

I am writing a summary of our objections to the application for a licence for Twisted Cider by Mr Ben Weller. Some of this is in response to the information contained in the licensing committee report and appendices sent to us by the licensing team.

I would be interested to know if any of the licensing committee has visited the location of Twisted Cider or would consider doing so before a final decision is made to grant any licence.

In making our objections we have been guided by the four principles of the licensing objectives. In no way is this personal to Mr Weller himself. While our objections on the basis of noise and light pollution still stand and I refer you to our original letter (p 36 of 62 Appendices), we feel that we have not expressed the more personal impact that this commercial unit will have on us as individuals within our own home.

We moved to [REDACTED] Longburton in 2008 after a very long and careful search and with much research into the lane itself. We were reassured that the farm opposite (Spring Farm) was operating as such, albeit as a hobby farm, as it suggested to us that the land was less likely to be developed while in agricultural use. We were also reassured that the land adjoining ours was owned by Sherborne Castle/Digby Estates and was also unlikely to be developed.

This was an important consideration for us as we were looking for a peaceful, rural environment to live in with no plans to move ever again. We were under no illusion as to what farming and country life comprises as I grew up on a smallholding in North Dorset, surrounded by arable and livestock farms.

I necessarily lived in an urban/city environment in order to carry out my nursing training, and continued to live there for number of years to effectively repay the debt of my training to the city that had provided it. We moved back to Dorset to my roots and my family.

My job as a [REDACTED] at Dorset County Hospital means that I work long hours (13 hours) in shifts with no fixed pattern. This includes days, nights and weekends throughout the year. Having to sleep during the day is not always easy due to the transition from one sleep pattern to another as I have found during the past 25 years as a nurse. The addition of commercial activity and associated traffic does not bear contemplating, particularly as Mr Weller intends to run the business 7 days a week, offering no prospect of respite. I have had more sleepless nights and unwarranted stress and anxiety in the last 6 weeks over this matter, than during the last year of unprecedented challenges in my work life with the Covid 19 pandemic.

My garden is my sanctuary away from work and where I go to de-stress and re-connect with nature. I feel that the presence of increased and more intrusive commercial activity will impact on my physical and mental wellbeing.

Mr Weller's more lately submitted documents (FEF PL-2021 in Appendices), detail that the barn from which he operated sustained fire damage and had to be demolished. **There is no reason why these buildings could not have been replaced in their current location**, which is much more conveniently placed near to the apple orchards from which Mr Weller makes his cider and which will surely form part of the educational tours he intends to provide.

The figures 2 and 3 (p26,27 appendices) detail the location of the current and new premises in relation to the nearest dwellings, [REDACTED]. What this aerial view does not convey is the lines of sight from these properties. The new building is considerably larger than its predecessor and very much more visible/audible from both houses and their gardens and is upwind of the prevailing wind direction, which means that any noise will be carried towards the residential end of the lane for the majority of the year.

Fig1. View of current Twisted Cider building from Rossitor. Red dot notates position of current business



Fig 2: New building. Red dot: entrance to Twisted Cider. Blue dot: gateway entrance from lane.



Fig 3: View from End House master bedroom. Red dot notates Twisted Cider building.

In Mr Weller's documents figure 7 (p29 appendices) shows the new entrance complete with gravelled area, which will only exacerbate any noise from pedestrian and vehicular comings and goings.

The figure on page 24 of 62 (appendices) details the internal PVC double glazed doors. The lobby to which Mr Weller refers will only be accessible once the roller shutter door is open, thus removing a layer of noise protection that he has detailed.

Point 3 on the licensing sub-committee documents refers to climate implications. While these are listed as "none", I would be interested to know the carbon footprint of the new building as hundreds of tonnes of concrete have been used in its construction.

Moving on to later points in the committee report, 9.3 states **"that no alcohol will be served before 11:00 on every day of the week" so why does Mr Weller need a licence from 09:00?**

Point 9.4: Mr Weller has asked for the live and recorded music to be removed from his application. This makes no material difference, as he would surely be aware, as they would be permitted under the Live Music Act 2012.

9.7 The representations submitted with multiple signatures represent the vast majority of residents in Bradford Lane and its immediate vicinity, who are unified in their opposition to this application and have lived here since at least 2008 for the most part, and some for considerably longer.

9.8 Two notable exceptions are those who have written in support of Mr Weller. The first of these is Mr + Mrs Polson, Mr Weller's mother and step-father who own the properties and land on which Mr Weller's business is located and who would obviously benefit from the removal of the business from the immediate environs of their house, with their property being shielded from the majority of noise and inconvenience of the new building by the presence of the neighbouring house and garden. The second being submitted by the neighbours of Spring Farm who are tenants in a property owned by Mr Polson and who have not experienced any Twisted Cider events since their arrival in 2019.

Other supporters for Mr Weller's business have lived in the village for considerably less time than the majority of residents on Bradford Lane. They may have attended a couple of events held under a TENS, but do not have to live with the prospect of an expanding commercial unit on their doorstep. They have not acknowledged any of the issues that will be associated with the new premises or that the current licence is held as off-sales only. These are a handful of villagers who have attended events out of a population of upward of 400.

Indeed, Mr. Weller's business does not appear to bring any advantages to the wider village community in that there appears to be no employment opportunities and no benefit to the business at the heart of the village; the Rose & Crown public house. Indeed we are aware that individuals attending an open day at Twisted Cider then went to the Rose & Crown and instigated a fight that the landlady dealt with without involving the police. The publicans no longer stock Twisted Cider products as there is no market for it in the local community.

Mr Weller states in his submission (p 31 of 62) that **“It will also be company policy that any customer who has driven to the premises will not be able to buy alcohol to consume on site.”**

As stated, there is limited demand within the village, and indeed of those who have attended events or bought cider regularly the greater proportion of them have driven to the current premises. Mr Weller will no doubt wish to attract customers from further afield which will necessarily depend on them being able to arrive by car. This only endorses the need for an **off-sales only licence** to be granted.

Cider making is a seasonal process which must surely limit the scope of its educational value for the majority of the year. Mr Weller asserts that his target market is 35-60 year olds; however, products such as “Bubblemum Burst” and “Stormy Lemonade” are surely not appealing to that sector of the market but aimed squarely at a younger audience.

In Mr Weller’s application statement (p18 of 62 appendices) he maintains that he has a **“policy on safe management of large groups i.e. hen and stag parties”**. This is not wording he is mandatorily obliged to insert for the application process; this therefore puts doubt in our minds as to the validity of his claims that the purpose of the business is primarily educational. I have personally yet to encounter or hear of a hen/stag party that had education as its focus!

The figures that Mr Weller has provided for illustration (p 32 of 62 appendices) are for 2020, which was a very atypical year due to the Covid 19 pandemic. It would be much more useful to have more representative information for a number of previous years. This data also relates to a business that has had a licence for off-sales only with 1-2 TENS events per year, not to those of an on-site sales licence as Mr Weller intends, so does not reflect a future reality.

At the time of his original licence application in 2012, Mr Weller was not living in Longburton and had a full-time job elsewhere, so was not in a position to expand his business as he now intends and is now in a position so to do.

Along with the majority of residents in Bradford Lane, we would like an amendment to Mr Weller’s licensing hours which would reflect the family oriented aspect of the business he is so keen to promote. We understand that he will not be in a position to operate during all the hours he has applied for in the beginning and will be planning to build his business to that point.

We would like to build in a buffer for us as residents to allow us some respite from extensive intrusion and a day off completely from disturbance. **To this end we would re-iterate the suggested hours of 09:00 (11:00?) to 18:00 Monday to Saturday off-sales only and closed on Sundays.**

This would also allow for the lane to be used by other families in the village as it is now for walking, cycling, horse-riding and jogging without fear of encountering excessive traffic.

We would also ask that traffic attending Twisted Cider be directed to approach and leave via the Dyke Head road, which would avoid passing the narrow residential part of

Bradford Lane, and does not inconvenience either customers, deliveries, or other residents in the village.

Mr Weller is at liberty to work as many hours as he sees fit, we are asking that his licensing hours are restricted to those that are more in line with a normal working week and the 54 hours we have proposed is still 44% more than the average 37.5 hour week. We feel this is more than enough in a rural residential setting. His original application for 82 hours licence is far more in keeping with an urban environment.

We have been told that the issues relating to the construction of the barn as an agricultural premises are not under the remit of the licensing department. While we understand this, it is worth considering that:

“The licensing and planning systems operate independently with the planning and licensing regimes involving consideration of different, albeit related matters.

Nevertheless, where applicants have indicated that they have also applied for planning permission or that they intend to do so, licensing committees and officers should consider discussion with their planning service prior to determination with the aim of agreeing mutually acceptable operating hours and scheme designs. It is also important to note that any decision of the licensing authority on an application for a premises licence does not relieve the premises user of any requirements under planning law for appropriate planning permission where it is required. Premises operating in breach of their planning permission would be liable to prosecution under planning law". Councillors Handbook Licensing Act 2003

We believe that part of the remit of the licensing committee is to consider the impact on the lives of those who live and work in the vicinity of a premises and that **“The sub-committee must also ensure decisions are compatible with the Human Rights Act 1998”**.

We sincerely hope that this last point is observed and that full consideration is given to all parties whom the ultimate decision will have far-reaching impact on.

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