



Licensing Sub-Committee

Date: Monday, 19 August 2024
Time: 1.30 pm
Venue: Council Chamber, County Hall, Dorchester, DT1 1XJ

Members (Quorum: 3)
Derek Beer, Louise Bown and Les Fry

Chief Executive: Matt Prosser, County Hall, Dorchester, Dorset DT1 1XJ

For more information about this agenda please contact Democratic Services
Meeting Contact 01305 224877 john.miles@dorsetcouncil.gov.uk

Members of the public are welcome to attend this meeting, apart from any items listed in the exempt part of this agenda.

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Agenda

Item		Pages
1.	ELECTION OF CHAIR AND STATEMENT FOR THE PROCEDURE OF THE MEETING	3 - 6
	To elect a Chairman for the meeting and the Chair to present and explain the procedure for the meeting.	
2.	APOLOGIES	
	To receive any apologies for absence.	
3.	DECLARATIONS OF INTEREST	
	To disclose any pecuniary, other registrable or non-registrable interests as set out in the adopted Code of Conduct. In making their disclosure councillors are asked to state the agenda item, the nature of the interest and any action they propose to take as part of their declaration. If required, further advice should be sought from the Monitoring Officer in advance of the meeting.	

4. 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.

5. NEW LICENCE APPLICATION – MAJESTIC WINES, WIMBORNE 7 - 42

An application has been made for a new premises licence for a Majestic Wine Store in Wimborne. The application has been out to public consultation and has attracted relevant representations. A Licensing Sub Committee must consider the application and representations at a public hearing.

6. EXEMPT BUSINESS

There are no exempt items scheduled for this meeting.



THE LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005

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 leave, and may refuse that person to return, 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 Services 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
 - the council officers present
 - the parties and their representatives
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.
8. The Chairman will ask any person who has made representations, who have 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 sub-committee will withdraw from the meeting to consider its decision in private. The sub-committee will be accompanied by the Democratic Services Officer and the Legal Advisor can be called upon to offer legal guidance.
11. The Chairman will:
 - advise when the sub-committee’s decision will be confirmed in writing.
 - Inform those present of their right to appeal to the Magistrates’ Court.

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.

The meeting will take place in public. However, the public can be excluded from all or part of the meeting 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.

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LICENSING SUB-COMMITTEE

19 August 2024

New Licence Application – Majestic Wines, Wimborne

For Decision

Cabinet Member:

Cllr G Taylor, Health and Housing

Local Councillor(s):

Cllrs S Bartlett and D Morgan

Executive Director:

Jan Britton, Executive Lead for Place

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

Report Status: Public

Brief Summary: An application has been made for a new premises licence for a Majestic Wine Store in Wimborne. The application has been out to public consultation and has attracted relevant representations. A Licensing Sub Committee must consider the application and representations at a public hearing.

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 consider all the written representations, the oral representations, and any information given at the hearing before making a decision.

1. Background

1.1 Section 4 of the Licensing Act 2003 sets out the duties of the Licensing Authority, it sets out that a Council's licensing functions must be carried out with a view to promoting the four licensing objectives of:

- (a) the prevention of crime and disorder;
- (b) public safety;
- (c) the prevention of public nuisance; and
- (d) the protection of children from harm.

1.2 All applications and decisions are made with due regard to the [Licensing Act 2003](#) (the Act), the [Revised Guidance issued under Section 182 of the Licensing Act 2003](#) (the Guidance) and the [Dorset Council Statement of Licensing Policy](#) (the Policy).

2. Details of the Application

2.1 Majestic Wine Warehouses Ltd has applied for a new premises licence under section 17 of the Licensing Act 2003 for Majestic Wines at 7 West Borough, Wimborne Minster, BH21 1PR. The application form is attached at Appendix 1.

2.2 The premises will be a: -

one floor warehouse style layout operating as a retailer selling a mixture of beer, wine, champagne and spirits.

2.3 The application is for; -

The Sale of Alcohol (on and off the premises)

Everyday 08:00 to 23:00

2.4 The application includes statements in the operating schedule at section M that There will be a CCTV system in operation with footage kept for 28 days, that there will be a incident book and that staff will be trained in the underage sales policy. A schedule of conditions that would be consistent with the operating schedule at section is attached at Appendix 2.

3. Responsible Authorities Representations

3.1 Section 13 of the Licensing Act contains the list of Responsible Authorities who must be consulted on each application. Dorset Police, Dorset and Wiltshire Fire Service, Public Health Dorset, the Immigration Authority, Dorset Council Trading Standards, Dorset Council Children's Services, Dorset Council Planning, Dorset Council Licensing, Dorset Council Environmental Protection and Dorset Council Health and Safety have all been consulted.

3.2 Environmental Health responded that they had no objection to the application. Dorset and Wiltshire Fire Service had no adverse comments and Dorset Council

Children's Services responded that they had no concerns regarding the application.

- 3.3 No representations from any of the remaining Responsible Authorities have been received.

4. **Representations from Other Persons**

- 4.1 There has been one representation from the Town Council.

Object – Wimborne Minster Town Council have been asked to consider a licence application for Majestic Wines that proposes to sell alcohol until 11 PM. Upon review, we note that other Majestic Wines stores generally close by 8 PM, with a few exceptions extending to 9 PM at the latest. Given this, we are unclear why a later closing time is being requested for the Wimborne location.

We have concerns that allowing sales until 11 PM could lead to increased anti-social behaviour, street drinking, and litter, particularly in a predominantly residential area. Therefore, the Town Council objects to this application and suggests that the licence be brought in line with the standard closing times of other Majestic Wines stores, ideally no later than 8 PM.

- 4.2 Representations have also been received from eight residents of Wimborne objecting to the hours proposed in the application, which they contend will cause anti-social behaviour in the vicinity of the premises. The full representations are attached at Appendix 3.

- 4.3 The Applicant's solicitor's response to the representations is attached at Appendix 4 and has been circulated to all of the parties.

5. **Relevant Sections of the Licensing Act 2003**

- 5.1 Section 4 sets out the general duties of the Licensing Authority; -

(1) A licensing authority must carry out its functions under this Act ("licensing functions") with a view to promoting the licensing objectives.

(2) The licensing objectives 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.

(3) In carrying out its licensing functions, a 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.

6. Relevant Sections of the Statutory Guidance issued under Section 182

6.1 Paragraphs 1.2, 1.4 and 1.5 of the Revised Guidance issued under Section 182 of the Licensing Act 2003 issued in December 2023 (The Guidance) sets out the Licensing Objectives and aims; -

The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.

Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times.

However, the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:

- protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;
- giving the police and licensing authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems;
- recognising the important role which pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises;
- providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and
- encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them.

6.2 Paragraph 1.16 of the Guidance sets out how conditions should be formulated; -

Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as “must”, “shall” and “will” is encouraged. Licence conditions:

- must be appropriate for the promotion of the licensing objectives;
- must be precise and enforceable;
- must be unambiguous and clear in what they intend to achieve;
- should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
- must be tailored to the individual type, location and characteristics of the premises and events concerned;
- should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
- should not replicate offences set out in the 2003 Act or other legislation;
- should be proportionate, justifiable and be capable of being met;
- cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but

- may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
- should be written in a prescriptive format.

6.3. Paragraph 1.19 states; -

While licence conditions should not duplicate other statutory provisions, licensing authorities and licensees should be mindful of requirements and responsibilities placed on them by other legislation.

6.4 Paragraphs 9.42 – 9.44 of the Guidance set out how the Licensing Authority will determine an application; -

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.

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.

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.”

Options

6.1 The members of the Sub-Committee will determine the application in the light of all of the written representations and any oral evidence given at the hearing. They will take such steps as they consider 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

6.2 The steps that the Sub-Committee may take are to: -

- a) to grant the licence subject to such conditions as the authority considers appropriate for the promotion of the licensing objectives, and the mandatory conditions;
- b) to exclude from the scope of the licence any of the licensable activities to which the application relates;
- c) to refuse to specify a person in the licence as the designated premises supervisor;
- d) to reject the application.

7 Financial Implications

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

8 Natural Environment, Climate & Ecology Implications

The Council is under a general duty to consider the impact any decision will have on the Natural Environment, Climate and local ecology.

9 Well-being and Health Implications

None

10 Other Implications

None

11 Risk Assessment

HAVING CONSIDERED: the risks associated with this decision; the level of risk has been identified as:

Current Risk: Low

Residual Risk: Low

12 **Equalities Impact Assessment**

Not applicable

13 **Appendices**

Appendix 1 - Application and Plan

Appendix 2 - Conditions

Appendix 3 - Representations

Appendix 4 - Response from Applicant

14 **Background Papers**

[Licensing Act 2003](#)

[Home Office Guidance issued under Section 182 of the Licensing Act 2003](#)

[Dorset Council Statement of Licensing Policy 2021](#)

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**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.

We Majestic Wine Warehouses Ltd.....

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 7 West Borough Wimborne Minster			
Post town	Dorset	Post code	BH21 1PR

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£34,750

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick yes

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | 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 | <input type="checkbox"/> | 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 | <input type="checkbox"/> | 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:

Please tick yes

- 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 old or over			I am 18 years <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 old or over			I am 18 years <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)			

(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 Majestic Wine Warehouses Ltd
Address Majestic House The Belfry Colonial Way Watford Hertfordshire WD24 4WH
Registered number (where applicable) 01594599
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?

Day		Month		Year	
2	3	0	7	2	0
2	4				

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

Day		Month		Year	

A

Please give a general description of the premises (please read guidance note 1) Majestic Wine Warehouse is situated over one floor warehouse style layout and operates as a high-end retailer selling a mixture of beer, wine, champagne and spirits.
--

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

N/A

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

(Please see sections 1 and 14 of the Licensing Act 2003 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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
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"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)		
Day	Start	Finish			
Mon			State any seasonal variations for indoor sporting events (please read guidance note 5)		
Tue					
Wed			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 (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment 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			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur					
Fri			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 (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				
Mon			<u>Please give further details here</u> (please read guidance note 4)			
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"/>
					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 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)			<u>Please give a description of the type of entertainment you will be providing</u>		
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)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>
Day	Start	Finish			Outdoors	<input type="checkbox"/>
Mon					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 the provision of late night refreshment</u> (please read guidance note 5)			
Fri						
Sat			<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)			
Sun						

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	08:00	23:00			
Tue	08:00	23:00			
Wed	08:00	23:00			
Thur	08:00	23:00			
Fri	08:00	23:00			
Sat	08:00	23:00			
Sun	08:00	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 6)		

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

Name Emily Jayne O'Nions	
Date of birth ██████████	
Address ██████████ ██████████ ██████████	
Postcode	██████████
Personal Licence number (if known) PL2819	
Issuing licensing authority (if known) Herefordshire 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)
None

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

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

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

All statutory requirements will be observed as detailed in boxes b), c), d) and e)

b) The prevention of crime and disorder

A CCTV system will be installed at the premises, be maintained in good working order and used at all times the premises remain open to the public for licensable activities. Any CCTV footage shall be kept for at least 28 days and be made available to the Licensing Authority or a responsible authority on request.

c) Public safety

All safety equipment will be regularly maintained, and the staff trained to deal with emergencies.

d) The prevention of public nuisance

Patrons will, if necessary, be reminded to respect neighbours.

e) The protection of children from harm

All staff will be trained in the law relating to the sale of alcohol and to require, where necessary, appropriate proof of age. A challenge 25 or similar policy will be implemented or enforced at all times. Any person who appears to be under 25 year of age shall not be allowed to purchase alcohol unless they produce an acceptable form of photo identification, (eg. passport, driving licence or PASS accredited card). Any incidents of refusal on the grounds of age of would be purchaser to be recorded in the "incident book".

Please tick yes

- I have made or enclosed payment of the fee or
- I have not made or enclosed payment of the fee because the application has been made in relation to the introduction of the late night levy
- 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 PERSUANT 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 11). **If signing on behalf of the applicant please state in what capacity.**

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15) The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15) 		
Signature			
Date	24/06/2024		
Capacity	Popleston Allen – Solicitors for and on behalf of the applicant		

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			
Capacity			

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Popleston Allen Solicitors 37 Stoney Street The Lace Market			
Post town	Nottingham	Post code	NG1 1LS
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional) <div style="background-color: black; height: 15px; width: 100%;"></div>			

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

and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.
 15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

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

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

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

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways:

1. by providing with this application copies or scanned copies of the documents which an applicant may provide to demonstrate their entitlement to work in the UK (which do not need to be certified) that are published on GOV.UK and in guidance issued under section 182 of the Licensing Act 2003.
2. by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below)

Home Office online right to work checking service

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

To demonstrate their right to work via the Home Office online right to work check service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

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

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

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

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1. A CCTV system will be installed at the premises, be maintained in good working order and used at all times the premises remain open to the public for licensable activities.

Any CCTV footage shall be kept for at least 28 days and be made available to the Licensing Authority or a responsible authority on request.

2. All staff will be trained in the law relating to the sale of alcohol and to require, where necessary, appropriate proof of age. A challenge 25 or similar policy will be implemented or enforced at all times. Any person who appears to be under 25 year of age shall not be allowed to purchase alcohol unless they produce an acceptable form of photo identification, (eg. passport, driving licence or PASS accredited card). Any incidents of refusal on the grounds of age of would be purchaser to be recorded in the "incident book".

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Representation from Wimborne Town Council

Object – Wimborne Minster Town Council have been asked to consider a licence application for Majestic Wines that proposes to sell alcohol until 11 PM. Upon review, we note that other Majestic Wines stores generally close by 8 PM, with a few exceptions extending to 9 PM at the latest. Given this, we are unclear why a later closing time is being requested for the Wimborne location.

We have concerns that allowing sales until 11 PM could lead to increased anti-social behaviour, street drinking, and litter, particularly in a predominantly residential area. Therefore, the Town Council objects to this application and suggests that the licence be brought in line with the standard closing times of other Majestic Wines stores, ideally no later than 8 PM.

Representation 1

I am writing to formally object to the licensing application submitted by Majestic Wines for the premises located at 7 West Borough, Wimborne.

I do believe that the opening of Majestic Wines will have a positive impact on West Borough and am happy that a commercial company will be renting the ground floor of this impressive building.

I note that the general closing time of other Majestic Wines is 7-8pm and on Sundays is 5pm so I do not understand why this premises are asking for an 11pm licence?

7 West Borough lies in the Wimborne Minster Conservation Area and having a late-night licence to sell alcohol I believe will encourage disorder, antisocial behaviour and alcohol abuse. As the owner of xxxx we already suffer with noise nuisance and antisocial behaviour late at night from other licenced premises including the Wetherspoons Pub across the road. Already we often find people urinating, throwing up and piles of litter in front of our front door. Providing a premises that sells alcohol until 11pm opposite an incredibly busy pub will only encourage young people to continue to drink, which from a health perspective is not in keeping with the aims and objectives of the Wimborne community.

In view of the above I would ask the licensing application to be changed.

Representation 2

I am writing to formally object to the application for a late night license by Majestic Wine, located at 7 West Borough, Wimborne. As a resident xxx, I have significant concerns about the potential impact this license could have on the local community.

Firstly, the extended hours are likely to exacerbate existing issues with anti-social behaviour. Increased availability of alcohol late into the night will encourage groups of people to gather and loiter outside the shop. This gathering could lead to noise disturbances, which are particularly disruptive during late hours when residents are trying to rest.

Secondly, there is a concern about noise pollution from slamming car doors and loud conversations as people come and go from the shop. This noise will be especially intrusive in the quiet night-time hours, affecting the peace and quiet that residents expect during these

times. The noise and commotion from increased vehicular traffic can significantly disrupt the sleep and general well-being of the local community.

Additionally, we already have issues with Wetherspoons in the vicinity, resulting in many calls to the police about anti-social behaviour. Allowing another establishment to sell alcohol late at night could further strain local resources and exacerbate these problems.

In 2023 alone, there were 733 crime incidents reported in Wimborne Minster. The most common crime types were violence and sexual offences (35.9%), anti-social behaviour (22.4%), and criminal damage and arson (9.1%). The least common crime types included drugs (1.1%), robbery (1.0%), and theft from the person (0.3%). The high incidence of violence, sexual offences, and anti-social behaviour is particularly concerning, as these could be further aggravated by extending the hours of alcohol sales.

Furthermore, other Majestic Wine locations that are not situated near residential areas have a latest closing time of 8 PM. Our four closest stores—in Poole, Lymington, Salisbury, and Dorchester—all adhere to this latest closing time. There is no compelling reason to deviate from this standard in our community, where the potential for disruption is significantly higher due to the proximity to residential properties.

While I am happy that a respectable company like Majestic Wine is coming to the town, allowing late night sales of alcohol may inadvertently encourage drinking in public spaces, which often leads to littering, vandalism, and a general sense of disorder. The presence of intoxicated individuals in the area can create an unsafe environment, making residents feel uncomfortable and potentially deterring them from using communal spaces.

If such late openings are permitted, it is likely that deliveries will occur after closing, meaning disturbances could occur well after 11 PM or very early in the morning. This would further disrupt the peace and quiet of the neighbourhood, adding to the existing issues.

In conclusion, granting Majestic Wine a late night license would likely lead to increased anti-social behaviour, noise disturbances, and general public nuisance. I urge the licensing committee to consider these concerns and the negative impact this license could have on our community.

Thank you for considering my objection.

Representation 3

I welcome the application by Majestic Wines to move to Wimborne and to take on the large old Nat West building.

In relation to part J and L of the application-

The standard days and times and open to the public : it seems completely ridiculous to have such lengthy opening hours of 8am to 11pm every day of the week.

I understand an application has a 'have a go' element about it. But it would be refreshing if this wasn't this case.

And instead an element of consideration. An understanding shown to West Borough being a highly residential street, also with 3 flats directly above the premises. All living with a sense of respect and harmony to the need to make money and the need for peace and sleep.

There are considerations to take into account in the application- that alcohol will be drunk 'off premises'. This essentially means if people leave The Man in the Wall opposite, or other

establishments, at around 11 pm, they could go to Majestic and buy booze and sit outside on the bus bench and drink.

We already have extreme noise to deal with most days of the week and on a warm evening often people sitting chatting outside til the early hours that no-one has moved on or has the authority to move them on (in relation to M (d) of the application: patrons will, if necessary, be reminded to respect neighbours)

Having a shop open 7 days a week on the street will be a big change without these lengthy hours.

I would consider the hours of Majestic Poole much more in line with a lease on West Borough - Mon- Wed 10-7, Thurs-Fri 10-8, Sat 9-7, Sun 10-5

Although I feel Saturday is an early opening and would prefer 9:30 like White Stuff in the square who took over HSBC.

I have concern about metal shutters too (very noisy at opening and closing time) and hope this is not part of a plan, although I don't see it in the application.

EMAIL 2 after Correspondence from Applicant

Thank you for forwarding Mr Tomlinson's letter.

It has not alleviated concerns as there has been no change to the circumstances of the hours open.

I don't wish to withdraw my letter, representation.

Wimborne has a very special 'feel' to it and I presume that is what Majestic would like to be a part of and benefit from. Wimborne, to me, retains this good feeling because every street has a different vibe. West Borough is a good blend of residential and business. And the residents make a lot of compromise every day and night to maintain this. We are routinely, especially now in the Summer months, kept awake til 1:30 am.

I understand there are permits that allow for temporary hour changes that would support extra hours for special promo evenings or holidays. Which would support their company and not set a permanent potential opening of 8am - 11pm. I am also concerned if these hours were given they would set a precedent and affect a future lease agreement (unknown business) if Majestic move on.

It is a real shame if businesses choose to actively not contribute to keeping residents in towns, keeping them as living breathing places. Not shuttered, dark and empty at night.

Representation 4

I am writing to formally object to the licensing application submitted by Majestic Wines for the premises located at 7 West Borough. Firstly, I would like to express my satisfaction that Majestic Wines has chosen to open a store in Wimborne. This is a positive development for our community, and I am confident that their business will thrive here. The presence of a reputable retailer like Majestic Wines is a welcome change, particularly because it brings a sense of variety to our local commercial offerings. In a town where new establishments often lean towards pubs or restaurants, it is a relief to see a retail operation that promises to contribute to the diversity and vibrancy of our local economy. This move aligns with the community's desire to have more varied retail options rather than increasing the number of venues associated with late-night social activities.

However, despite my support for their presence in Wimborne, I have significant concerns about the proposed extension of operational hours until 11pm.

Firstly, it is pertinent to note that the average closing time for Majestic Wines establishments is typically around 7pm. There appears to be no justifiable reason why this particular location should deviate from the standard operating hours observed at their other outlets. The proposed extension to 11pm is incongruous with the existing operational hours and sets a concerning precedent.

As residents xxx, we are already subjected to significant disturbances caused by late-opening venues such as Wetherspoon's, the Tap House, Olive Branch, and the Royal British Legion. The addition of another establishment with extended hours will exacerbate the noise pollution and general disruption we currently endure. This area, being primarily residential, is ill-suited to accommodate yet another venue contributing to late-night activity and associated disturbances.

Moreover, it is not only the residents living directly above the premises who will suffer, but also those residing to the rear. These residents will have to endure late-night vehicular traffic along Redcotts Lane, bringing with it loud voices and other disturbances. This will all occur during the sensitive hours when people are entitled to rest and quiet.

As a resident xxx, I can attest to the fact that it is easy to hear what goes on. Voices can be distinctly heard, along with the banging and slamming of doors. Extending the closing time to 11pm, followed by the necessary time for staff to tidy up and leave, could mean that internal disruptions continue until, and even past, midnight. This extended period of noise and activity would significantly intrude upon the peace and quiet that residents are entitled to, particularly during late-night hours when rest is paramount. The cumulative effect of these disturbances would be severely detrimental to our quality of life, as the noises from patrons leaving, cars starting, and general closing activities would resonate throughout the building and the surrounding area.

Furthermore, the approval of this application would likely promote binge drinking, a societal ill that our community should be striving to diminish, not facilitate. It is well-documented that the availability of alcohol late into the night correlates with increased incidents of noise disruption and antisocial behaviour. The presence of an off-licence open until 11pm would undoubtedly attract individuals seeking to prolong their drinking sessions, thus causing further disruption and misconduct in our already noisy neighbourhood.

Additionally, the potential for increased litter is a significant concern. Our hard-working street cleansing teams already have their work cut out, and the extra burden caused by the littering habits associated with late-night drinking would exacerbate their workload. This not only affects the aesthetic appeal of our area but also poses health and safety risks.

It is also worth noting that all other off-licence establishments within the town centre close well before 11pm. This application, if granted, would singularly position this Majestic Wines outlet as a late-night destination for alcohol purchases. The resultant influx of individuals during late hours would significantly compromise the tranquillity and safety of the local residents.

In light of the aforementioned concerns, I respectfully urge the Licensing Authority to consider the adverse impact that extending the operational hours of this premises will have on the residents of West Borough. The existing late-night venues already impose considerable strain on our community, and the addition of another such establishment would only serve to heighten these issues.

Thank you for your attention to this matter. I trust that the Licensing Authority will take into account the welfare and quality of life of the local residents in making its decision.

Representation 5

We are the owners of xxxxxx, this has been our home for xxxx. There are 2 other residential flats on the first and second floors of xxxxxx. Whilst all of the flat owners welcome Majestic Wines Warehouse Ltd., the occupants of xxx strongly object to the proposed opening hours on the grounds of preventing noise, nuisance, crime and disorder.

1. Prevention of noise and nuisance to residents on West Borough and in Redcotts Lane

We can see from the application, Majestic Wines proposes opening hours of 8am until 11 pm, seven days a week.

We expect the noise pollution which will be generated by staff and customers between the hours of 8am and 11pm to spoil quiet enjoyment of our home, particularly during the evening and on weekends. Previously, voices of a very small skeleton staff could be clearly heard whilst The NatWest Bank was in operation below. However, this was tolerable because their close of business was 5pm. We trust the council will ensure the developer is required to soundproof the walls so airborne noise cannot travel through the fabric of the listed building.

When Majestic Wines opens we will experience 2 new occurrences -noisy deliveries, as well as staff and customers entering via the rear of 7 West Borough. The 2 new entrances, recently granted planning permission, will be beneath our bedroom. We know from experience of the neighbouring restaurants, Rosemary and Renoufs, that staff leave some considerable time after a close of business at 11pm. This will significantly disturb our sleep if late night licensing is granted!

In addition, an NCP car park is newly located behind 7 West Borough and in Redcotts Lane. It will be available to the customers of Majestic Wines and its use at night will greatly increase if late licensing is granted. The noise pollution generated by additional traffic in the lane and the constant movement of parking cars will be directly outside of our bedrooms and it will prevent us from sleeping. It will also disturb many elderly residents and other families already living in Redcotts Lane.

We believe Majestic Wines' proposed opening hours are excessive and unreasonable, and do not take into account the rights of the residents living above to acquire rest and some quiet enjoyment of our homes. We are extremely disappointed to see these extended opening hours, considering other Majestic Wines Warehouses trade between 10-7pm.

It is very important we try to preserve some form of peace and quiet at night for the well-being of people living in West Borough and Redcotts Lane!

2. The prevention of public nuisance, crime and disorder

We can see from the application, Majestic Wines would like to sell alcohol until 11 pm, seven days a week.

As residents of West Borough, we already experience considerable noise, public nuisance, crime and disorder resulting from late night licensing and activities at The Man in The Wall (a Wetherspoons), The British Legion Club and The Tap House bar. Loud voices and loud music can regularly be heard whilst we are inside of our home. On weekends, enjoyment of our home is often spoiled by this and our sleep is disrupted by the behaviour of drunk patrons leaving these venues! In the past, it was mostly at a tolerable level, however, following Covid19 lockdowns we continue to see and hear of increasing issues with crime and disorder at night into the early hours of morning. For example, outside of our home we experience people shouting, fighting, taking drugs, fornicating, littering, vomiting, urinating and leaving human excrement, as well as vandalism to private property.

3. Public safety

Who is presently in control of patrons leaving quietly at night?

Currently, the existing businesses granted late night licensing demonstrate they're unable to control their patrons drinking and subsequent anti-social behaviour after leaving the premises. With respect, how will Majestic Wines do any better if patrons are intoxicated? If another business is permitted to sell alcohol until 11pm, in such close proximity to existing venues, there will be an increase in crime and risk to public safety in our street at night.

By day, West Borough and Redcotts Lane are both quiet streets shared by considerate, respectful families and businesses who value Wimborne and our community. Please protect the right we have to rest, enjoy our homes and feel safe at night!

Thank you for considering our objections.

Representation 6

As a resident living close to this property, I welcome Majestic Wines taking this property.

However, I object to the proposed opening hours, specifically 11pm, as I believe this will lead to Public Nuisance and Crime and Disorder. The decision making on the application should take into consideration the close proximity to other licensed premises along West Borough, most notably The Man in the Wall.

A quick online check of the other nearest branches of Majestic Wines shows that Poole, Dorchester, Lymington, Salisbury, Taunton, Southampton and Winchester all close at either 7pm or 8pm depending on the day of the week.

Yeovil closes 6pm & 7pm and Exeter closes at 7pm.

Therefore I see no reason why this premises should be granted a licence until 11pm.

It should also be noted that not only is the premises surrounded by residential properties, particularly along West Borough and Redcotts Lane, but there are three flats directly above the application site.

EMAIL 2 after Correspondence from Applicant

To reiterate my previous letter, I welcome the premises being let to Majestic Wine Warehouse and my concerns relate solely to the opening hours.

I appreciate your explanation regarding the opening hours as "in reality" rather than the hours being sought, but once granted, the premises can stay open until 11pm, 7 days a week, whether that is the intention or not.

I also understand the desire to have commercial flexibility, but this is simply a convenience for Majestic Wines. There is the opportunity to use TEN's for any individual events and such notices would come under the scrutiny of Environmental Health – an important consideration given the proximity of residential properties and with the three flats directly above the premises.

The License application form allows for seasonal variations and non-standard timings which would be sufficient to cover the Christmas period.

Therefore, I believe the only reason for requesting 11pm, 7 days a week is because it's the easiest approach. Other mechanisms exist within the licensing regime to cover the Christmas period and one-off events.

As there is no change to the licence application, I see no reason to withdraw my original objection.

Representation 7

I write to express my concerns as a resident of the flats above the majestic wines that is currently being renovated.

The opening and closing hours you are proposing is certainly for a fact going to cause the following issues for nearby properties and myself within the upstairs flat's.

*There will be an increase in crime and disorder in the area.

*Nuisance and noise disruption.

*Possess a safety risk to the public.

I feel these points need to be taken into consideration before allowing this establishment to be open during these hours. This will also be an additional waste of tax payers money when the Dorset police are needed more to attend disruptions caused by having another alcohol establishment in this area.

Representation 8

We cannot and would not say that the granting of this licence would cause a public nuisance, but equally it is not possible to say it would not. Late evenings, West Borough, which can be a congested road, also gets busy with people leaving and moving between the many venues that are open. I believe there are already 7 licensed premises in this short section of West Borough. Venues such as the Tivoli Theatre and the Allendale Centre also disgorge large numbers of people around this time and some of these have expressed nervousness.

Whilst I do not expect that Majestic Wines clientele are likely to be a threat, it is the cumulative effect of all these outlets that is the perceived worry. This is why we have suggested that Majestic Wines limit their application to the normal trading hours (to 7.00 or 8.00pm) and at least for the first year apply for extension licenses for the special events such as wine tasting or the run up to Christmas. We hope that then they would then be able to demonstrate that no additional nuisance results.

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17 July 2024

Ref: 013300/02656
Doc Ref: 436949

Dear Sirs

**Majestic Wine Warehouse, 7 West Borough, Wimborne Minster, Dorset
Premises Licence Application.**

I act on behalf of the operator Majestic Wine Warehouses Ltd for the above premises and write in response to your representation to my client's application for a new Premises Licence.

My client is committed to working in partnership with you and would welcome the opportunity to discuss your concerns, clarify the application sought and explain the relevant measures to be put in place at the venue should the application be granted.

My client appreciates the concerns about the introduction of new premises to the locality, however, we are confident that the style of operation will not result in a significant increase in nuisance, crime or disorder or adverse impact upon promotion of the licensing objectives.

Background

By way of background, Majestic Wine Warehouse is proud to be the UK's largest specialist wine retailer with over 200 stores and over 1,000 highly trained expert staff nationwide. The stores are traditionally laid out much more like a wholesaler with boxes of wine located on shelves or on pallets, with the possibility of customers undertaking wine tasting within the premises in order to best determine what available wines are suitable for their individual palettes.

All of the staff are highly trained with every single one of them working towards being professionally accredited by the Wine & Spirit Education Trust. This enables customers to get informed answers to their questions about wine along with personal recommendations from those who enjoy wine and may be much more knowledgeable in that regard than the customers themselves.

Hours of Operation

The application requests opening hours and hours for the sale of alcohol of 8am to 11pm, 7 days a week.

In reality Majestic's stores normally open at 9 or 10am and trade until 7pm, Mondays to Wednesdays and Saturdays, 8pm on Thursdays and Fridays and 5pm on Sundays and Bank Holidays.

List of partners and associates available on request

Address: 37 Stoney Street, The Lace Market, Nottingham NG1 1LS | **T:** 0115 953 8500 | **F:** 0115 953 8501 | **W:** popall.co.uk

Authorised and Regulated by the Solicitors Regulation Authority (SRA no. 78244)

The hours sought in the application are to permit commercial flexibility for busy times of the year such as the Christmas period as well as one-off wine-tasting events for customers within the premises.

Majestic Wine Warehouse Customers.

The stores are very much aimed at the discerning customer rather than the casual drinker who may be better served within regular supermarkets where the price point will inevitably be lower.

Based on data for the year 2021/2022 the average customer spend within a Majestic store is £101. The average number of bottles per order is 9.1 and the average bottle price is £11.57.

Footfall within Majestic Stores is very limited with an average of 10 – 20 transactions per day. In essence, there are a small number of customer visits to the store on a daily basis but with a high average spend. This in turn limits the number of customers frequenting the premises and the resulting noise emanation.

Company Track Record.

As mentioned at the outset the Company has 200 stores across the country and has never faced a review of any of its premises licences or indeed any relevant enforcement action. The Company is highly experienced and operates in a low-risk and unproblematic manner from the licensing objectives' point of view.

Majestic Wine Warehouses strongly believes that this store will operate in a professional and unproblematic manner and will in fact be a positive addition to the area.

If you would like to speak with me to discuss the application further, then I would be happy to discuss this with you. Should you feel reassured by the information provided and are happy to withdraw your representation (confirming this to the Councils Licensing Team) so we can avoid a hearing as to this matter, then please be assured that my client would be happy to continue to liaise with you as to any issues or concerns you may have.

Yours faithfully

Alex Tomlinson
Poppleston Allen
0115 9349 180
a.tomlinson@popall.co.uk