



Licensing Sub-Committee

Date: Thursday, 21 January 2021
Time: 10.00 am
Venue: A link to the meeting can be found on the front page of the agenda.

Membership: (Quorum 3)
Councillors Jon Andrews, Les Fry and Brian Heatley

Chief Executive: Matt Prosser, South Walks House, South Walks Road, Dorchester, Dorset DT1 1UZ (Sat Nav DT1 1EE)

For more information about this agenda please telephone Democratic Services 01305 224202 elaine.tibble@dorsetcouncil.gov.uk



For easy access to the Council agendas and minutes download the free public app Mod.gov for use on your iPad, Android and Windows tablet. Once downloaded select Dorset Council.

Due to the current coronavirus pandemic and social distancing rules, the Council has reviewed its approach to holding committee meetings. Members of the public are welcome to watch and listen to the live meeting online by using the following link

<https://youtu.be/dZZsN6YS-qc>

Dorset Council is committed to being open and transparent in the way it carries out its business whenever possible. A recording of the meeting will also be available after the event.

A G E N D A

Page No.

1 ELECTION OF CHAIRMAN AND STATEMENT FOR THE PROCEDURE OF THE MEETING

5 - 8

To elect a Chairman for the meeting and the Chairman to present and explain the procedure for the meeting.

2 APOLOGIES

To receive any apologies for absence.

3 DECLARATIONS OF INTEREST

To receive any declarations of interest.

4 VARIATION FOR STRONG ORCHARD, WAYTOWN

9 - 52

An application has been made to vary the licence for Strong Orchard in Waytown. The application has been out to public consultation and has attracted representations. A Licensing Sub-Committee must consider the application and representations at a public hearing.

5 URGENT ITEMS

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972. The reason for the urgency shall be recorded in the minutes.

6 EXEMPT BUSINESS

To move the exclusion of the press and the public for the following item in view of the likely disclosure of exempt information within the meaning of paragraph x of schedule 12 A to the Local Government Act 1972 (as amended).

The public and the press will be asked to leave the meeting whilst the item of business is considered.

This page is intentionally left blank



TEMPORARY LICENSING SUB-COMMITTEE HEARINGS PROCEDURE AND GUIDANCE

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 and The Licensing Act 2003 (Hearings) Regulations 2005

This Temporary Procedure and Guidance notes makes provision for the conduct of local authority Licensing Sub-Committee hearings, held between 4 April 2020 and 7th May 2021, and for public and press access to these meetings and are made in accordance with Coronavirus Act 2020 and The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

The following points of clarification apply throughout:

- A reference to a “meeting of the Licensing Sub-Committee” or reference to a “place” where a meeting is held, includes more than one place, electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers.
- Any reference to being “attend” “attendance” “present” at a meeting includes through remote attendance.
“Remote access” means remote access of public and press to a Council meeting to enable them to attend or participate in that meeting by electronic means, including by telephone conference, video conference, live webcasts, and live interactive streaming.
- A Member of the Licensing Sub-Committee who is a “Member in remote attendance” attends the meeting at any time if all of the conditions in subsection section 5(3) of The Local Authorities and Police and Crime Panel (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 are satisfied, which means the Member in remote attendance is able at that time—
 - (i) to hear, and where practicable see, and be so heard and, where practicable, be seen by, the Members in attendance,
 - (ii) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting, and

(iii) to be so heard and, where practicable, be seen by any other members of the public attending the meeting.

- Any reference to a member, or a member of the public, attending a meeting includes that person attending by remote access.

Rights of a Party

1. A party has the right to attend the hearing and may be represented by any person.
2. A party is entitled to give further information where the authority has asked for clarification.
3. A party can question another party, and/or address the authority, with consent of the authority.

Failure to Attend

4. If the authority is informed a party does not wish to attend, the hearing may proceed in their absence.
5. If a party has not indicated their attendance and fails to attend the hearing may be adjourned if considered in the public interest, or hold the hearing ensuring the party's representation is considered.
6. Where the authority adjourns the hearing it shall notify the parties of the date, time and place.

Procedural Information

7. At the start of the hearing, the authority shall explain the procedure which it proposes to follow and shall consider any request for permission for another person to appear at the hearing.
8. A hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless the authority considers that it is required.
9. The authority will allow the parties an equal maximum period of time in which to speak.
10. The authority may require any person behaving disruptively to be disconnected from the hearing, and may refuse that person to be reconnected, but such a person may, before the end of the hearing, submit in writing information they would have been entitled to give orally had they not been required to leave.

FOOTNOTE:

In relation to all other matters governed by the Licensing Act 2003 (Hearings) Regulations 2005 any party or their representative may contact the Licensing Department at Dorset Council and they will be provided with a full copy of the regulations on request.

LICENSING SUB-COMMITTEE PROCEDURE

1. At the start of the meeting the Chairman will introduce:
 - the members of the sub-committee in attendance
 - the council officers in attendance
 - the parties and their representatives in attendance
2. The Chairman will then deal with any appropriate agenda items.
3. The Licensing Officer will be asked to outline the details of the application, including details of any withdrawn representations.
4. The applicant or their representative is then invited to present their case.
5. Committee members will be invited to ask questions.
6. Where appropriate the Responsible Bodies e.g. representatives of Police, Fire Services, Environmental Services or Trading Standards will be invited to address the sub-committee on any relevant representations they may have.
7. The Chairman may then allow an opportunity for questions asking each person in turn if they wish to ask a question.
8. The Chairman will ask any person who has made representations, who has already expressed a wish to do so, to address the sub-committee. The sub-committee will have read all the papers before them, including any letters of representation. Members of the public are asked to keep their comments concise and to the point.
9. All parties will be given the opportunity to “sum up” their case.
10. The Chairman will ask the Legal Advisor if all relevant points have been addressed before advising all parties present that the public part of the meeting will conclude. The sub-committee will then consider its decision in private. The sub-committee will also have the Democratic Services Officer in remote attendance, and the Legal Advisor can be called upon to offer legal guidance.
11. The decision of the Licensing Sub-Committee shall be communicated to the parties and made available on the Council’s website as soon as practicable.

NOTE

The Chairman may vary this procedure, as circumstances require but will have regard to the rules of natural justice and the Licensing Act 2003 (Hearings) Regulations 2005, and the requirements of The Local Authorities and Police and

Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

The remote meeting will be available to via web-link details of which will be set out on the agenda. However, the public can be excluded from all or part of the meeting by removal of remote access where the sub-committee considers that the public interest in so doing outweighs the public interest in the meeting or that part of the meeting, taking place in public.

Under no circumstances must the parties or their witnesses offer the sub-committee information in the absence of the other parties.

The Chairman and the Sub-Committee have discretion whether to allow new information or documents to be submitted and read at the meeting.

Licensing Sub-Committee 21 January 2021 Variation for Strong Orchard, Waytown

For Decision

Portfolio Holder: Cllr J Haynes, Customer and Community Services

Local Councillor(s): Cllr A Alford

Executive Director: J Sellgren, Executive Director of Place

Report Author: Aileen Powell
Title: Licensing Team Leader
Tel: 01258 484022
Email: aileen.powell@dorsetcouncil.gov.uk

Report Status: Public

Recommendation: The Sub-Committee determines the application in the light of written and oral evidence and resolves to take such steps as it considers appropriate and proportionate for the promotion of the licensing objectives of;

- a) The prevention of crime and disorder
- b) The prevention of public nuisance
- c) Public safety
- d) The protection of children from harm

Reason for Recommendation: The Sub-Committee must take into account the oral representations and information given at the hearing.

1. Executive Summary

An application has been made to vary the licence for Strong Orchard in Waytown. The application has been out to public consultation and has attracted representations. A Licensing Sub-Committee must consider the application and representations at a public hearing.

2. Financial Implications

Any decision of the Sub-Committee could lead to an appeal by any of the parties involved that could incur costs.

3. Climate implications

None

4. Other Implications

Public Health and Community Safety

5. Risk Assessment

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: Low

Residual Risk: Low

6. Equalities Impact Assessment

Not Applicable

7. Appendices

Appendix 1 – Premises licence

Appendix 2 – Application for the variation

Appendix 3 – Representations

Appendix 4 – Response to Representations

8. Background Papers

[Licensing Act](#)

[Section 182 Guidance](#)

[LGA Councillors Handbook](#)

[EHRC - Guide to the Human Rights Act for Public Authorities](#)

9. Details

- 9.1. Penelope and Oliver Strong, trading as Dorset Nectar, are the holders of the premises licence for Strong Orchard, Pineapple Lane, Waytown, DT6 5HZ. The Licence currently allows the sale of alcohol on and off the premises: -

Every Day 10:00 to 20:00

The current licence is attached at appendix 1.

- 9.2. They have applied to vary the licence by
- a) adding regulated entertainment of plays, films, dance, live and recorded music
 - b) adding two further bars to the existing plan
 - c) increasing the hours for the sale of alcohol

9.3. The hours applied for are:

Supply of Alcohol (on and off the premises)

Every day 09:00 to 23:00

New Years Eve 09:00 to 02:00

Plays and Films (indoors and outdoors)

Thursday to Sunday 10.00 to 23:00

Live Music (indoors and outdoors)

Thursday to Sunday 10.00 to 23:00

New Years Eve 10:00 to 02:00

Recorded Music (indoors and outdoors)

Sunday to Thursday 09:00 to 23:00

Friday and Saturday 09:00 to midnight

New Years Eve 09:00 to 02:00

Performance of Dance (indoors and outdoors)

Thursday 09:00 to 23:00

Friday and Saturday 09:00 to midnight

Sunday 09:00 to 23:00

New Years Eve 09:00 to 02:00

Anything of a similar description to music or dance (indoors and outdoors)

Monday to Wednesday 09:00 to 18:00

Thursday 09:00 to 23:00

Friday and Saturday 09:00 to midnight

Sunday 09:00 to 23:00

New Years Eve 09:00 to 02:00

The full application is attached at appendix 2.

- 9.4. The reason for the variation, as stated on the application form, is to allow “the opportunity for educational and cultural activities and entertainment, such as Orchard Wassails, Blossom Festivals, theatrical and dance productions, live and recorded music.”

- 9.5. The application has been advertised on the premises, in a newspaper and the Councils web site.
- 9.6. Seven representations have been received from the Parish Council and six residents who live in the vicinity of the premises. The representations and the comments are included in full in the table in appendix 3.
- 9.7. For representations to be counted as relevant and taken into consideration they must relate to one of the four licensing objectives of:
 - a) the prevention of crime and disorder
 - b) the prevention of public nuisance
 - c) public safety
 - d) the protection of children from harm.

The representations relating to nuisance caused by outside entertainment must all be considered as relevant representations. However those parts of the representations relating to the highways and verges are not considered as relevant as this would be a matter for the planning permission for the site.

The licensing objective of public safety relates to the safety of people inside the building, paragraphs 2.7 of the section 182 Guidance states; -

“Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person’s health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority’s powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.”

- 9.8. Mr and Mrs Strong have responded to the representations, which is attached in full at appendix 4.

10. Considerations

- 10.1. Paragraphs 9.42 to 9.44 of the Section 182 Guidance sets how the Authority should decide what actions are appropriate.

9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their

areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

11. Recommendation

- 11.1. The Sub-Committee determines the application in the light of written and oral evidence and resolves to take such steps as it considers appropriate and proportionate for the promotion of the licensing objectives of;
- a) the prevention of crime and disorder
 - b) the prevention of public nuisance
 - c) public safety
 - d) the protection of children from harm.

- 11.2. The steps that the Sub-Committee may take are to:
- a) modify the conditions of the licence, or
 - b) reject the whole or part of the variation.

Footnote:

Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.



Licensing Department
Dorset Council
South Walks House
South Walks Road
Dorchester
DT1 1UZ
licensingteamb@dorsetcouncil.gov.uk

Licensing Act 2003 Premises Licence

WDPL0609

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Strong Orchard

t/a Dorset Nectar, Pineapple Lane, Waytown, Dorset, DT6 5HZ.

Telephone 01308 488382

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
J. Supply of alcohol for consumption ON and OFF the premises	Monday to Sunday	10:00am	8:00pm

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	10:00am	8:00pm

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption ON and OFF the premises

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Penelope Ingrid Strong

[REDACTED]

Oliver Nicholas Strong

[REDACTED]

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR OR MANAGEMENT COMMITTEE WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Penelope Ingrid STRONG

[REDACTED]



**Licensing Act 2003
Premises Licence**

WDPL0609

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. PA1155

Issued by West Dorset

ANNEXES

APPENDIX 1 - MANDATORY CONDITIONS

2.
 - 1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - 2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children-
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on-
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
3. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
4. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
5.
 - (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
6. The responsible person shall ensure that:
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures.

APPENDIX 2 - OPERATING SCHEDULE




Licensing Act 2003
Premises Licence

WDPL0609

ANNEXES continued ...

Protection of children from harm

1. Age verification will be in operation, photographic ID will be required as proof of age.
2. Staff will be trained to ensure no under age sales are made.
3. Internet site to confirm customer is over the age of 18 years.



Business Licensing



Application to vary a premises licence 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 Penelope Strong and Oliver Strong of Dorset Nectar LLP

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

PL0609

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
 Strong Orchard,
 Pineapple Lane,
 Waytown,

Post town Bridport

Postcode DT6 5HZ

Telephone number at premises (if any) [REDACTED]

Non-domestic rateable value of premises £n/a agricultural farmland

Part 2 – Applicant details

Daytime contact
 telephone number [REDACTED]

E-mail address (optional) [REDACTED]

Current postal address if
 different from premises
 address same

Post town

Bridport

Postcode

DT6 5HZ

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect? DD MM YYYY

--	--	--	--	--	--	--	--

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

The proposed variation to the existing Premises license is to change the hours from 10.00hrs to 20.00hrs, to the extended trading hours from 09.00hrs to 24.00hrs Monday to Sunday and for the Premises license to include both the original barn and the Taster Room barn . these are marked 'Packing and Storage Barn' and 'Taster Room and Storage barn' on the attached plan.
The proposed variation also will include the opportunity for educational and cultural activities and entertainment, such as Orchard Wassails, Blossom Festivals, theatrical and dance productions, live and recorded music.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

n/a

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick all that apply

- | | |
|---|-------------------------------|
| a) plays (if ticking yes, fill in box A) | X
<input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | X
<input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | X
<input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | X
<input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | X
<input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | X
<input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I)

Sale by retail 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 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) Educational plays for schools would be during the day. Other educational or cultural theatrical plays or storytelling would be both during the day or in the evening					
Mon								
Tue								
Wed						<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur	10.00	23.00						
Fri	10.00	23.00				<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 5)		
Sat	10.00	23.00						
Sun	10.00	23.00						

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/> <input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3) The exhibition of films would take place either indoors in the barn or tasting room or outdoors in the garden or orchard, depending on the event or age and size of audience		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4) n/a		
Thur	10.00	23.00			
Fri	10.00	23.00	<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 5) n/a		
Sat	10.00	23.00			
Sun	10.00	23.00			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<p><u>Please give further details</u> (please read guidance note 3 n/a</p> <p><u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4) n/a</p> <p><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 5) n/a</p>
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2) n/a	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 3) n/a					
Mon								
Tue								
Wed						<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4) n/a		
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 5) n/a		
Sat								
Sun								

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/> <input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3) The performance of live music could be either indoors or outdoors depending on the nature and size of the even. There might be indoor performances of jazz, rock or folk music to a small audience indoors in the tasting room or barn or there might be live music to a larger audience outdoors, for instance at a Wassail or barn dance. There could in the future be the possibility of music being amplified. Please note that we are in the middle of the countryside, a distance from any village and we are very aware of trying to keep peace with neighbours who are all quite a distance away from us.		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur	10.00	23.00			
Fri	10.00	23.00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) We would like to have the option for music till 02.00hrs on New Year's Eve		
Sat	10.00	23.00			
Sun	10.00	23.00			

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>																							
				Outdoors	<input type="checkbox"/>																							
<table border="1"> <thead> <tr> <th>Day</th> <th>Start</th> <th>Finish</th> </tr> </thead> <tbody> <tr> <td>Mon</td> <td>09.00</td> <td>23.00</td> </tr> <tr> <td>Tue</td> <td>09.00</td> <td>23.00</td> </tr> <tr> <td>Wed</td> <td>09.00</td> <td>23.00</td> </tr> <tr> <td>Thur</td> <td>09.00</td> <td>23.00</td> </tr> <tr> <td>Fri</td> <td>09.00</td> <td>24.00</td> </tr> <tr> <td>Sat</td> <td>09.00</td> <td>24.00</td> </tr> <tr> <td>Sun</td> <td>09.00</td> <td>23.00</td> </tr> </tbody> </table>				Day	Start	Finish	Mon	09.00	23.00	Tue	09.00	23.00	Wed	09.00	23.00	Thur	09.00	23.00	Fri	09.00	24.00	Sat	09.00	24.00	Sun	09.00	23.00	Both
Day	Start	Finish																										
Mon	09.00	23.00																										
Tue	09.00	23.00																										
Wed	09.00	23.00																										
Thur	09.00	23.00																										
Fri	09.00	24.00																										
Sat	09.00	24.00																										
Sun	09.00	23.00																										
			<u>Please give further details here</u> (please read guidance note 3) The playing of recorded music would possibly be both indoors in the barn or tasting room or outdoors in the garden or apple orchard.																									
			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4) n/a																									
			<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 5) We would like to have the option for late night music till 02.00hrs on New Year's Eve																									

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	x
Mon			<u>Please give further details here</u> (please read guidance note 3) Dancing of all kinds, both cultural at festivals , morris dancing, jazz dancing or leisure		
Tue				Dance performances could be both indoors in the barn or tasting room, or outdoors in the garden or apple orchard depending on the event for example an apple Wassail event outdoors or an indoor cultural event	
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur	09.00	23.00			
Fri	09.00	24.00	<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 5) We would like to have the option of live dance performances till 02.00hrs on New Year's Eve		
Sat	09.00	24.00			
Sun	09.00	23.00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing storytelling, musical evenings, weddings or celebrations		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2) Both indoors inside the barn or tasting room, or outdoors in the garden or in the orchard	Indoors	<input type="checkbox"/>
Mon	09.00	18.00		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue	09.00	18.00	Please give further details here (please read guidance note 3)		
Wed	09.00	18.00			
Thur	09.00	23.00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4) n/a		
Fri	09.00	24.00			
Sat	09.00	24.00	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 (please read guidance note 5) We request to extend the times to 02.00hrs on New Year's Eve		
Sun	09.00	23.00			

I

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2) n/a	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 3)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
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 5)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	09.00	23.00	State any seasonal variations for the supply of alcohol! (please read guidance note 4) none		
Tue	09.00	23.00			
Wed	09.00.	23.00			
Thur	09.00	23.00	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 5) We would like to supply alcohol till 02.00 on New Year's Eve.		
Fri	09.00	23.00			
Sat	09.00	23.00			
Sun	09.00	23.00			

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8). none</p>
--

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) During the summer, 1 st April on to 15 th September, we intend to run a seasonal tent campsite. This means that 'public' will be on the Cider Farm 24hrs a day. The campsite is for adults only. The supply of alcohol is limited to the hours stated in J
Day	Start	Finish	
Mon	09.00	23.00	
Tue	09.00	23.00	
Wed	09.00	23.00	
Thur	09.00	23.00	
Fri	09.00	23.00	
Sat	09.00	23.00	
Sun	09.00	23.00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

The proposed variation will extend the hours for supply of alcohol from 10.00 to 20.00 to become 09.00 to 23.00, meaning that we can sell our ciders to visitors to the Cider Farm's taster room shop from 09.00hrs in the morning, (currently 10.00hrs) and in the evenings be able to extend the supply of alcohol (currently 20.00hr) till 23.00.

The proposed variation will also allow the possibility of having musical evenings, with either live or recorded music. It will also allow the opportunity for educational and cultural events to both schools and the community through storytelling, theatre, poetry, music and dance

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

Staff have been trained to be vigilant for drunken, aggressive or criminal behaviour and are aware of how to diffuse situations.
Staff are very aware of keeping children safe from harm and not selling alcohol to anyone under the age of 18. Challenge 21 policy in place
Seasonal tent camping at the Cider Farm is specifically for Adults only

b) The prevention of crime and disorder

Staff are trained to be vigilant for criminal or drug related activities that could occur. A strict zero tolerance approach. Customer could be asked to leave the Premises or the Police called.
Staff to be vigilant for drunk and disorderly behaviour and to be prepared to ask the customer to leave the premises

c) Public safety

Train staff to be vigilant for aggressive behaviour and be prepared to ask the person to leave the premises or to telephone the Police for help.
Train staff to be vigilant for over drinking and to be prepared to refuse a sale of alcohol if the customer looks too drunk.
Fire safety policy is in place and fire exits clearly displayed.
Covid-19 policy in use according to the current government guidelines

d) The prevention of public nuisance

Be aware of level of noise or music after 11.00pm. Put the volume level down after 23.00hrs and windows and doors could be kept closed after 23.00hrs
Ask the customers to move indoors after a certain time.
Staff to be made aware of noise limitations
Staff to be vigilant for over drinking and will ask the person to leave if they are causing a nuisance to others.

e) The protection of children from harm

All staff are trained not to sell alcohol to anyone under the age of 18. The staff are trained to be aware of underage drinking and to ask customer for proof of age, especially those who look under the age of 25. Staff have the right to refuse a sale of alcohol if the person is or looks underage.
A Challenge 21 policy in place and poster to be displayed
The seasonal tent camping over the summer is for adults only

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. x
- I have sent copies of this application and the plan to responsible authorities and others where applicable. x
- I understand that I must now advertise my application. x
- I have enclosed the premises licence or relevant part of it or explanation. x
- I understand that if I do not comply with the above requirements my application will be rejected. x

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

Signature	Penelope Ingrid Strong and Oliver Nicholas Strong
Date	30/11/20
Capacity	premises license holder

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	n/a
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

Penelope Strong
Dorset Nectar.

██████████
██████████
██████████

Post town	Bridport	Post code	██████████
------------------	-----------------	------------------	------------

Telephone number (if any)	██████████
----------------------------------	------------

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)	██████████
--	------------

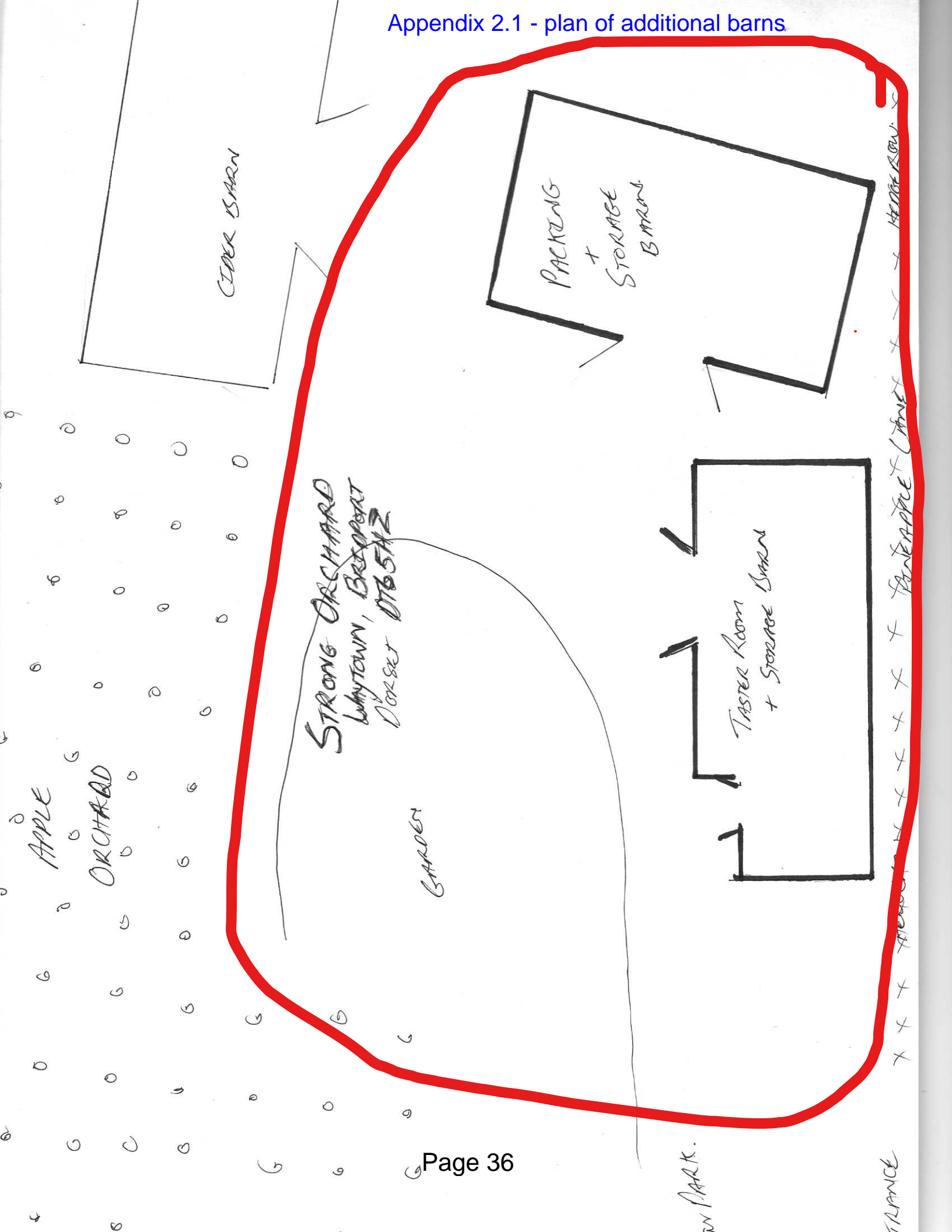
The council has a duty to protect the public funds it administers, and to do this may use the information you have provided on this form to prevent and detect fraud. It may also share this information with other bodies responsible for auditing or

administering public funds for these purposes. Where appropriate, and as part of its commitment to improving customer service, the council may also share the information provided on this form with other council services. For more information, see <http://www.dorsetforyou.com/fraud> or contact Finance Manager on 1305 252292.

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



STRONG ORCHARD
WYNTOWN, BRECKPOT
Dorset DT6 5HZ

APPLE
ORCHARD

CIDER BARN

PACKING
+
STORAGE
BARN

TASTER ROOM
+ STORAGE BARN

GARDEN

DOWN PARK.

FENCE LINE

FENCE LINE

FENCE LINE

Mrs Teasdale
Netherbury Parish Clerk
5 Bowdowns
St James Road
Netherbury
Dorset
DT6 5LW

Thursday, 07 January 2021

Dear Licensing and Highways Teams

Oversized vehicles delivering to Strongs Orchard, Pineapple Lane, Waytown

A number of residents of Waytown are seriously concerned with regard to the size of lorries attempting to negotiate the lanes around Waytown, some of which appear to be making deliveries / collections to and from Strongs Orchard in Pineapple Lane.

A member of the Parish Council on 11th December came across, first-hand, a vehicle that had just made a delivery. The vehicle involved is a 40-foot articulated lorry, photographs of which are attached.

The Parish Councillor spoke with the lorry driver who complained that he should not be asked to negotiate the lanes with such a large vehicle.

Also find attached photographs of verges being destroyed by the vehicle due to the width of its wheelbase.

The photographs show the vehicle turning in the junction with the road leading to Oxbridge from the Bridport/ Netherbury road. A branch was broken whilst the lorry was manoeuvring which can be seen in one of the photographs attached. It appears that the lorry can only approach Pineapple Lane from the Bridport direction and it cannot then turn left into Pineapple Lane but needs to travel further onto the Oxbridge junction, turn and then approach Pineapple Lane from that direction. The same manoeuvre has to take place when leaving Pineapple Lane to be able to return to Bridport. In other words the vehicle is unable to turn right out of Pineapple Lane towards Bridport but has to turn left to the Oxbridge junction, reverse, turn and then proceed past Pineapple Lane towards Bridport.

On occasions, this can result not only in danger but also in the obstruction of traffic.

Local residents are extremely concerned about the changes of use which appear to be taking place at Strongs Orchard and note that application has been made for a Premises Licence (Reference number 054628) to allow

the sale of alcohol for consumption on and off the premises with permission being sought for entertainment and the playing of music indoors and outdoors and dancing.

The local residents are concerned that change of use in the premises will lead to larger volumes of traffic and possibly larger vehicles attempting to negotiate the narrow lanes around Waytown.

Could we ask you please to investigate the situation and it would be helpful if there could be a size restriction placed on lorries approaching the Waytown/ Pineapple Lane areas.

Yours faithfully



Jessica Teasdale
Netherbury Parish Council Clerk









Appendix 3.2 Representations from Members of the Public

Representation 1

Re: Strongs Orchard, Waytown – change to License

I am writing to make a representation against the application under consideration to extend the licensing hours at the cider farm in Pineapple Lane, Waytown. There is a great deal of concern amongst residents whose properties are close to the orchard, including ours at [REDACTED], that if the extended hours are allowed, along with entertainment, then there will be serious repercussions.

The cider farm is changing its focus from making cider, to having a shop, camp site and now, presumably, a bar with entertainment. The current application coincides with a planning application for an additional barn 'for storage'. There is little doubt that the new barn will be used for the entertainment venue since there is currently just a small tasting room on the premise; yet the Strongs have not applied to build a venue and have not made it clear in the license application where the entertainment would take place. If it takes place outside then the sound would inevitably travel around this very quiet rural area and make life unbearable for other residents. The Strongs have a history of loud, late parties carrying on to the small hours with loud music, shouting and shrieking outside, and drunk young people weaving down the lane at all hours.

The lanes in the vicinity of Strongs Orchard are incredibly narrow, in the winter very muddy and slippery and any traffic has great difficulty negotiating them. There would definitely be a risk of accidents to road users as cars attending the bar at the orchard headed there or back. Pedestrians in particular would be at huge risk and many walkers use Pineapple Lane at all times of the year.

There is no provision of toilet facilities and indeed in the campsite the hygiene arrangements were described as inadequate. In the application for the campsite there were to be no campfires yet they have not only been permitted but encouraged as the Strongs sell firewood to the campers. This does not demonstrate that they are capable of adhering to restrictions and able to act as responsible licensees.

Therefore, on the basis of the prevention of crime and disorder, public safety; and the prevention of public nuisance, I urge you to deny this application.

Representation 2

Dear Sirs

With reference to the above Premises Licence Application, I would like to raise the following concerns.

The basis for my comments is that granting this licence application would be contrary to currently approved planning permissions for these premises and would not promote local licensing objectives, particularly the prevention of public nuisance and guaranteeing public safety.

Summary of the Application

- This application seeks approval to sell alcohol for consumption on and off the premises from 09:00 to 23:00 every day of the year. It also seeks approval for entertainment on the premises, including the performance of both live and recorded music and dancing (categories E, F and G), for four nights of every week of the year to include Sunday evenings, for the same or longer hours. On the other three nights of the week, every week of the year, it seeks approval to allow music and dancing from 09:00 to 18:00 (category H).
- Neighbours have been approached by the applicant in the last week saying, among other things, that the application as currently presented on the Dorset Council website does not represent the latest position, that the application has been amended. To avoid confusion, I attach to this email a copy of the application as it appears on your website today and upon which my comments are based.

Planning issues

- These premises comprise agricultural land and agricultural buildings in a completely rural environment in the Dorset Area of Outstanding Natural Beauty.
- The site and the buildings on it are designated for agricultural use and there have been no planning applications approved or submitted to re-categorise those buildings for any other use.
- It is understandable that an orchard producing cider from apples grown on the premises will, as an ancillary agricultural activity, wish to sell that produce directly to customers. Whether it is necessary to allow the retail sale of cider for consumption off the premises every day of the year for 15 hours a day until 11:00pm every night is however questionable. What is completely unjustifiable as part of an agricultural activity is the sale of

alcohol for 15 hours every day of the year for consumption on the premises. This cannot reasonably be considered as an ancillary agricultural activity consequent upon the production of cider and represents a change of use for the site and its buildings from agriculture to entertainment and leisure. There has been no planning application approval to consider or allow this.

- -There is therefore no land or building on the site which it is legally possible to license and authorise neither for the retail sale of alcohol on the scale proposed nor for the consumption of alcohol on the premises. Moreover, the hours requested for the sale of alcohol for consumption off the premises go beyond those which might reasonably be expected as an adjunct to an agricultural activity.

Public Nuisance

- -The sale and consumption of alcohol on the premises between 9:00am and 11:00pm or longer every day of the year is excessive and will generate noise nuisance and disturbance for neighbours all day and every day and will potentially lead to antisocial behaviour.
- -The performance of live and recorded music every week of the year for four days from 9:00am to 11:00pm and on the remaining three days of the week to 6:00pm, combined with the consumption of alcohol, will generate unacceptable noise nuisance and disturbance for neighbours.
- -The site has planning permission to operate a campsite for three months every year. Customers will therefore be living on the site with access to alcohol from 9:00am to 11:00pm every day without the deterrent of drink driving regulations to regulate their consumption, increasing the potential for noise disturbance and anti social behaviour.
- -The consumption of alcohol on this site for the hours proposed is both contrary to and would be detrimental to the aims and objectives of the Dorset Area of Outstanding Natural Beauty.
- -The sale of alcohol for consumption off the premises for the hours proposed every day of the year would provide a source of alcohol in the area with greater availability than any other local retail business adding to potential public nuisance.

Public Safety

- -Access to this site is via single-track and unlit country lanes. Customers will be leaving the site after 11:00pm or at a time when it is dark in motor

- vehicles or on foot. This is a dangerous mixture on narrow lanes particularly when combined with the consumption of alcohol.
- -The buildings on this site are agricultural buildings. Consideration must be given to fire safety to include the provision of emergency exits, emergency lighting, sprinkler systems, access for emergency vehicles, water supplies in the event of fire etc.
 - -In the interests of public health consideration must be given to the adequacy of toilet and waste disposal facilities on the site.
 - -This site is an agricultural site. Consideration must be given to safe movement of people around the site to include matters such as lighting of walkways.

Please take the above concerns into account when assessing this application.

Representation 3

Origination- I represent Persons in the vicinity.

Representation- Details:-

My wife and I live 350 metres from Strong Orchard which is an agricultural holding in a rural area, with planning permission for restricted tent accommodation in the summer months. The existing Off Licence covers the sale, between 10.00 and 20.00 hours, of the cider produced from the orchard on the holding.

What is now applied for is a licence for an entertainment enterprise with an On Licence and licensed Permitted Activities with live music till 23.00 and recorded music till midnight at weekends.

I am concerned first about noise late at night as there are no permitted buildings on the property that can accommodate indoor music so that the condition set out in Appendix 2 of the application can be met. All music will be outdoor and will be audible and a nuisance to all nearby properties, including ours.

Secondly, the lanes serving Strong Orchard and nearby properties are single track with passing places, unlit and not suitable to serve an entertainment venue which is intended to attract customers at night. The present licence accommodates customers in the day during business hours. The additional night time traffic will be an unreasonable disturbance to the properties affected.

Licensing Objectives relating:-
Public Safety
Prevention of Public Nuisance.

Supporting Evidence:-

1. Licensing Policy accepts that noise nuisance can include low level nuisance perhaps only affecting a few people living locally. It's effect is greater where the background noise level is low.
2. Policy 5,29 confirms that licensing Policy is a key aspect in the control of nuisance and anti-social behaviour. Noise and the effect of extra traffic at night are therefore aspects of the application that the committee can consider.

Suggested Conditions.;

1. That the permitted music activities for outdoor music should be licensed until 22.00 each night.
2. That any permitted music activities for indoor music shall be licensed until 23.00 each night with any such music after 22.00 to be subject to the condition set out in Appendix 2 of the application..

Representation 4

Application 054638, Dorset Nectar, Pineapple Lane, Waytown, Bridport DT6 5HZ

Prevention of crime and disorder.

The use of the above venue for entertainment (singing, dancing and music live or recorded) inside or outside the barns, may result in civil disturbance including drug related crimes.

Prevention of Public nuisance.

The noise already heard in past years from the few Wassailing evenings was disturbing late at night.
With more evenings planned, it will add to the agrivation of the neighbourhood.

Public Safety.

Later Night revellers leaving the venue in vehicles or by foot, could be dangerous on single track roads, having probably partaken cider and beer.

We hope that you take the above points into consideration when regarding Strongs `Orchard license application.

Representation 5

Dear Sirs

I write with regard to the licence extension application from the above premises. My objection is based on the following grounds:

Prevention of crime and disorder

The past performance of the proprietor in ignoring planning consent conditions leaves no confidence that there will be adequate supervision of the level of alcohol consumed by individuals up to two o'clock in the morning. It would come as no surprise if drug dealers do not see this as an opportunity, being well distanced from the police presence regarded as vital at similar gatherings in Bridport.

Prevention of public nuisance

Light pollution and the noise of revellers well into the night will transform the lives of nearby residents in this countryside location in an AONB. The obvious noise that comes from a large number of passing vehicles in the early hours of the morning is something that Waytown, Netherbury and Salway Ash have never had to endure before.

Public safety

This is already at risk from the existing practice of encouraging camp fires to be started in the middle of an orchard in the middle of the summer. The presence of individuals under the influence of alcohol in the midst of a cider making establishment can only increase this risk to an alarming degree. Additionally, being in the middle of farm land, the only means of access to the proposed venue is by car along single track roads. This can only precipitate drink driving resulting in a danger to attendees and, of course, local residents trying to drive to and from their homes.

The above comments are made in connection with the purposes given for the application. Please take these observations, shared by neighbours, into account when considering the request.

Representation 6

I am writing to register my strong objection to the above application.

It is totally a unsuitable area for such a proposal. The plan would be extremely detrimental to this very rural corner of Dorset for so many reasons. The traffic that Strong's existing business has created over the last few years since they arrived and built there (without planning permission)has caused a great deal of disruption because there have been so many large vehicles going to the Orchard, and the narrow lanes around here are completely unsuitable for them. The noise that this plan would

inevitably, for much of the time engender, be extremely invasive. It would cause a very great public nuisance to those of us who live nearby. I believe that there would also be health and safety issues particularly due to people drinking on the premises, and emerging onto the very narrow lane. The lane has several blind corners and very few places where one can draw in for anything else to pass. It is bad enough during the day. In the dark it would be a thoroughly hazardous nightmare.

I wish the Strong family no ill will for their present business, but I very much hope for all our sakes that this application will be refused.

Strong Orchard Dorset Nectar Premises license variation application

Strong Orchard

Pineapple lane

Waytown

Bridport

Dorset DT65HZ

Response to concerns raised;

Date sent 16/12/20

Dear Samantha Spracklen of the Dorset Council Licensing Department

Thank you for forwarding this to us.

Having read the letter you sent to us we would like to offer the below statement response to their concerning letter.

We would sympathise with the letter writer; we do not intend to run a rowdy “nightclub” in countryside and would whole-heartedly agree with them in keeping sound at a reasonable level.

We have lived on the orchard cider farm since 2006 and held a premises license over 10 years throughout which time there has not been a single whisper or complaint by anyone in the local community in which we live in regards to the businesses premises license. To such an extent that many locals were not even aware we held a premises license as it had been so low-key and quiet.

For the last 8 years we have run our community profits-to-charity Wassail traditional cider orchard event. We run this in conjunction with local Mummers, Storytelling, Morris Dancing, 3 piece band and the Dorset Wild Life Trust. The events are family focused and are enjoyed by many of the local community.

Several weeks back now we heard from a friendly neighbour who had questions about our premises license. We proceeded to nullify their concerns and Penny wrote a letter and personally went around close to a dozen of the residences of the village and explained our plans regarding the variation. We were sympathetic to their concerns about operating “entertainment” for up to 7 nights a week. As a result, we conceded our position and decided to reapply for the license with a dramatic reduction in hours for the provision of the premises and entertainment licence.

It seems the anonymous Objector is not aware that we have listened to neighbouring concerns and significantly the reduced the days and hours of operation we can serve Alcohol and Entertainment with the revised Variation of Premises license. We restarted and began a new application. One of the ways we reduced the operations was to revise operation of entertainment from 7 days a week to Thurs, Fri, Sat. Also reducing some hours on some days in regards to the running of the Premises licence.

Prevention of public nuisance

Light pollution and the noise of revellers well into the night will transform the lives of nearby residents in this countryside location in an AONB. The obvious noise that comes from a large number of passing vehicles in the early hours of the morning is something that Waytown, Netherbury and Salway Ash have never had to endure before.

In response.

There is a village pub in Waytown approximately 500 yards down the road from us in the middle of the village. The village of Salway Ash also holds a pub. The local business park which is located at the end of our Pineapple lane holds an alcohol license and fully functioning shop alongside extensive caravan site. There is projected to be no untoward light pollution and enjoyment of revellers more than any of the fore-mentioned. We plan to introduce thorough insulation of Tasting Room to reduce sound transmission. Furthermore the orchard contains up to 3000 trees and is encircled by a mature hedge. On the other side of this hedge is a further 15 acres of our neighbour's orchard, then hedge before sound or light finally reaches the village.

Running a family cider farm business fulltime means many long days and we have no intention of entertaining the thought of crowds of rowdy or late night customers.

We have the highest regard for the environment of our beautiful AONB landscape of west Dorset and run on the principles of "leave no trace" and are completely certified Organic with the Soil Association.

The Objectors reference to 'a large number' of vehicles going down the Pineapple lane on which we are located. We are only one of 9 residences and farms down Pineapple lane. At the end of the lane is the large village of Salway Ash and the Pineapple business park which has numerous vans, cars and trucks heading in their direction daily. This afternoon alone in the space of an hour we noted 2 large lorries heading past our cider farm gate towards the rest of the Pineapple lane and the business park. We do not produce the enormous amount of traffic the objector is charging our business with. I would ask as to how this pertains to the Premises licence.

Prevention of crime and disorder

The past performance of the proprietor in ignoring planning consent conditions leaves no confidence that there will be adequate supervision of the level of alcohol consumed by individuals up to two o'clock in the morning. It would come as no surprise if drug dealers do not see this as an opportunity, being well distanced from the police presence regarded as vital at similar gatherings in Bridport.

In response to their "prevention of crime and disorder section". We hold a personal license and have been trained in the seriousness and prevention of crime and disorder to do with alcohol consumption as to Government and County Council regulations. We take this very seriously as it is not the way we conduct ourselves and it is the very livelihood as a family Cider Farm to work within our premises licence. The occurrence I believe the objector is referring to is the 46 day tent camping (within the permitted development right) we undertook this summer as a test run for the approved

seasonal tent camping application we received. The 46 days were not subject to the conditions of the tent camping application with Planning.

In the variation we have asked to have one night we would be allowed to serve drinks past midnight a year. We have this in mind for a possible classy New Years eve do once in a while; if we decide to go ahead with this. This would be an exclusive event and would be conducted with the utmost decorum with no permitted extreme over indulging and excessive music over which we are asking in the variation. I would ask the objector to be reasonable and keep everything in perspective as it is New Years eve and only for 1 Day a year.

Most of all, we take it as an insult of the highest degree that the accusing objection writer is alluding to Our possible collusion with drug dealers!?! As a Christian family we regard this as a personal insult towards our family as well as damaging to our business, brand and name. These unfounded, unsubstantiated claims are most grievous and despicable. We found it deceitful and uncivilised they would bring these claims into a County Council Licensing letter potentially harming our working relationship with the County Council going forward.

We demand our Rights to know the accuser and contact details so we may have a word with our Solicitor.

Public safety

This is already at risk from the existing practice of encouraging camp fires to be started in the middle of an orchard in the middle of the summer. The presence of individuals under the influence of alcohol in the midst of a cider making establishment can only increase this risk to an alarming degree. Additionally, being in the middle of farm land, the only means of access to the proposed venue is by car along single track roads. This can only precipitate drink driving resulting in a danger to attendees and, of course, local residents trying to drive to and from their homes.

In Response to concerns to this nature;

For the Licensing variation we recently have gone through a rigorous inspection by the Fire Department and have had to provide thorough Fire Plans and Fire Safety Procedures including that of small, controlled, campfires in the orchard. Although seasonal camping is not to do with the premises licence.

The licensing team has seen and approved of all our extensive Fire and Risk Assessments for the Cider farm as whole.

In addition, as every premises license application affords an inspection by the Dorset Police in the form of the Licensing Officer-Prevention Department to scope out the location and ensure it is safe and run by responsible peoples...

We are indeed in the "middle of farmland" distanced quite a ways from neighbours. We have planned in advance ways in which possible light and sound pollution can be reduced. The roads surrounding us have many passing places and pull-ins. We have been trained extensively and as policy dictates, display "Challenge 21" posters and as law and common sense dictates do Not serve persons who have had their fair share as it were.

We produce Champion award winning craft ciders; Not very strong, not very cheap “Scrumpy” as the objector seems to allude to. We aim to offer an unparalleled, unique experience for the Pomologist and the enthusiastic Craft cider Connoisseur - not a wild drinking hole.

We would end; we would agree with the anonymous community member. We love our beautiful West Dorset countryside. We do not want to violate it. We hope we can reassure you that we take your concerns to heart and as a result have altered our initial plans. We want to cooperate and be friendly with all our community. However do not take it lightly when unsubstantiated, spurious accusations are thrown our way.

As always if any members of the public have an opinion PLEASE contact us or walk by and we can chat and come to an agreement.

With Gravitas

Yours

The Strong Family