineyards Ltd

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To be clear, my objection is not based on infrastructure or traffic issues, but rather that the activities on the premises will give rise to a public nuisance, one of the Licensing objectives that the Licensing Committee is bound to consider.

The Applicants are seeking a Premises Licence permitting the sale of alcohol to the public for consumption on and off the premises. The Licensable activities for which a licence is sought include online sales, sales through an on-site shop and events such as wine tastings where people would be consuming food and drink on the premises.

The premises are situated at the end of Blooms Hall Lane, a single track, No through road with poor visibility, steep banks, no pavements, no passing places and no street lights. Blooms Hall Lane is the only means of vehicular access to the property. If a licence were granted the only way that the licensable activities could take place is if members of the public travel down Blooms Hall Lane.

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Name:

G.F. PENNY

Address:

HUNTER HOUSE
UPPER ST, STANSTEAD
CO10 9AT

Email:

Representation 20

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

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Yours faithfully,

[Redacted Signature]

Name: GERALDINE ROSS
Address: 19 ALSTON CRESCENT
STANSTEAD
COLO GRAN

Representation 21

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

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Name:

J A COLEMAN

Address:

SWALLOWS
UPPER STREET, STANSTEAD,
SUDBURY, SUFFOLK

Email:

Representation 22

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

Reference/Type: Section 17/Grant of a New Premises Licence - Premises: Mount Farm Vineyards,
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Yours faithfully,

Name:

Address:

Email:

J. Beed - JENNIFER BEECH
4 TERRA COSTA PLACE
STANSTEAD

Representation 23

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

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Yours faithfully,

[Redacted Signature]

Name:

MRS J. STONE (JULIA)

Address:

No. 1 THE GREEN
STANSTEAD
SUDBURY SUFFOLK

Email:

[Redacted Email]

Representation 24

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

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Yours faithfully,

.....Julie Parrott.....

Oaklands, Lower St, Stanstead , Sudbury, Suffolk CO10 9AH

Representation 25

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

Reference/Type: Section 17/Grant of a New Premises Licence - Premises: Mount Farm Vineyards,
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Yours faithfully,

[Redacted Signature]

Name: KEVIN DASLEY
Address: 15 VALLEY VIEW
STANSTEAD
CO10 9AR

Email: [Redacted Email]

Representation 26

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

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Yours faithfully,

[Redacted]
Name: M WELCH

Address: 3 THE GREEN
STANSTED
CO10 9AS

Email: [Redacted]

Representation 27

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

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Yours faithfully,

[Redacted Signature]

Name: MATTHEW LITTLEBOY

Address: 7 VALLEY VIEW

STANSTEAD

SUFFOLK CO10 9AR

Email: [Redacted Email]

Representation 28

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

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Yours faithfully,

[Redacted Signature]

Name: Mr & Mrs Garwood

Address: 12 VALLEY VIEW

Stanstead

SUDBURY

Email:

Representation 29

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

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Yours faithfully,

.....
Name:

P. J COOK

Address:

14 VALLEY VIEW

STANSTEAD

SUDBURY S.F.K.

Email:

Representation 30

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

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Given the physical characteristics of the Lane, and the fact that the Lane is heavily used by village residents, the licensable activities on the Premises will inevitably give rise to a public nuisance and would adversely effect the existing rights of all those people who either live on the Lane or use it for the purposes of exercise and recreation. The public nuisance would include noise pollution, environmental pollution and littering caused by visitors to the Premises.

[Redacted] lly,

Name:

Paul Thomson

Address:

Wesleys
Stanstead.
CO10 9AT

Email:

[Redacted]

Representation 31

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

Reference/Type: Section 17/Grant of a New Premises Licence - Premises: Mount Farm Vineyards, Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO10 9BY - Applicant: Mount Farms Vineyards Ltd

I am writing to register my objection to this Application.

This objection is made on the grounds that, if a license were to be granted, the licensable activities on the Premises would inevitably give rise to a significant public nuisance, which will adversely effect the existing rights of members of the public, living, working or carrying out their normal activities in the vicinity of the Premises.

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Yours faithfully

Name:

PETER NICHOLS

Address:

8 VALLEY VIEW

STANSTEAD

CO10 9AR

Email:

Representation 32

Thank you Ms Green and your rebuttal of the grounds of concern put forward by residents of Blooms Hall Lane. I have had opportunity to consider the matter further, and I consider that any increased use of Blooms Hall Lane, would have an impact upon the residents who live in the vicinity of Blooms Hall Lane. Unfortunately no one to date has produced the figures of current traffic use and the projected traffic use. My contention would be that this tranquil area served by Blooms Hall Lane, would be impacted for residents who live next to the lane, by even a modest increase of vehicular traffic, to use a common term it is all relative to the existing situation.! Not wanting to introduce red herrings, I am guessing that the Act covering the grant of an Alcohol Licence, is subservient to the Human Rights Act,? which covers in detail the rights of an individual, to amongst other things a peaceful existence Thank you Richard Kemp County Councillor

Representation 33

Stanstead Parish Council

Clerk : Mr Roy Weedon
Flint Cottage, The Hill, Stanstead, CO10 9AP
Tel:
email:

BMSDC Licensing Team

25th March 2022

Dear Sir/Madam,

Re Application for Premises Licence for Mount Farm Vineyards, Blooms Hall Lane Stanstead.

On Monday 21st March 2022 Stanstead Parish Council had a meeting to discuss this application as it impacts the village of Stanstead. The public were invited to make comments and thereafter the council members discussed the application and unanimously objected to the application.

The grounds for the objection are detailed in the following submission.

Prevention of public nuisance

Outdoor events could be noisy and cause light pollution detrimentally affecting the neighbouring properties and wildlife.

There are several footpaths and bridleways that lead to the property and through the designated licencing area, this is used by ramblers, local people, dog walkers and horse riders. Numerous customers drinking alcohol and anti-social behaviour would be a public nuisance to the rightful users of the pathway and bridleway.

Vehicle pollution will be a public nuisance to the rightful users of the pathway and bridleway.

The license application is for seven days a week potentially creating anti-social behaviour in addition to the three points above.

Public Safety

Blooms Hall Lane is a single-track road which becomes a bridleway and any increase in traffic would make it almost impossible for emergency vehicles to attend the premises in a

prompt manner creating a danger to people attending the venue. The lane is used by ramblers, local people, dog walkers and horse riders therefore any increase in traffic will be a danger to all concerned.

There are several footpaths and bridleways that lead to the property and through the designated licensing area, this is used by ramblers, local people, dog walkers and horse riders. Numerous customers drinking alcohol and anti-social behaviour could create a public safety issue to the rightful users of the pathway and bridleway.

The license application is for seven days a week potentially creating anti-social behaviour which could create a public safety issue.

Protection of children from harm.

There are several footpaths and bridleways that lead to the property and through the designated licensing area, this is used by ramblers, local people, dog walkers, horse riders including children. Numerous customers drinking alcohol and anti-social behaviour could create a safety issue for children rightfully using the pathway and bridleway

Yours faithfully

Roy Weedon
Clerk to Stanstead Parish Council

Representation 34

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

Reference/Type: Section 17/Grant of a New Premises Licence - Premises: Mount Farm Vineyards,
Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO10 9BY - Applicant: Mount Farms Vineyards Ltd

I am writing to register my objection to this Application.

This objection is made on the grounds that, if a license were to be granted, the licensable activities on the Premises would inevitably give rise to a significant public nuisance, which will adversely effect the existing rights of members of the public, living, working or carrying out their normal activities in the vicinity of the Premises.

To be clear, my objection is not based on infrastructure or traffic issues, but rather that the activities on the premises will give rise to a public nuisance, one of the Licensing objectives that the Licensing Committee is bound to consider.

The Applicants are seeking a Premises Licence permitting the sale of alcohol to the public for consumption on and off the premises. The Licensable activities for which a licence is sought include online sales, sales through an on-site shop and events such as wine tastings where people would be consuming food and drink on the premises.

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Yours faithfully,

[Redacted Signature]

Name: S. P. P. P.

Address: High Corner

The Green

Email: [Redacted Email]

Representation 35

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

Reference/Type: Section 17/Grant of a New Premises Licence - Premises: Mount Farm Vineyards,
Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO10 9BY - Applicant: Mount Farms Vineyards Ltd

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Name: SARAH JANE WRIGHT

Address: 16 VALLEY VIEW

STANSTEAD

COLOAR,

Email:

Representation 36

Reference/Type: Section 17/Grant of a New Premises Licence - Premises: Mount Farm Vineyards, Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO10 9BY - Applicant: Mount Farm Vineyards Ltd

I am the secretary of the 10th Battalion Suffolk Home Guard Rifle and Pistol Club, the entrance to which is located just off in Blooms Hall Lane. On Sunday mornings and (in the summer months) on Wednesday evenings, the village end of the Blooms Hall Lane (which is particularly winding and steep) is used by members of the rifle club to get to the rifle club; for reasons of practicality and in order to avoid drawing attention to the firearms they bring to the club, almost all of these members drive to the club down Blooms Hall Lane which is the only means of access. I have been using the lane for over 60 years now and know of quite a few collisions that have occurred there, including one involving my own Father, and these were collisions involving people very familiar with the narrow lane.

I object to this application. I believe the grant of a licence would give rise to a public nuisance.

This objection is made on the grounds that, if a license were to be granted, the licensable activities on the Premises would inevitably give rise to a significant public nuisance, which will adversely affect the existing rights of members of the public, living, working or carrying out their normal activities in the vicinity of the Premises.

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Yours Faithfully

Stephen Richardson

45, Swanfield, Long Melford, CO10 9EY

Representation 37

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

Reference/Type: Section 17/Grant of a New Premises Licence - Premises: Mount Farm Vineyards,
Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO10 9BY - Applicant: Mount Farms Vineyards Ltd

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Yours faithfully,

.....

Name: SUSAN SPICER

Address: 3 WINDMILL PLACE

STANSTEAD

.....

Email:

Representation 38

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

Reference/Type: Section 17/Grant of a New Premises Licence - Premises: Mount Farm Vineyards,
Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO10 9BY - Applicant: Mount Farms Vineyards Ltd

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Yours faithfully

[Redacted]
Name: ^v Wilf & Jenny Farrance
Address: POND COTTAGE,
THE GREEN
STANSTEAD

Email: [Redacted]

Representation 39

Section 17/Grant of a New Premises Licence - Premises: Mount Farm Vineyards, Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO10 9BY - Applicant: Mount Farm Vineyards Ltd

I object to the Applicant's application for a premises licence.

My objection is made on the grounds that, if a licence were to be granted, the licensable activities on the premises would,

a) Endanger public safety on the premises, on the bridleway through and to Mount Farm Vineyards and in Blooms Hall Lane,

b) Cause a significant public nuisance, which would adversely affect the existing rights of members of the public living, working, or carrying out their normal activities in the vicinity of the premises, and,

c) Give rise to crime and disorder.

Granting a premises licence to premises which are more than a mile down a single track lane barely 8 feet wide, that is heavily used by local residents and members of the public on foot and on horseback and which must be used by some local residents to reach their own homes, cannot possibly promote the licensing objectives. The proposed licensable activities will inevitably and directly cause public safety and public nuisance issues and interfere with the lawful right of passage of existing users of the lane and bridleway.

Overview

The land upon which the vineyards have been established was purchased by the Applicant in 2018. Prior to this purchase, the land had been the site of a free-range chicken shed/egg farm. All agricultural activity on the site ceased when the egg farmer retired, and the chicken sheds were decommissioned. The land was not sold with the benefit of any planning permission permitting a change of use and to the best of my knowledge there was not, and has never been, a retail shop or any form of licensed premises on the site.

Since 2018, the Applicants have planted a 20,000-vine vineyard and have converted the former chicken shed into a winery. They have developed a business plan which seeks to establish the vineyards as a tourist destination offering, amongst other things, vineyard tours, wine tasting events and a retail outlet.

The current licensing application is made in circumstances where the Applicants must reasonably be regarded as having knowledge of the following facts:

- The only vehicular access to the premises is via Blooms Hall Lane.
- Members of the public have an established right of way, as evidenced by the Definitive Map maintained by Suffolk County Council, over the public bridleway running to and through the site.
- The only way that members of the public can access the premises is by driving over the bridleway.
- While not directly relevant to this license application, there is no planning consent permitting the operation of a retail shop or licensed premises at the vineyards.
- The four facts set out above were known to the Applicants before the vineyard was planted.

- The route of the public bridleway, and public footpath, runs along the track leading to the premises, and in close proximity to the outdoor seating area proposed to form part of the licensed premises.
- In a meeting with neighbours in December 2021, Mr Hans Engstrom acknowledged that Blooms Hall Lane was an unsatisfactory means of vehicular access to the premises.
- No attempt has been made to consult with neighbours or the wider community in relation to this or any previous licencing application in respect of the vineyard, and invitations from neighbours to discuss the application constructively have been declined.
- There is significant opposition to this application from local residents and the wider community, as evidenced by the Parish Council meeting on Monday 21 March 2022, attended by Mr Hans Engstrom and Ms Amanda Engstrom.

Since 2018, the Applicants have, at their own risk, taken steps to establish an entirely new commercial venture including the planting of vines and the construction of a winery. They have done so without first seeking the necessary planning or licensing consents to enable them to sell or serve that wine to members of the public either through online sales or by means of sales on the premises for consumption on or off the premises. Knowing that the only access to the site was unsatisfactory, they have not secured an alternative access. In these circumstances, the Applicants have exposed themselves to the commercial risk that the necessary consents may be justifiably withheld by the appropriate authorities in the exercise of their statutory duties.

The grant of a premises licence in the terms sought would, in my view, breach the licensing objectives set out in the Licensing Act 2003, as it would cause a public nuisance, endanger public safety, and encourage crime and disorder.

The intention of the 2003 Act is to prevent the operation of licensed premises in these circumstances. The Act, the Statutory guidance produced pursuant to s.182 of the Act and Babergh's own Licensing Policy, all impose a duty upon the licensing committee to uphold the licensing objectives and, in doing so, to have due regard to the existing rights of members of the public living, working, or carrying out business in the vicinity of the premises.

Most local residents, and I include myself in this number, are not opposed to local enterprise and have no desire to restrict economic activity which is of benefit to the local community, and which does not give rise to a public nuisance or loss of amenity, or otherwise infringe the existing rights of those who live, work, or go about their normal activity, in the vicinity of such businesses. In these circumstances, I believe that, subject to the imposition of satisfactory conditions relating to the fulfilment of these sales, there would be likely to be support for an application which permitted on-line sales only. Satisfactory conditions would be conditions which sought to reduce public nuisance and would be likely to include, for example, conditions seeking to control the number of delivery vehicles permitted to attend at the premises and the days of the week on which such deliveries/collections were to be permitted.

A licence limited to online sales (subject to satisfactory conditions) would permit the applicant to market and sell the wine produced on the premises, would avoid significant public nuisance, and would respect the existing rights of those living, working or carrying business in the vicinity of the proposed premises.

Save in respect of online sales, and for the reasons given above, I strongly oppose this application and ask the licensing committee to refuse it.

The detailed grounds for my objection are set out below and will be expanded upon at the licensing hearing.

Detailed grounds for objection

I object to the Applicant's application on the grounds that, if a licence were granted in the terms sought, it would,

1. Endanger the public safety of members of the public on and in the vicinity of the premises, on the public bridleway and in Blooms Hall Lane,
2. Create a public nuisance adversely affecting the existing rights of residents of Blooms Hall Lane and those members of the public living, working, or carrying out their normal activities in the vicinity of the premises, and,
3. Give rise to Crime and Disorder in the vicinity of the premises.
 - a. The Location of Mount Farm Vineyards and the physical characteristics of Blooms Hall Lane
 - b. The recent history of Mount Farm and the property now known as Mount Farm Vineyards
 - c. The background to the Applicant's current Licensing Application,
 - d. The legal framework under the Licensing Act 2003, and,
 - e. The grounds of objection.

The public nuisance referred to at paragraph 2 above would include, but not be limited to, noise pollution, environmental pollution, litter and the interference or obstruction of members of the public in the safe exercise of their legal rights, including their rights under Article 8 of the Human Rights Act 1998.

In setting out the detailed basis for my objection, I deal with the following issues,

a. The location of Mount Farm Vineyards and the physical characteristics of Blooms Hall Lane

Mount Farm Vineyards are located in open countryside at the end of Blooms Hall Lane in the Parish of Shimpling. The tranquil countryside in the vicinity is of particular interest and attraction to local riders and walkers (the area being given a "Special Landscape Area" designation by the District Council).

The only vehicular access to the premises is down Blooms Hall Lane, a distance of more than a mile. The entrance to Blooms Hall Lane lies within the Parish of Stanstead.

Blooms Hall Lane is a narrow, single-track road flanked by high banks, hedges, and ditches. At its narrowest point the tarmacked surface is approximately 2.5 metres wide. The lane has no pavements, no speed restrictions, no formal passing places and no streetlighting. The lane adjoins Woodhouse Wood, an historic woodland, and designated Site of Special Scientific Interest. The wood is home to a herd of fallow deer who wander into the road at will and often cross the lane without any warning. The Wood, and indeed the whole of the lane, is a biologically diverse and ecologically sensitive area.

In the spring the hedgerows along the lane provide nesting sites for many different varieties of native birds. Between 1 March and 1 September there are legal limitations placed on the ability of landowners to flail these hedgerows and verges and, accordingly, the vegetation reduces visibility for motorists and others using the lane.

In the winter the lane regularly floods, and the road surface is prone to potholes. Road repair budgets mean that potholes frequently go without repair for long periods, further reducing the useable width of the lane.

The physical characteristics of the lane, and the lack of any formal passing places means that if a vehicle meets another coming the other way, one or other of the vehicles will need to reverse. Depending upon the point at which the vehicles meet, one vehicle may have to reverse for hundreds of metres. Reversing can be particularly difficult in the dark and during bad weather. On certain stretches of the road, such as the hill leading to the end of the lane and Stanstead village, meeting another vehicle may involve reversing up or down a steep hill and around a blind corner, something which is challenging even for residents of the lane who have had a lot of opportunity to practice! The owners of 6 Blooms Hall Lane, Acorn House, Blooms Hall and Coppins House all have private driveways which lead directly onto Blooms Hall Lane. It is not uncommon for motorists to try to avoid the need for reversing significant distances by driving onto this private land, causing damage and inconvenience to the residents of these properties. ***In fact, it is not possible for two cars to pass each other at any point on Blooms Hall Lane, without one of those vehicles driving on/over private property.***

Finally, Blooms Hall Lane grants access to a network of public footpaths and leads to the only Public Bridleway in the village.

Because of its historically quiet and tranquil nature, Blooms Hall Lane has been and continues to be frequently and regularly used by local residents to walk their dogs, take exercise and ride their horses. The importance of the lane as a community asset is demonstrated by the fact that in 2021 Stanstead Parish Council voted to protect the nature of the lane and seek its designation as a Quiet Lane. This process is being championed by local residents and is supported by Suffolk County Council through the Quiet Lanes Suffolk scheme. The designation process is currently moving forward, and it is to be hoped that it will be completed soon.

b. The recent history of Mount Farm and the property now known as Mount Farm Vineyards

Prior to 2018, the site on which Mount Farm vineyards now stands was the location of a chicken shed housing free range chickens. The egg farmer, Mr Geoffrey Laflin, did not live on site. Eggs produced by Mount Farm were packed in trays by Mr Laflin and members of his family, and twice a week a large egg lorry came and collected the eggs, which were subsequently sold to the public by various major supermarkets. The days on which the egg lorry visited the farm were known to residents of the lane who were then able to take steps to avoid it. Other than the egg lorry, the egg farm generated a very limited volume of traffic.

In 2018, Mr Laflin retired. The chicken sheds were decommissioned and all agricultural activity on the site ceased. Following Mr Laflin's retirement, the land on which the chicken shed stood was sold to the Applicants. Subsequently, the Applicants have planted a commercial vineyard consisting of, in the region of, 20,000 vines and have converted the former chicken shed into a winery. I understand that the Applicants intend to plant a further 5,000 vines by 2023.

In addition, two of the former agricultural buildings on the site have been converted into dwellings. It is understood that three separate households are now living on the site and a static caravan is also in use by seasonal workers. Accordingly, in the last 4 years, the vineyards site has expanded from being a site with an egg farm (generating little traffic) to a site with a substantial winery, seasonal workers and several new residences. This additional residential occupation of the site has led to an inevitable increase in traffic volumes in the lane in addition to the traffic involved in the establishment and running of the vineyard and winery.

The Applicant has advised local residents that the intention is to produce approximately 40 – 50,000 bottles per annum once the vines are fully mature. There is no reason to suppose that the traffic required to service the vineyard and winery will diminish in time, nor that traffic associated with the domestic dwellings will reduce. This level of traffic is already putting strain on the lane.

A further issue which is relevant to the committee's deliberations relates to the Bridleway which runs through Mount Farm. The Definitive Map maintained by Suffolk County Council currently shows

this as running through the garden of one of the dwellings occupied by the Engstrom family and then alongside the outside seating area proposed to be established as part of the licensed premises. The route of the bridleway is currently obstructed by a newly installed gate to which a sign has been affixed. The sign requests that members of the public refrain from exercising their legal rights to use the bridleway and suggests an alternative route. At the time of writing, it is understood no application has been made for the deviation of the route shown on the Definitive Map and no consultation about any such change has been undertaken. Accordingly, the route of the public bridleway currently runs through the vineyard site in the immediate vicinity of the premises as defined in this Application and members of the public have a legal right to use that route on foot, on horseback or by bicycle.

c. The Background to the Applicant's current Licensing Application

On 24 November 2021 an application was made by Mr Hans Engstrom and his daughter, Ms Amanda Engstrom, for a premises licence in respect of Mount Farm Vineyards. The Applicants' address was given as Mount Farm Vineyards, Blooms Hall Lane, Stanstead.

The licensable activities for which the licence was sought included the screening of films, the performance of live and recorded music, the provision of late-night refreshment, the hosting of weddings and other events, and the sale of alcohol for consumption on and off the premises. The licensing hours were seven days a week, from 10.00 until 23.00 Sunday – Thursday and until 1.00am on Fridays and Saturdays, with extended licensing hours until 3.30 am on New Year's Day.

The then Applicants did not inform their immediate neighbours of their plans before submitting the application and there was no attempt to engage in any constructive discussion or to try and find common ground with village residents.

During a discussion with neighbours on 12 December 2021, Mr Engstrom acknowledged that Blooms Hall Lane was unsatisfactory as a means of vehicular access to Mount Farm Vineyards and informed them that he was negotiating an alternative means of access which would allow visitors to the Vineyard to access the site via the Parish of Shimpling rather than down Blooms Hall Lane from Stanstead.

The November application aroused huge concern in the area, not just from those living in the immediate vicinity of the site, but from the residents of the wider Parish, and many others. In the light of the concerns voiced by village residents, the Stanstead Parish Council called an Extraordinary Public meeting, which took place on Monday 20 December 2021.

The meeting was not attended by either Mr or Ms. Engstrom, but to avoid "any inaccuracies" during the meeting, the Engstroms provided the Parish Council with extracts from what was described as their "Mission Statement" – See Appendix 1 – on the basis that copies of this document would be distributed to those attending the meeting.

The mission statement did nothing to allay residents' concerns in respect of the Application. On the contrary, the mission statement revealed the Engstroms' plans to host regular events throughout the year, to set up a Ramblers' and Riders' Café, to run Pop up Dining events at the site, and to erect tourist accommodation on the site.

In the light of the information provided by the Engstroms, and the concerns voiced by those at the meeting, the Parish Council unanimously voted to oppose the Engstroms' Licensing Application and a written objection was subsequently submitted.

In total more than 20 written representations were lodged with the Licensing Authority. The objections included a petition signed by more than 80 local and village residents.

A date was set for the Licensing Hearing on Tuesday 25th January and a Public Document Pack was circulated. However, on 20 January 2022, the Applicants' application was withdrawn and the hearing was therefore cancelled.

Subsequently, on 15 March 2022, a fresh application was made for a premises licence at Mount Farm Vineyards. The Applicant is named as Mount Farm Vineyards and their address is given as Blooms Hall Lane, Stanstead. This is the application currently under consideration by the Committee.

The application seeks a licence for the sale of alcohol for consumption on and off the premises. The licensable activities identified include online sales, a Farm Shop, wine tastings with food/snacks – both indoors and outdoors - and Vineyard tours.

It is disappointing to note that, once again, no attempt was made to consult with, or try to reach any sort of common ground with, local residents. Indeed, offers from neighbours to meet the applicants to discuss the matter in the hope of finding common ground were refused. We understand that a meeting took place at Mr Engstrom's home on 10 March 2022 between Mr Engstrom, Mr Roy Weedon, the Stanstead Parish Clerk, Mr David Finch, the Chairman of the Stanstead Parish Council and Mr Richard Kemp, the Councillor for Long Melford, following which Ms. Amanda Engstrom provided Mr Finch with a copy of the revised, although unsigned, application.

At a Parish Council Meeting in Stanstead on Monday 21 March, the Chairman of the council advised those present that no consultation had taken place during this meeting and that Mr Engstrom had simply outlined the details of the new application, a copy of which was then supplied to Mr Finch/Mr Weedon for information.

d. The Legal Framework

The legislation governing the grant of a premises licence by a licensing authority is set out in the Licensing Act 2003.

Section 4 of the 2003 Act provides that a licensing Authority must carry out its functions under the Act, with a view to promoting the four licensing objectives. These licensing objectives are the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

Section 4(3) further provides that, in carrying out its licensing functions, the licensing authority must also have regard to,

- a) its licensing statement published under section 5, and
- b) any guidance issued by the Secretary of State under Section 182.

Section 5 provides that every licensing authority must, in respect of each five-year period, determine its policy with respect to the exercise of its licensing functions, and publish a statement of that policy before the beginning of the relevant five year period.

Babergh's Licensing policy is currently set out in their Statement of Licensing Policy 2021 – 2026.

Section 1.5 of the current Babergh policy states that,

“In exercising its licensing functions...the Licensing Authority will primarily focus on the direct impact of the licensable activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the locality of the licensed premises....”

- a) Helping to encourage and support strong and inclusive communities that balance the rights of licensable businesses ... and local residents.”

Section 1.6 continues,

“The area impacted by the presence of licensed premises **is a question of fact** and will depend upon the particular circumstances of each case.”

Furthermore, Section 1.7 provides that,

“The aims of this Statement of Licensing Policy include:

In considering the written and oral representations made by those opposed to this application, the licensing committee will need to consider whether the various nuisances complained of by objectors are such as to amount to a “public nuisance” within the meaning of the act.

Paragraph 2.16 of the S.182 guidance provides as follows,

“Public nuisance is given a statutory meaning in many pieces of legislation. It is however, **not** narrowly defined in the 2003 Act **and retains its broad common law meaning**. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour, and insects or where its effect is prejudicial to health.”

As a matter of common law, public nuisance is held to be, “any act not warranted by law (or the omission to discharge a legal duty) **if the effect of the act or omission is to endanger the life, health, property or comfort of the public, or to obstruct the public in the exercise or enjoyment of rights common to all Her Majesty’s subjects.**” This definition was approved in the House of Lords case *Rimmington; Goldstein [2005] UKHL 63*.

In determining whether a state of affairs amounts to a public nuisance the licensing committee are bound to take all the circumstances of the particular case into account. Any suggestion that it is only noise, odour, litter, waste or street fouling that can amount to a public nuisance under the act is simply wrong. This assertion is supported by Babergh’s own document of licensing policy, paragraph 14.4.2 of which says, in terms,

“The Licensing Authority interprets “public nuisance” in its widest sense.”

Whilst public nuisance **may** include issues such as noise, odour, litter, waste or street fouling, it is clear that the parliament did not intend public nuisance to be limited in this way. The licensing committee has a discretion to decide whether, based on representations made, the issues raised would indeed amount to a public nuisance.

I would also mention that the question of whether a nuisance is taking place in the vicinity or locality of licensed premises, is also something that is to be determined on the particular facts of the case and the term “vicinity” is not determined merely by distance.

Finally, in relation to whether traffic issues can be relevant issues for Licensing Act purposes, they clearly can. For example,

- Babergh’s own statement of licensing policy recognises that in appropriate circumstances traffic can be relevant (see para 5.1 which refers to “traffic congestion and/or parking difficulties”).
- Most licensed events will require a traffic management plan, demonstrating that traffic going to or from licensable activities may be a valid consideration.

e. Grounds for Objection

This objection is made on the grounds that, if a license were to be granted, the licensable activities on the Premises would,

- (a) Endanger the public safety of members of the public on and in the vicinity of the premises, on the public bridleway and in Blooms Hall Lane;
- (b) Create a public nuisance adversely affecting the existing rights of residents of Blooms Hall Lane and those members of the public living, working, or carrying out their normal activities in the vicinity of the premises, and
- (c) Give rise to Crime and Disorder in the vicinity of the premises In relation to public safety, my objection is based upon:

- The risks to members of the public using Blooms Hall Lane (especially those on foot or horseback) from vehicles going to Mount Farm Vineyards for the purposes of the licensable activities. The risk from additional vehicles using a narrow lane with steep banks and no pavements are obvious. ***(The physical characteristics of the lane mean that it is not possible to pass a horse or pedestrian whilst maintaining the two-metre distance required following recent changes to the highway code.)***
- My concern that, were there to be an incident at Mount Farm Vineyards requiring attendance by emergency services, the limited access would give rise to a risk to the safety of members of the public attending the premises.
- The fact that the safety of those on the bridleway through Mount Farm, especially where it runs right beside the proposed licensed premises, would be put at risk by the proposed licence (a particular concern being the safety of those riding horses, whose mounts might be startled by the presence of cars on and near the bridleway and of Mount Farm Vineyards patrons eating and drinking in the outdoor eating area).
- In relation to public nuisance, the direct impact of the proposed licensable activities taking place at the licensed premises will include:
 - Nuisance to those living nearest to Mount Farm – this would include, noise, pollution etc from cars and other vehicles arriving and departing, car doors closing, cars starting, cars manoeuvring, guests eating and drinking at the premises (in particular in the outdoor seating area), guests on vineyard tours, etc. This nuisance may infringe residents' existing rights under the Human Rights Act 1998 in that it would breach the existing rights to respect for their homes and their rights to peaceful enjoyment of their property. This would be exacerbated by the very rural character of the area.
 - Nuisance to those using the bridleway and footpath running through and to Mount Farm Vineyards - noise, pollution, etc as in 1 above, plus safety issues since vehicles and users of the bridleway would share a single track;
 - Nuisance to those who must use Blooms Hall Lane to access their houses or who use it for the purposes of exercise and recreation. The public nuisance of vineyard traffic would include noise, environmental pollution, and littering. In addition, because of the broad meaning of public nuisance, the nuisance would include for pedestrians, having to avoid traffic by taking evasive action, climbing banks, etc; and for cars, having to reverse, etc. The public has an existing right over the highway (which includes Blooms Hall Lane and the bridleway). That right is an existing right of public passage, that is to say a ***“right for all Her Majesty's subjects at all seasons of the year freely and at their will to pass and repass without let or hindrance”*** (Halsbury's Laws of England 4th edition volume 21 para one page 9). The increase in vehicles in Blooms Hall Lane and on the bridleway from the proposed licensable activities would be a nuisance interfering with that existing right and would extend to the whole length of the lane;
 - Nuisance to those who own property bordering Blooms Hall Lane whose driveways are used as passing places by those using the lane, the nuisance being damage to those driveways. In relation to that point, any suggestion that traffic using Blooms Hall Lane cannot amount to a nuisance because it is a public highway fails owing to the point that traffic going to Mount Farm Vineyards will in practice use private driveways (e.g. at 6 Blooms Hall Lane, Coppins, Acorn House, and Blooms Hall) in order to pass; the use of those driveways as passing places is not the use of the highway and is a nuisance.

- Nuisance in the form of pollution affecting the bio-diversity of this sensitive location and increased carbon emissions. In particular the committee should have regard to whether any adverse effects to local bio-diversity and increases in carbon emissions would be in direct breach of the Suffolk County Council's responsibilities and stated policies in this regard.

Finally in relation to nuisance and public safety, there is nothing in the application that restricts the scale of the proposed operation. It is presented as if it will be small scale, but there is nothing to restrict scale at all. The application could lead to 100s of visitors every day to Mount Farm Vineyards.

Conclusion

The premises are situated in a quiet and scenic location, surrounded by sites of special scientific interest. Residents have made their homes here because they enjoy the peaceful nature of the locality, the fresh air and access to the network of footpaths and the bridleway. The Applicant is seeking permission to establish licenced premises in circumstances where to do so will give rise to very significant public safety issues in Blooms Hall Lane and on the public bridleway and to public nuisance affecting more than a mile of ecologically sensitive Suffolk countryside and will destroy the special character and nature of the area around the site. Encouraging people to drive down Blooms Hall Lane for the purposes of visiting the premises, and in many cases drinking alcohol, is plainly contrary to the public interest and will cause significant public safety and public nuisance. For all these reasons the application should be refused, save as it relates to online sales (subject to satisfactory conditions).

Yours faithfully

Judith Lyons, Blooms Hall, Blooms Hall Lane, Stanstead, Suffolk, CO10 9AY

Appendix 1 – Mission Statement Pages 1 – 3

Mount Farm Vineyards Hospitality

As a part of our agricultural activities as a vineyard, with subsequent production of grapes grown at the premises in to wine, we will bottle, market and sell those in part at the premises.

Premises

Tasting and event room with kitchen facilities in parts of the winery building.
Sufficient parking facilities for staff and visitors.
3 x prospective 2 bed cabins/tents for wine tourists.

Opening and events

1. Regular cellar door opening times (strictly for sales and tastings) – Tuesday-Saturday 10.00-17.00.
2. Four events annually - Great British Rose Week, including launch party of our brand this year at Easter weekend; English Wine Week and Midsummer end June; Harvest celebration Oct or Nov; and Christmas Market mid-December.
3. Pop up restaurant with guest chefs and wine tasting (invitation only) - Frequency - 4 times annually. Might co-inside with events stated previously.
4. Live music - This would co-inside with events stated previously and include as an example a string quartet, jazz trio or similar.
5. Movie night - This will co-inside with events previously stated.
6. Late night refreshments - This will co-inside with events previously stated that may run past 11pm and require hot food or snacks.
7. Riders and Ramblers Cafe - Tasting room opening seasonally Saturday and Sundays between 10.00-14.00. May include but not limited to spring/summer months.
8. Tourism - Groups of max 6 people to stay at the premises by means of tent or cabin over the course of a week. Frequency of groups – 5 annually. (NB these may coincide with events previously stated)

Visitor estimations

We have gathered statistics from WineGB and other venues and based our estimations accordingly.

1. 0-5 vehicles per day, 0-10 visitors where in line with our sustainable ethos we would encourage visitors to arrive by foot, bicycle or horse.
2. 5-20 vehicles per event. 5-100 visitors where in line with our sustainable ethos we would encourage visitors to arrive by foot, bicycle and horse. We would supply local minibus shuttle if a higher demand.
3. Same as point 2 above.
4. N/A
5. N/A
6. N/A
7. 0-5 vehicles and 0-20 visitors where in line with our sustainable ethos we would encourage visitors to arrive by foot, bicycle or horse.
8. 1 vehicle per day as this is catered for via shuttle, foot, bicycle and horse.

Mount Farm Vineyards Marketing and Sales

As a part of our agricultural activities as a vineyard, with subsequent production of grapes grown at the premises in to wine, we will bottle, market and sell those in part online, to wholesalers, and by in-house distribution.

Premises

Warehouse and shop in parts of the winery.
Sufficient parking facilities for staff and in-house distribution van.

Opening

1. Online sales 24hours to be facilitated during normal opening hours.
2. Phone orders and wholesalers during normal opening hours*.

Distribution estimations

We have gathered statistics from WineGB and other venues and based our estimations accordingly. Please note in line with our sustainable ethos, we will ship courier deliveries at one dedicated delivery day per week.

1. 1 delivery van per week.
0-7 local next/same day deliveries with in-house distribution vehicle.

*Phone orders to be handled by shop personel as per mentioned in hospitality document.

Mount Farm Vineyards Management and Production

As a part of our agricultural activities as a vineyard, with subsequent production of grapes grown at the premises into wine, we will grow grapes, produce, bottle and label our wine at the premises.

Premises

1. Vineyard at the land
2. Winery with tanks and machinery
3. Garage and workshop with agricultural machinery and materials
4. Convenient facilities for staff including overnight facilities for temporary workers
5. Office
6. Parking for agricultural staff 0-4 per day seasonal dependent

Opening

1. 24hours per day
2. 24hours per day
3. 24hours per day

Normal working hours 8:00-16:00 however is not limited to this based on vineyard and winery requirements throughout the season.

Representation 40

Dear Sir/Madam,

I am writing to register my objection to this Application. Although I do not live in the vicinity, I regularly stay with my parents who do. When I visit them, I to walk on the footpaths, bridleway and lane to enjoy the peace and quiet of the countryside.

This objection is made on the grounds that, if a license were to be granted, the licensable activities on the Premises would inevitably give rise to a public nuisance and public safety issues, which will adversely effect the existing rights of members of the public in the vicinity of the Premises.

The activities on the premises will give rise to a public nuisance and public safety issues, licensing objectives that the Licensing Committee is bound to consider.

The premises are situated at the end of Blooms Hall Lane, a single track, no through road with poor visibility, steep banks, no pavements, no passing places and no street lights. Blooms Hall Lane is the only means of vehicular access to the property. If a licence were granted the only way that the licensable activities could take place is if members of the public travel down Blooms Hall Lane. Given the physical characteristics of the Lane, and the fact that the lane is used by village residents, the licensable activities on the Premises will inevitably give rise to public nuisance and public safety issues and would adversely effect the existing rights of all those people who either live on or use the lane. The public nuisance would include noise and environmental pollution caused by visitors to the Premises.

Yours faithfully,

Robert Harkness,

352 Kennington Rd
London
SE11 4LD

Representation 41

Reference/Type: Section 17/Grant of a New Premises Licence - Premises: Mount Farm Vineyards, Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO10 9BY -
Applicant: Mount Farms Vineyards Ltd

I am writing to register my objection to this application. Although I live in London most of the time, I regularly stay with my parents near the premises. When I visit them, I take exercise in the lane and on the local network of footpaths and the bridleway.

This objection is made on the grounds that, if a license were to be granted, the licensable activities on the Premises would inevitably give rise to a significant public nuisance and will significantly impair public safety, consequently giving rise to an adverse effect on the existing rights of members of the public that live, work or pass by the vicinity of the Premises.

The activities on the premises will give rise to a public nuisance and public safety issues, both licensing objectives that the Licensing Committee is bound to consider.

The premises are situated at the end of Blooms Hall Lane, a single track road with poor visibility and steep banks, and without passing places or pedestrian facilities. Blooms Hall Lane is the only means of vehicular access to the property, and there is no public transport nearby. If a licence were to be granted the only way that the licensable activities could take place is if members of the public travel down Blooms Hall Lane.

Blooms Hall Lane serves only 4 houses and the vineyard, and while present traffic volumes are very low, these low volumes are close to its capacity: drivers travelling in one direction often conflict with those in the opposite direction, resulting in delays while one person has to reverse. The lane is additionally used heavily by walkers, joggers and horse riders from the village, and taking into account the characteristics above is manifestly unsuitable to carry the traffic that would likely result from this license, giving rise to public nuisances: noise, environmental and litter pollution; traffic congestion and damage to public infrastructure not designed to carry the traffic load imposed on it.

Public safety would be similarly impacted, with a dramatically increased risk of collisions between cars, or even involving pedestrians or horses due to the limited visibility and significant recreational use of the lane. Owing to the low traffic, crossing deer are also a significant hazard on the road at certain times of year, and unwary members of the public may not think to take precautions against this.

Yours faithfully,

Alexander Harkness, 352 Kennington Rd, London, SE11 4LD

Representation 42

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

Reference/Type: Section 17/Grant of a New Premises Licence - Premises: Mount Farm Vineyards,
Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO10 9BY - Applicant: Mount Farms Vineyards Ltd

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This objection is made on the grounds that, if a license were to be granted, the licensable activities on the Premises would inevitably give rise to a significant public nuisance and public safety issues, which will adversely effect the existing rights of members of the public, living, working or carrying out their normal activities in the vicinity of the Premises.

To be clear, my objection is not based on infrastructure or traffic issues, but rather that the activities on the premises will give rise to a public nuisance and public safety issues, Licensing objectives that the Licensing Committee is bound to consider.

The Applicants are seeking a Premises Licence permitting the sale of alcohol to the public for consumption on and off the premises. The Licensable activities for which a licence is sought include online sales, sales through an on-site shop and events such as wine tastings where people would be consuming food and drink on the premises.

The premises are situated at the end of Blooms Hall Lane, a single track, No through road with poor visibility, steep banks, no pavements, no passing places and no street lights. Blooms Hall Lane is the only means of vehicular access to the property. If a licence were granted the only way that the licensable activities could take place is if members of the public travel down Blooms Hall Lane.

Given the physical characteristics of the Lane, and the fact that the Lane is heavily used by village residents, the licensable activities on the Premises will inevitably give rise to public nuisance and public safety issues and would adversely effect the existing rights of all those people who either live on the Lane or use it for the purposes of exercise and recreation. The public nuisance would include noise pollution, environmental pollution and littering caused by visitors to the Premises.

Yours faithfully,

[Redacted Signature]

Name: FREDA KNOX-MACAULAY
Address: 7 The GARDEN
STANSTEAD
SUDBURY CO10 9AS
Email:

Representation 43

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

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Yours faithfully,

Name: S. CROLL

Address: COPPERFIELDS

UPPER ST

STANSTCAD

Email: 

Representation 44

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

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Y

Name:

P. A. THEOBALD

Address:

Plover Cottage
Stanstead
CO10 9AT

Email:

Representation 45

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

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Yours faithfully

Name: H. W. HAMMOND

Address: POND HOUSE

UPPER ST

STANSTEAD CO10 9AT

Email: [REDACTED]

Representation 46

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

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Yours faithfully,

[Redacted Signature]

Name: LESLIE HELLER

Address: FINCHES

UPPER STREET, STANSTEAD

SUDBURY SUFFOLK CO10 9AU

Email: [Redacted Email]

Representation 47

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

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Name: W. ARMIT

Address: CLEVELANDS

THE HILL, STANSTEAD

SUDBURY, CO10 9AP

Email:

Representation 48

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

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To be clear, my objection is not based on infrastructure or traffic issues, but rather that the activities on the premises will give rise to a public nuisance and public safety issues, Licensing objectives that the Licensing Committee is bound to consider.

The Applicants are seeking a Premises Licence permitting the sale of alcohol to the public for consumption on and off the premises. The Licensable activities for which a licence is sought include online sales, sales through an on-site shop and events such as wine tastings where people would be consuming food and drink on the premises.

The premises are situated at the end of Blooms Hall Lane, a single track, No through road with poor visibility, steep banks, no pavements, no passing places and no street lights. Blooms Hall Lane is the only means of vehicular access to the property. If a licence were granted the only way that the licensable activities could take place is if members of the public travel down Blooms Hall Lane.

Given the physical characteristics of the Lane, and the fact that the Lane is heavily used by village residents, the licensable activities on the Premises will inevitably give rise to public nuisance and public safety issues and would adversely effect the existing rights of all those people who either live on the Lane or use it for the purposes of exercise and recreation. The public nuisance would include noise pollution, environmental pollution and littering caused by visitors to the Premises.

Yours faithfully,

Name

MICHAEL J M HUNTER

Address:

NETHERFIELD, THE HILL, STANSTEAD
SUDBURY SUFFOLK
CO10 9AP

Email:

Representation 49

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

Reference/Type: Section 17/Grant of a New Premises Licence - Premises: Mount Farm Vineyards,
Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO10 9BY - Applicant: Mount Farms Vineyards Ltd

I am writing to register my objection to this Application.

This objection is made on the grounds that, if a license were to be granted, the licensable activities on the Premises would inevitably give rise to a significant public nuisance and public safety issues, which will adversely affect the existing rights of members of the public, living, working or carrying out their normal activities in the vicinity of the Premises.

To be clear, my objection is not based on infrastructure or traffic issues, but rather that the activities on the premises will give rise to a public nuisance and public safety issues, Licensing objectives that the Licensing Committee is bound to consider.

The Applicants are seeking a Premises Licence permitting the sale of alcohol to the public for consumption on and off the premises. The Licensable activities for which a licence is sought include online sales, sales through an on-site shop and events such as wine tastings where people would be consuming food and drink on the premises.

The premises are situated at the end of Blooms Hall Lane, a single track, No through road with poor visibility, steep banks, no pavements, no passing places and no street lights. Blooms Hall Lane is the only means of vehicular access to the property. If a licence were granted the only way that the licensable activities could take place is if members of the public travel down Blooms Hall Lane.

Given the physical characteristics of the Lane, and the fact that the Lane is heavily used by village residents, the licensable activities on the Premises will inevitably give rise to public nuisance and public safety issues and would adversely effect the existing rights of all those people who either live on the Lane or use it for the purposes of exercise and recreation. The public nuisance would include noise pollution, environmental pollution and littering caused by visitors to the Premises.

Name:

C A TODD

Address:

ORCHARD HOUSE
UPPER STREET
STANSTEAD CO10 9AT

Email:

Representation 50

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

Reference/Type: Section 17/Grant of a New Premises Licence - Premises: Mount Farm Vineyards,
Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO10 9BY - Applicant: Mount Farms Vineyards Ltd

I am writing to register my objection to this Application.

This objection is made on the grounds that, if a license were to be granted, the licensable activities on the Premises would inevitably give rise to a significant public nuisance and public safety issues, which will adversely affect the existing rights of members of the public, living, working or carrying out their normal activities in the vicinity of the Premises.

To be clear, my objection is not based on infrastructure or traffic issues, but rather that the activities on the premises will give rise to a public nuisance and public safety issues, Licensing objectives that the Licensing Committee is bound to consider.

The Applicants are seeking a Premises Licence permitting the sale of alcohol to the public for consumption on and off the premises. The Licensable activities for which a licence is sought include online sales, sales through an on-site shop and events such as wine tastings where people would be consuming food and drink on the premises.

The premises are situated at the end of Blooms Hall Lane, a single track, No through road with poor visibility, steep banks, no pavements, no passing places and no street lights. Blooms Hall Lane is the only means of vehicular access to the property. If a licence were granted the only way that the licensable activities could take place is if members of the public travel down Blooms Hall Lane.

Given the physical characteristics of the Lane, and the fact that the Lane is heavily used by village residents, the licensable activities on the Premises will inevitably give rise to public nuisance and public safety issues and would adversely effect the existing rights of all those people who either live on the Lane or use it for the purposes of exercise and recreation. The public nuisance would include noise pollution, environmental pollution and littering caused by visitors to the Premises.

Yours faithfully,

[Redacted Signature]

Name: W STEVENSON
Address: 2 TERRA COTTA PLACE
STANSTEAD
CO10 9AT
Email:

Representation 51

Reference/Type: Section 17/Grant of a New Premises Licence - Premises: Mount Farm Vineyards, Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO10 9BY - Applicant: Mount Farms Vineyards Ltd

I am writing to register my objection to this Application.

This objection is made on the grounds that, if a license were to be granted, the licensable activities on the Premises would inevitably give rise to a significant public nuisance and public safety issues, which will adversely affect the existing rights of members of the public, living, working or carrying out their normal activities in the vicinity of the Premises.

The activities on the premises will give rise to a public nuisance and public safety issues, Licensing objectives that the Licensing Committee is bound to consider.

The Applicants are seeking a Premises Licence permitting the sale of alcohol to the public for consumption on and off the premises. The Licensable activities for which a licence is sought include online sales, sales through an on-site shop and events such as wine tastings where people would be consuming food and drink on the premises.

The premises are situated at the end of Blooms Hall Lane, a single track, No through road with poor visibility, steep banks, no pavements, no passing places and no street lights. Blooms Hall Lane is the only means of vehicular access to the property. If a licence were granted the only way that the licensable activities could take place is if members of the public travel down Blooms Hall Lane.

Given the physical characteristics of the Lane, and the fact that the Lane is heavily used by village residents, the licensable activities on the Premises will inevitably give rise to public nuisance and public safety issues and would adversely effect the existing rights of all those people who either live on the Lane or use it for the purposes of exercise and recreation. The public nuisance would include noise pollution, environmental pollution and littering caused by visitors to the Premises.

Yours faithfully,

Matthew Oliver

The Old Rectory
Upper Street
Stanstead
Sudbury
Suffolk
CO109AT

Representation 52

Dear Sir or Madam,

Re: Section 17/Grant of a New Premises Licence - Premises: Mount Farm Vineyards, Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO10 9BY - Applicant: Mount Farms Vineyards Ltd

I should like to register my grave concerns about, and my objection to, this Application.

My objection is made on the grounds that, if a licence were to be granted, the licensable activities on the Premises would inevitably give rise to a significant public nuisance.

This would adversely effect the existing rights of members of the public who live, work and carrying out their normal activities in the vicinity of the premises.

To be clear, my objection is **not** based simply upon infrastructure or traffic issues, but rather on the fact that the activities on the premises will give rise to a public nuisance (which I believe is one of the criteria that the Licensing Committee is obliged to consider).

The applicants are seeking a Premises Licence permitting the sale of alcohol to the public for consumption both on and off the premises. These Licensable activities would include on-line sales and sales through an on-site shop, plus events such as wine tastings where people would be consuming food and drink on the premises.

The premises are situated at the end of Blooms Hall Lane - a single track, no-through-road with poor visibility, steep banks, no pavements, no passing-places and no street lights. Blooms Hall Lane is the only means of vehicular access to the property, so, if a licence were to be granted, the only way that the licensable activities could take place would involve customers travelling both ways up and down Blooms Hall Lane.

Given the physical characteristics of the Lane, and the fact that it is heavily used by village residents, the licensable activities on the premises would inevitably give rise to a public nuisance that would adversely effect the existing rights of those who either live on the Lane or use it for the purposes of exercise and recreation. This public nuisance would include the noise pollution, environmental pollution and littering that would inevitably ensue from visitors using the premises.

I, personally, would be directly affected by this public nuisance since I am a disabled person who regularly uses the lane for dog-walking and leisure purposes on my mobility scooter. Sadly, the nearby public footpaths aren't always fully accessible, especially in winter conditions, so the Lane is a unique and valuable resource for me. Vehicular access to the proposed licenced premises would physically preclude me from using this much-loved local amenity. I would also feel personally vulnerable being alone on a route that is being used by people who have been visiting a licenced premises. This concern extends to the children and young people from Stanstead who often use this Lane on foot and unsupervised.

Thank you for your kind attention. I hope that my objection will be carefully considered by the Licensing Team.

Yours faithfully,

Julie Helen Thomson (Mrs)
Wesleys, The Hill, Stanstead CO10 9AP

Representation 53

Reference/Type: Section 17/Grant of a New Premises Licence - Premises: Mount Farm Vineyards, Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO10 9BY - Applicant: Mount Farms Vineyards Ltd

I am writing to register my objection to this Application.

This objection is made on the grounds that, if a license were to be granted, the licensable activities on the Premises would inevitably give rise to a significant public nuisance and public safety issues, which will adversely affect the existing rights of members of the public, living, working or carrying out their normal activities in the vicinity of the Premises.

The activities on the premises will give rise to a public nuisance and public safety issues, Licensing objectives that the Licensing Committee is bound to consider.

The Applicants are seeking a Premises Licence permitting the sale of alcohol to the public for consumption on and off the premises. The Licensable activities for which a licence is sought include online sales, sales through an on-site shop and events such as wine tastings where people would be consuming food and drink on the premises.

The premises are situated at the end of Blooms Hall Lane, a single track, No through road with poor visibility, steep banks, no pavements, no passing places and no street lights. Blooms Hall Lane is the only means of vehicular access to the property. If a licence were granted the only way that the licensable activities could take place is if members of the public travel down Blooms Hall Lane.

Given the physical characteristics of the Lane, and the fact that the Lane is heavily used by village residents, the licensable activities on the Premises will inevitably give rise to public nuisance and public safety issues and would adversely effect the existing rights of all those people who either live on the Lane or use it for the purposes of exercise and recreation. The public nuisance would include noise pollution, environmental pollution and littering caused by visitors to the Premises.

Yours faithfully,

Graham R Lee.

Name: Graham R Lee

Address: Ellis Barn. Upper Street, Stanstead, Sudbury. Suffolk. CO10 9AT.

Representation 54

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

Reference/Type: Section 17/Grant of a New Premises Licence- Premises: Mount Farm Vineyards, Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO10 9BY - Applicant: Mount Farms Vineyards Ltd

I am writing to register my objection to this Application.

This objection is made on the grounds that, if a license were to be granted, the licensable activities on the Premises would inevitably give rise to a significant public nuisance to users of the bridleway that runs through the premises. This bridleway has already been rerouted by the landowner, without apparent prior authorisation by the SCC PROW team.

To be clear, my objection is not based on infrastructure or traffic issues, but rather that the activities on the premises will give rise to a public nuisance to users of the bridleway, one of the Licensing objectives that the Licensing Committee is bound to consider.

The Applicants are seeking a Premises Licence permitting the sale of alcohol to the public for consumption on and off the premises. The Licensable activities for which a licence is sought include online sales, sales through an on-site shop and events such as wine tastings where people would be consuming food and drink on the premises. The plan indicates that the area where this activity would take place is adjacent to the bridleway and accessible along the route of the bridleway. There is no indication of where cars would be expected to park. If they parked in the gravelled, hard standing area adjacent to the building, they could block the bridleway and cause a nuisance to a legitimate user.

The premises are situated at the end of Blooms Hall Lane, a single track, no-through road with poor visibility, steep banks, no pavements, no passing places and no street lights. Blooms Hall Lane is the only means of vehicular access to the property. If a licence were granted the only way that the public can access the site is along the Lane until it's dead end, and then along a section of bridleway, fenced along both sides except where house driveways lead off it. No provision has been made

to ensure my safety as a horse rider or walker in this section, given that many of the visitors may have no reason to expect that they are sharing the road with horse riders and dog walkers.

In addition, given the physical characteristics of the Lane, and the fact that the Lane is also heavily used by village residents, the licensable activities on the Premises will inevitably give rise to a public nuisance and would adversely effect the existing rights of all those people who either live on the Lane or use it for the purposes of exercise and recreation. The public nuisance would include noise pollution, environmental pollution and littering caused by visitors to the Premises.

The letter from the consultants GH Bullard suggests that the SCC PROW team have been consulted and are in agreement with the rerouting of the bridleway, although there is no record of this on the public record available on the internet. The original course of the bridleway, behind the farm buildings now converted to houses, rather than in front would be a safer alternative to the route which the landowner has asked the public to use for the last 2 years although it would involve going through 2 five-bar gates which is less than ideal. Indeed the deer proof gate at the other end of the vineyard, while technically usable by horse riders is difficult to open and close and I know of at least one rider who no longer uses the bridleway because they can't operate it. Plus, even if the original route was used, it would still involve riding or walking near the proposed selling area.

I would urge you to consider carefully whether this application is suitable for this site.

Yours faithfully,

Caroline Robinson

Gatefields Meadow, Shimpling, Bury St Edmunds, IP294EX

Representation 55

Date: 4th April 2022

Ref: Mount Farm Vineyard

RE Application for premises licence at Mount Farm Vineyards, Blooms Hall Lane Stanstead, CO10 9BY

Wine tastings/ vineyard tours, serving of alcohol food and snacks.

My main objections are under the prevention of public nuisance, public safety, protection of children from harm and for environment issues that may cause harm to wildlife and endangered species.

PREVENTION OF PUBLIC NUISANCE

Light Pollution – Harmful for night sky and nocturnal endangered species and annoyance to neighbourhood.

Outdoor events could cause light pollution of which may cause obtrusive light of which I think is not suitable for the location. Apart from it may be classed as a source of annoyance to the neighbourhood it can be very harmful to the wildlife and undermine the enjoyment of the countryside of the night sky. At the moment, the area is intrinsically dark landscape. In particular, the dark landscape currently supports habitats for native nocturnal animals. Some of these nocturnal animals within the area are Bats, Owls, Moths, Foxes, Badgers, Hedgehogs, to name a few. Have a study been done to ensure that the endangered species will not be affected by the light pollution. As the light pollution could affect the endangered species habitat; of which could result in further decline of endangered species within Suffolk.

Noise Pollution – Harmful for horses, dogs and wildlife and causing anti-social behaviour.

The licence application is for six days a week and could be creating anti-social behaviour within the community. Party revellers would be a public nuisance within the day to nature lovers, ramblers, local people dog walkers. There are a number of footpaths, and bridleways though the land area /premises; could frighten dogs, horses, and other wild animals. This could affect the right of way for users of the footpaths and bridleway and could cause safety issues.

There will be an increase in traffic, there would also be noise pollution from vehicles

Noise pollution can affect the wildlife within the area as the communication, mating behaviour, hunting and survival instincts of animals are altered by excess noise. The noise pollution / interference can interfere with their senses and can even cause animals to become ill, especially small animals like mice and in larger animals can even develop high blood pressure due to noise pollution. Noise pollution can have a direct effect on their behaviour and wellbeing; this could affect bats, owls, badgers, and other bird of prey within the area; of which could result a decline in endangered species within Suffolk. In the area of the Stanstead Parish (inc the area of Mount Farm Vineyard ie on Blooms Hall Lane) there are various species of owls, sparrow hawks, kites, hobbies, and buzzards; bats, foxes, badgers, and other small animals of which could be affected by noise pollution – has a study been conducted to ensure these animals will be not affected by noise pollution. As we are in a valley the sound travels – so the implications of noise have wider implications. The nature and harm to the area could be vast.

Environmental Pollution

With the increase of vehicles up Blooms Hall Lane there will be wide range of gases and solid matter which increases global warming, is harming the environment and to human health. (Co2 emissions, source of air and water pollution) This could affect humans, animals, and the wildlife within the area. There could and increase of litter of which could be harmful for the environment and to the cost of the Parish of Stanstead as the only access area is up Blooms Hall Lane. Environment pollution caused by the licence will be public nuisance. For a pop-up restaurant, food operators are only going to be up-there if it is profitable there will be a significant increase in people of which would increase the traffic to the property up a single-track lane. Have any predictions in visitor numbers, been provided? In-order, to establish what the increase in emissions would be? Without the adequate road pull-in car would be reversing long distances, waiting in residential drives with their cars running and as it is a single-track road could cause more environmental pollution. At the Parish Council Meeting a resident who has a property at Blooms Hall Lane indicated that her drive was being used as a pull-in and sometimes they pull in her down drive to wait. This would increase the CO2 emissions more for all residents at the bottom of Blooms Hall Lane.

Public Nuisance to parked cars inc Public Safety

Visitors may try to park down Blooms Hall Lane and block access to farm tracks and other neighbour access areas. Blooms Hall Lane is a single-track road of which holds no yellow or other non-parking stipulation. A parked vehicle would make it impossible for emergency vehicles to access the area and could endanger life and again cause a public nuisance.

Public Nuisance increase number of cars inc Public Safety up Blooms Hall Lane

Bloom Hall Lane is a single-track road which becomes a bridleway and any increase in traffic would make it almost impossible for emergency vehicles to attend the premises or neighbouring premises in a prompt manner creating a danger to people attending the venue and for neighbouring premises. The lane is used by ramblers, local people, dog walkers and horse riders therefore the increase in traffic will be danger to all concerned. With the high banks children and vulnerable adults would have an increased risk as there are no pathways and restricted moving out the way of cars due to high banks. The few pull-ins on the single-track road would be filled with cars of which would the cause obstructions to traffic. There are no paths or any parking restrictions. Have any risk assessments been completed for this application? Increase in traffic would create a public nuisance and a danger.

Public Safety Issue

The licence application is for six days a week potentially creating anti-social behaviour of which could create a public safety issue.

There are several footpaths and bridleways that lead to the property and through the designated licencing area of which is used by rambles, local people, dog walkers and horse riders. Numerous customers drinking alcohol and anti-social behaviour would be a public nuisance to the rightful users of the pathway and bridleway.

By restricting access to a footpath or bridleway by obstructions/ excess noise could cause a public safety issue.

Excess noise or an obstruction to a rider on a public bridleway, could cause the general public harm: - to the visitors of the Vineyard or to the rider, to walkers and/or to a less mobile vulnerable adult or children. Has an evaluation/risk assessment been carried out to ensure all public safety issues have been identified and will be adhered too! (This risk assessment should be done for the existed public highway)

For the rights of vulnerable adults or children all rights under the Equality Act, to ensure that the rights of the Public Ways (Bridleway and footpaths) are adequate within an area of visitors drinking alcohol.

If a pop-up food venue is operating / with wine tasting- there must be predicted visitor numbers available. By issuing the licence where visitors drinking alcohol within access of a bridleway/footpaths that lead to the property and through the designated licensing area – there is going to be a public safety issue.

Any diversion of the public highway (Bridleway / Footpath) should be done via Suffolk County Council. Suffolk County Council should be informed if the licence issued by Babergh District Council could have issues for Suffolk County Council and the safety on public rights of way. I believe that an official diversion of the bridleways/footpaths has not been submitted?

Would it be prudent for Council Inspector(s) to ensure that all rules have been adhered with full liaising and cooperation with the matter of mutual concern? – Public Nuisance, Public Safety and the protection of vulnerable adults and children from harm. An inspector from Babergh District Council and from Suffolk County Council Highways should be consulting together to ensure that Public Safety and all Rights are met.

Will the safety of the public be impaired by issuing the licence and cause the reduction of rights and access of public rights of way and if a single-track road with not enough adequate pull-in's would cause an emergency police/fire/ambulance failure to attend an emergency – Thus resulting in the public being put at a higher risk of harm for visitors of Mount Vine Yard, residents within Blooms Hall Lane and all public that uses the road. The single track road is one way in and one way out.

I have been informed that a large amount of people has protested on this in a petition and the petition have been objected by Licencing. Please could you inform me if this is true and on what grounds.

When the licence was applied to before there was over 89 objections just from one petition with other valid letters; of which was accepted. The parish council meetings were empty and now full of members of the village against the licence.

The Vineyard is situated within Shimpling Parish Council; however, the access road is via Bloom Hall Lane within Stanstead Parish Council and effects the Parish of Stanstead. All applications for licences, highways or planning should be given to both Parishes.

Please can you confirm receipt of this complaint.

Yours faithfully

Mary Warne

4 Valley View, Stanstead, Sudbury CO10 9AR

Representation 56

Premises: Mount Farm Vineyards, Blooms Hall Lane, Stanstead, Suffolk CO10 9BY

- Applicant: Mount Farm Vineyards Limited

I am writing to register my objection to this Application.

This objection is made on the grounds that if a License were to be granted the licensable activities on the Premises would inevitably give rise to a significant public nuisance which will adversely effect the existing rights of members of the public who live, work or carry out their normal activities in the vicinity of the Premises.

To be clear my objection is not based on infrastructure or traffic issues but rather that the activities on the premises will give rise to a public nuisance, one of the Licensing objectives that the Licensing Committee is bound to consider.

The Applicants are seeking a Premises Licence permitting the sale of alcohol to the public for consumption on and off the premises. The Licensable activities for which a licence is sought include online sales, sales through an on-site shop and events such as wine tasting where people would be consuming food and drink on the premises.

The premises are situated at the end of Blooms Hall Lane which is a single track Lane, is a No Through Road, with poor visibility. There are steep banks either side, no pavements, no passing places and no street lights. Blooms Hall Lane is the only means of vehicular access to the property. If a license were to be granted the only way the licensable activities could take place is if members of the public travel down Blooms Hall Lane.

Given the physical characteristics of the Lane, and the fact that the Lane is in daily use by the village residents, the licensable activities on the Premises will inevitably give rise to a public nuisance and would adversely affect the existing rights of all those people who either live on the Lane or use it for the purpose of exercise and recreation as this Lane gives access to the network of footpaths and bridal ways in the surrounding area.

The public nuisance would also include noise pollution, environmental pollution and littering caused by visitors to the Premises.

Yours faithfully,

Julia Christopherson.
1 Windmill Place,
Stanstead.
CO10 9SY

Representation 57

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

Reference/Type: Section 17/Grant of a New Premises Licence - Premises: Mount Farm Vineyards, Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO10 9BY - Applicant: Mount Farms Vineyards Ltd

I am writing to register my objection to this Application.

This objection is made on the grounds that, if a license were to be granted, the licensable activities on the Premises would inevitably give rise to a significant public nuisance, which will adversely effect the existing rights of members of the public, living, working or carrying out their normal activities in the vicinity of the Premises.

To be clear, my objection is not based on infrastructure or traffic issues, but rather that the activities on the premises will give rise to a public nuisance, one of the Licensing objectives that the Licensing Committee is bound to consider.

The Applicants are seeking a Premises Licence permitting the sale of alcohol to the public for consumption on and off the premises. The Licensable activities for which a licence is sought include online sales, sales through an on-site shop and events such as wine tastings where people would be consuming food and drink on the premises.

The premises are situated at the end of Blooms Hall Lane, a single track, No through road with poor visibility, steep banks, no pavements, no passing places and no street lights. Blooms Hall Lane is the only means of vehicular access to the property. If a licence were granted the only way that the licensable activities could take place is if members of the public travel down Blooms Hall Lane.

Given the physical characteristics of the Lane, and the fact that the Lane is heavily used by village residents, the licensable activities on the Premises will inevitably give rise to a public nuisance and would adversely effect the existing rights of all those people who either live on the Lane or use it for the purposes of exercise and recreation. The public nuisance would include noise pollution, environmental pollution and littering caused by visitors to the Premises.

You
.....

Name: SEBASTIAN BROOKS
Address: S BLOOMS HALL LANE
STANSTEAD
SUFFOLK CO10 9BY

Email: [Redacted]

Representation 58

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

Reference/Type: Section 17/Grant of a New Premises Licence - Premises: Mount Farm Vineyards, Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO10 9BY - Applicant: Mount Farms Vineyards Ltd

I am writing to register my objection to this Application.

This objection is made on the grounds that, if a license were to be granted, the licensable activities on the Premises would inevitably give rise to a significant public nuisance, which will adversely effect the existing rights of members of the public, living, working or carrying out their normal activities in the vicinity of the Premises.

To be clear, my objection is not based on infrastructure or traffic issues, but rather that the activities on the premises will give rise to a public nuisance, one of the Licensing objectives that the Licensing Committee is bound to consider.

The Applicants are seeking a Premises Licence permitting the sale of alcohol to the public for consumption on and off the premises. The Licensable activities for which a licence is sought include online sales, sales through an on-site shop and events such as wine tastings where people would be consuming food and drink on the premises.

The premises are situated at the end of Blooms Hall Lane, a single track, No through road with poor visibility, steep banks, no pavements, no passing places and no street lights. Blooms Hall Lane is the only means of vehicular access to the property. If a licence were granted the only way that the licensable activities could take place is if members of the public travel down Blooms Hall Lane.

Given the physical characteristics of the Lane, and the fact that the Lane is heavily used by village residents, the licensable activities on the Premises will inevitably give rise to a public nuisance and would adversely effect the existing rights of all those people who either live on the Lane or use it for the purposes of exercise and recreation. The public nuisance would include noise pollution, environmental pollution and littering caused by visitors to the Premises.

You faithfully

Name: A. Howard

Address: 4 Blooms Hall Lane

Stanstead

CO10 9BY

Email: ..

Representation 59

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

Reference/Type: Section 17/Grant of a New Premises Licence - Premises: Mount Farm Vineyards, Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO10 9BY - Applicant: Mount Farms Vineyards Ltd

I am writing to register my objection to this Application.

This objection is made on the grounds that, if a license were to be granted, the licensable activities on the Premises would inevitably give rise to a significant public nuisance, which will adversely effect the existing rights of members of the public, living, working or carrying out their normal activities in the vicinity of the Premises.

To be clear, my objection is not based on infrastructure or traffic issues, but rather that the activities on the premises will give rise to a public nuisance, one of the Licensing objectives that the Licensing Committee is bound to consider.

The Applicants are seeking a Premises Licence permitting the sale of alcohol to the public for consumption on and off the premises. The Licensable activities for which a licence is sought include online sales, sales through an on-site shop and events such as wine tastings where people would be consuming food and drink on the premises.

The premises are situated at the end of Blooms Hall Lane, a single track, No through road with poor visibility, steep banks, no pavements, no passing places and no street lights. Blooms Hall Lane is the only means of vehicular access to the property. If a licence were granted the only way that the licensable activities could take place is if members of the public travel down Blooms Hall Lane.

Given the physical characteristics of the Lane, and the fact that the Lane is heavily used by village residents, the licensable activities on the Premises will inevitably give rise to a public nuisance and would adversely effect the existing rights of all those people who either live on the Lane or use it for the purposes of exercise and recreation. The public nuisance would include noise pollution, environmental pollution and littering caused by visitors to the Premises.

Yours faithfully,

PETE GINN

Name: *PETER GINN*

Address: *4 BLOOMS HALL*

STANSTEAD CO10 9BY

Email: 

*I have lost 3 cats to speeding cars down
Blooms Hall Lane. We do not need more traffic*

Representation 60

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

By Email to licensingteam@baberghmidsuffolk.gov.uk

Reference/Type: Section 17/Grant of a New Premises Licence - Premises: Mount Farm Vineyards, Blooms Hall Lane, Stanstead, Sudbury, Suffolk CO10 9BY - Applicant: Mount Farms Vineyards Ltd

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To be clear, my objection is not based on infrastructure or traffic issues, but rather that the activities on the premises will give rise to a public nuisance, one of the Licensing objectives that the Licensing Committee is bound to consider.

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[Redacted]

Name: Nathan Squimell

Address: 2 Blooms Hall Lane

Stanstead Suffolk

Email: [Redacted]

Representation 61

Licensing Team, Babergh District Council
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Yours faithfully,

.....
Name: *Julian Glasgow*
Address: *Cromwell Green House*
Langleyford
CO10 9AT
.....

Email: 

Representation 62

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Babergh and Mid Suffolk District Councils
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You faithfully

Name: Pauls Johnson

Address: 3 BLOOMS HALL LANE
STANSTEAD
SUFFOLK CO10 9BY

Email: 

Representation 63

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
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Yours faithfully

[Redacted Signature]

Name: JACKIE CLOVER

Address: PEACOCK PRIORY

OLD RECTORY LANE

SHIMOLING IPSWICH

Email: [Redacted Email]

Representation 64

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
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Yours faithfully,

JUDITH & ARTHUR HONES

Name: ✓

Address: CHASBROOK

SHIMLING

IP29 4HF

Email: [Redacted]

Representation 65

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Address:

J. GLASSON
CRANMORE Green House
Lane, Telford
CO10 9AG

Email:

Representation 66

To: Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

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I believe there are also danger / safety issues to be taken into consideration too, as the single track access road is so narrow, with high banks. Pedestrians, horse riders and cyclists are likely to face considerable increased risk.

Simon Pardoe and Family, Barnfield, Upper Street, Stanstead
Full address: Simon Pardoe, Barnfield, Upper Street, Stanstead CO10 9AU

Representation 67

I am writing to register my objection to this Application.

Please disregard any previous objection from myself.

This objection is made on the grounds that, if a license were to be granted, the licensable activities on the Premises would inevitably give rise to a significant public nuisance, which will adversely affect the existing rights of members of the public, living, working or carrying out their normal activities in the vicinity of the Premises.

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This application is looking to hold events at the site, sales to the general public, wine tastings, cellar door shop along with food and alcohol. This could result in any number of members of the public attending these premises.

I am concerned that if this goes ahead, it will become a bridleway that is unsuitable to ride for myself (I am disabled and riding my horses is one thing I can do) and my young grandson who I lead from my horse. With more traffic on a single track road, and more people milling about over the bridleway I feel that it will become dangerous for me to use, and it's one I ride regularly to save on going on the roads.

Also with the new rules of the Highway Code, which states cars must past horse under 10mph and 2 Mtrs distance from the horse, how is this going to happen on a single track bridleway/road. It's bad enough now, and I normally meet 1 or 2 cars that know the road and are driving suitably, whereas people that have never driven the road will not know to expect walkers/riders etc, it will be a accident waiting to happen.

Please listen to the people that use that road/bridleway, it's our life's that will be at risk.

Regards

Sue Salmon

Thin Acre

The Street

Shimpling

Bury St Edmunds

Suffolk. IP29 4HS

Representation 68

Licensing Team, Babergh District Council
Babergh and Mid Suffolk District Councils
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Name: Debbie Locke
Address: 17 Cannon St
B SE
IP33 1JU
Email:

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Mount Farm Vineyards - Part 3

Description of Premises

Mount Farm Vineyards is a newly established 6 ha vineyard near Stanstead village, run by father and daughter, Hans and Amanda Engstrom. Here they grow eight different varieties which are used to produce still English wine.

In order to sell the wine, this application will be for a small cellar shop/tasting room in part of the winery barn. Here the wine will be mainly sold for off the premises, but the customers will also have the opportunity for wine tastings on the premises marked out in the Premise Site Plan. This includes an outdoor seated area overlooking the vineyard. On-licence purchases such as tastings will mainly be available during limited times that do not interfere with the normal working week of the vineyard – for instance Fri-Sun. On these days customers would also be offered light snacks.

The wine will also be able to be purchased from our website, where we will operate a local delivery service with deliveries done on dedicated days (i.e. one shipment Fridays and Saturdays), as well as using couriers (also on dedicated days) for orders further afield. 24-hour online sales will be processed during normal working hours (see below).

Regular opening times to the public would be seasonal, and in most cases restricted to weekends (Fri-Sun), however the licence would still be operational to allow off-licence sales for appointments.

Regular Operating Schedule

Day	Start	Finish
Mon	Closed	Closed
Tue	10:00	17:00
Wed	10:00	17:00
Thu	10:00	17:00
Fri	10:00	17:00
Sat	10:00	17:00
Sun	10:00	14:00

} Regular opening times to public without appointment

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19 January 2022

Dear

Premises license application Mount Farm Vineyards, Blooms Hall Lane – Highways Comments on proposed development

I refer to your request for highway advice concerning your license application for wine tasting, located at Mount Farm Vineyards, Blooms Hall Lane.

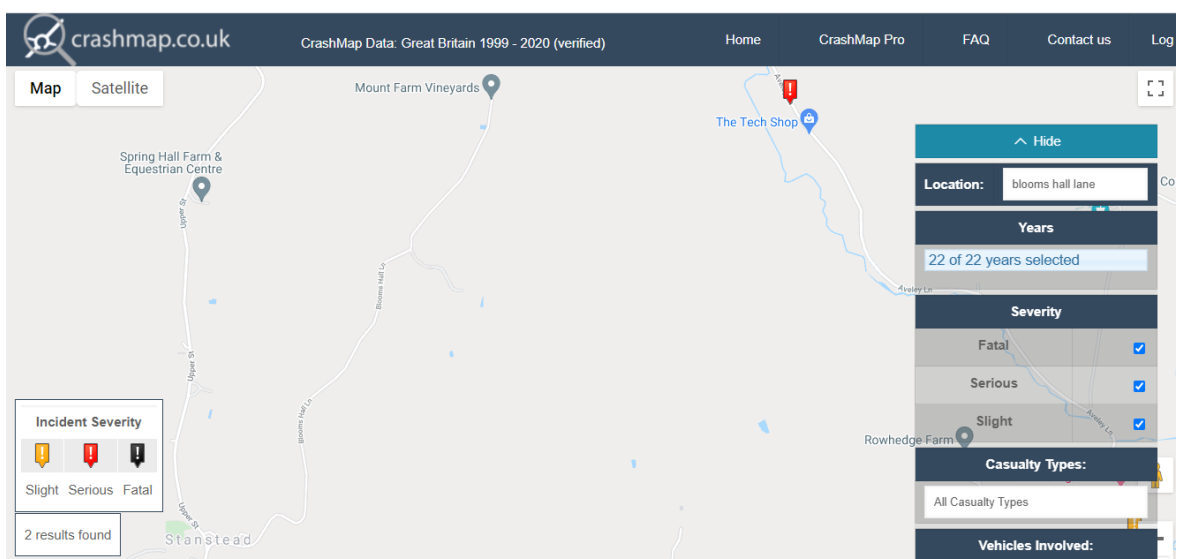
License application

To my knowledge, Suffolk County Council as highway authority, are not consulted as part of considerations relating to premises license applications.

When SCC are consulted, in relation to planning applications, they will aim to assess the proposal against the specific objective:

- *Road Safety* – That it is safe for all users. (NPPF paragraph 111.)

Bloom Hall Lane is effectively a no through road. It is therefore very lightly trafficked, serving as access only. Where the adopted highway ends, the lane splits into two private accesses. There are no recorded injury accidents on the lane in the past 22 years, refer below.



Crashmap UK- Zero Recorded Injury Accidents in 22 years, Blooms Hall Lane

Cont:-

The application for premise license is in relation to sales, cellar door sales and visitors. From research undertaken by you, as the applicant, relating to other similar wine producers, the vineyard shop/tasting rooms will generate a very modest number of visitors, some 0-5 visitor/cellar door vehicles per day, at best.

The lane may be narrow and lack regular passing places for vehicles to pass. However, there is an existing absence of road traffic injury collisions on the lane. Given the likely low frequency of additional trips, it is unlikely to give rise to a severe road safety hazard (NPPF 111).

Even considering the next stage, a planning application (relevant pre-application reference DC/21/03711 submission, seeking an officer opinion in relation to the principle of a tasting room/cellar shop and other planning matters), all the planning authority suggested you may need to submit in terms of *Highways, Access and Parking* would be a drawing detailing the 'parking and manoeuvring provision', refer extract below.

Highways, Access and Parking

Space arounds buildings needs to meet many requirements: amenity, play, social and movement. Parking is one of these to meet the requirements of a modern functional development. The design should reflect this and be a liveable space, which also accommodates vehicles in a manner that creates an attractive public realm and reinforces the local character and distinctiveness.

Should a full application be submitted, the SCC Highway Authority would be consulted. The change of use from agriculture to tasting room/cellar shop has the potential for additional vehicles. Therefore, off-road parking provision should be increased to accommodate this. The Highway Authority would expect to see a drawing showing the parking and manoeuvring provision.

Mitigation

The generation of trips will be minimal and you, as applicant, have set out that you will ensure deliveries are optimised to reduce trips.

You have also been in discussion with Suffolk County Councils PROW team relating to approval of works including :

- Re-instating historic access to and from the vineyard, together with suggested works- SCC have said they will support your application to re-route parts of the bridleway back to the original alignment; and
- opening up the historic access- SCC would not object to this subject to surface material, construction schedule and possible temporary closure etc.

Summary

Whilst this application is in relation to a licensing application only, if it was in relation to a planning application, the policy consideration would be *National Planning Policy Framework (NPPF)*. NPPF Paragraph 111 *Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*

Cont:-

There is no evidence to suggest that this licensing proposal will result in unacceptable impact on highway safety.

I trust this letter addresses your brief, and I have no objection to you using this document as part of any submission in relation to the above site. However, if you have any queries or wish to discuss further, please do not hesitate to contact me.

Kind regards

Yours sincerely

Carol Grimsey CEng CIHT
For and on behalf of G H Bullard & Associates LLP

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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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