

Appendix 3 – Representations and Comments

1	<p>I wish as a resident who lives in the centre of Wimborne to oppose the application for a variation on licence by Cafe on the Square.</p> <p>There are enough licensed premises in the Town Centre as there is and many are ,too,local independent businesses struggling to survive in the present circumstances.</p> <p>The Cafe operated a late license in the last Christmas period and I was concerned (as were the people I was with)on two of my three visits that alcohol was being served to people who were patently under age. I approached serving staff on the two occasions and was met with a shrug of the shoulders - which I did not accept and then " nothing we can do. " The Licence lapsed and I did not pursue the matter which I now regret.</p> <p>Those of us who live in the Centre of Wimborne already are painfully aware that weekend nights in " ordinary " times are exercises in crowd control which are limited in the extreme and are quite used to clearing up piss vomit and yes even shit from our doorsteps come morning as well as plastic glasses etc from an outside bar(see last Christmas.)</p> <p>The idea of operating an off sale facility in the centre of the Square is reckless in its absurdity. I have no confidence this would be controlled adequately.</p> <p>On two occasions in October friends of mine visited the Cafe to be told there were no toilet facilities . That augurs well for a late night license --doorsteps of Wimborne beware.</p> <p>(Incidentally that message was delivered with a " shrug of the shoulders " . Do you begin to see a pattern here ?)</p> <p>I notice on social media people waxing lyrical in support of this license about supping wine on the Square on balmy Summer evenings Continental style. Well all I can say about Wimborne on most Saturday evenings BRUGES or POPERINGE IT AIN'T.</p> <p>I presume as a result of this request Environmental Health will be checking all necessary paperwork and requirements are up to date ?</p> <p>I oppose this license application by the Cafe in the Square</p>
2	<p>WMTC wishes to object to this application on the following grounds:</p> <p>The proposed closing time for the Premises Licence application of 11.00pm is considered to be unreasonable given the number of residents who live above the events area and the noise, light, smoke and odour disturbance that is likely to ensue in this communal outdoor space. A reasonable time would be 9.00pm and I should be grateful if you would attempt to negotiate this reduction in time with the applicants or failing that ask the Licensing Sub-Committee to impose a condition to this effect.</p> <p>Relevant Licensing Objective: The prevention of public nuisance</p> <p>The Town Council would appreciate clarification of the applicant's intention as the response to Section J of the Application Form states that the supply of alcohol will be for consumption both on and off the premises. If this means that, in the applicant's mind, the sitting out area is 'off the premises' then the Town Council would have no objection. However if the applicants intend to operate as an 'off-licence' then the Town Council would object in order to protect children from harm. The Square is a communal area used by young people into the evening to congregate.</p> <p>Relevant Licensing Objective: The protection of children from harm</p>

Appendix 3 – Representations and Comments

3	<p>I'm sure you are receiving a number of objections to Cafe on the square's licensing application.</p> <p>I have no connection to the cafe; indeed I've never frequented it, but as a resident of Wimborne I wish to support this application.</p> <p>It's critical that we support our local businesses at this time and I hope and look forward to having a gin and tonic in the square next summer of an evening.</p> <p>If there is a further opportunity to provide feedback please let me know</p>
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Comments received from Planning & Highways

Email from Katie Lomax, Senior Planning Officer – 3/12/2020

they would still need to apply for planning permission because they are changing the use of the land (the square) from public amenity space/highway for use for external seating in conjunction with the café- we would look at the impacts on amenity of neighbours, impact on the street scene, safety etc.

Their temporary consent for this expired a while ago and although they resubmitted the application a few years ago it was not validated as they were unable to identify who owned the land in order to serve notice (a requirement in planning) so that might help- I think they have been asked by our Enforcement team to submit an application to regularise the breach of planning (use of the area without planning permission) and so hopefully an application will come in shortly.

I hope that helps- please come back to me if you have any other questions.

Email from Mark Adams, Community Highways Team Leader – 8/12/2020

With regard to the sitting out on the highway, the Café on the Square need a sitting out licence from us for this, they currently have one that runs until the 29th December, we are then reviewing their licence and reissuing every 12 weeks. The area directly outside their premises makes up part of the publicly maintainable highway (it's a footway), we don't know who owns the subsoil, it is not Dorset Council, but public rights exist over it, hence the need for them to have a sitting out licence, if they think they don't need one as well as licensing permission then they are wrong.

Our licences don't stipulate a time, although we can put that in if necessary, but would look at asking local members/town council for their views first. Written into our licence it states that we can revoke it with two weeks' notice for any public disorder, so to be honest, if they stayed open till 11pm and then we received complaints, we

Appendix 3 – Representations and Comments

would just revoke their licence for sitting out and that would be it. There is no means of appeal.

With regard to planning, they don't have anything permanent on the highway so everything is classed as temporary, so I don't think they would require planning for their stuff but as is mentioned in the email trail they may do for the change of use. (not entirely sure on that myself as I'm not a planner but have been told that about signs before). We don't check planning to be honest and leave it to them to do that. If planning come back and say they don't have planning permission, then we would have to refuse the licence, I guess. My only thoughts though are that if the café can't use the Square then who can, if anything would require change of use on it, it would put an end to the market and folk festival etc.

I don't think as highways we really need to comment, as whatever they do, they require highways permission to be there, if for example Dorset Police were against, then we would not allow it.

I will discuss it with Mike Westwood tomorrow though to see what he thinks and come back to you.