



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE LICENSING SUB-COMMITTEE

WEDNESDAY 12TH JULY 2023

AT 10.30 A.M.

PARKSIDE SUITE, PARKSIDE, MARKET STREET, BROMSGROVE,
WORCESTERSHIRE, B61 8DA

MEMBERS: Councillors A. M. Dale, D. J. A. Forsythe and C.A. Hotham

Reserve Member: Councillor B. McEldowney

AGENDA

LICENSING SUB-COMMITTEE HEARING PROCEDURE (Pages 5 - 8)

1. Election of Chairman for the meeting
2. To receive apologies for absence and notification of substitutes
3. Declarations of Interest

To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.

4. Application for the grant of a Premises Licence - Harbours Hill Vineyard, Harbours Hill Farm, Hanbury Road, Bromsgrove, B60 4AG (Pages 9 - 44)

5. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman, by reason of special circumstances, considers to be of so urgent a nature that it cannot wait until the next meeting.

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA

4th July 2023

K. DICKS
Chief Executive

**If you have any queries on this Agenda please contact
Pauline Ross
Democratic Services Officer**

**Parkside, Market Street, Bromsgrove, B61 8DA
Tel: 01527 8814016**

Email: p.ross@bromsgroveandredditch.gov.uk



INFORMATION FOR THE PUBLIC

Access to Information

The Local Government (Access to Information) Act 1985 widened the rights of press and public to attend Local Authority meetings and to see certain documents. Recently the Freedom of Information Act 2000 has further broadened these rights, and limited exemptions under the 1985 Act.

- You can inspect agenda and public reports at least five days before the date of the meeting.
- You can inspect minutes of the Council, Cabinet and its Committees/Boards for up to six years following a meeting.
- You can have access, upon request, to the background papers on which reports are based for a period of up to six years from the date of the meeting. These are listed at the end of each report.
- An electronic register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc. is available on our website.
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You can access the following documents:

- Meeting Agendas
- Meeting Minutes
- The Council's Constitution

at www.bromsgrove.gov.uk

Appendix

LICENSING SUB-COMMITTEE (Premises)

HEARING PROCEDURE

1. The Chairman will open the hearing and ask Members of the Sub-Committee and officers present to introduce themselves.
2. The Chairman will ask all parties to the proceedings to introduce themselves.
3. The Charman will ask all parties if they are satisfied with the hearing procedure to be followed. Any variation to the hearing procedures will be at the discretion of the Chairman.
4. The Technical Officer (Licensing), Worcestershire Regulatory Services will present the report.
5. The Chairman will invite Members of the Sub-Committee and all parties to the proceedings to put any relevant questions to the Technical Officer.
6. The Chairman will invite the Applicant and/or their representative to present their case and call any witnesses. A total of 15 minutes will be allowed.
7. The Chairman will invite Members of the Sub-Committee and all parties to the proceedings to put any relevant questions to the Applicant and/or their representative.
8. The Chairman will invite the Responsible Authorities to present their representations. A total of 15 minutes will be allowed.
9. The Chairman will invite Members of the Sub-Committee and all parties to the proceedings to put any relevant questions to the Responsible Authorities.
10. All Other Parties to the proceedings will be invited to present their representations or elect a spokesperson to speak on their behalf. A total of 15 minutes will be allowed.
11. The Chairman will invite Members of the Sub-Committee and all parties to the proceedings to put any relevant questions to the Other Parties.
12. The Responsible Authorities will be invited to sum up. A total of 5 minutes will be allowed.
13. The Other Parties will be invited to sum up. A total of 5 minutes will be allowed.

Appendix

14. The Applicant and/or their representative will be invited to sum up. A total of 5 minutes will be allowed.
15. The Chairman will ask the Legal Advisor if there is any legal advice to be given.
16. The Chairman will close the Hearing so that the Sub-Committee can reach its decision in private.
17. The Sub-Committee's decision will be confirmed in writing to the Applicant and those parties who made representations within 5 working days.
18. If any party to the proceedings wishes to appeal against the Sub-Committee's decision an appeal must be commenced by the appellant giving a notice of appeal to the designated officer for the magistrates' court within a period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision which is being appealed.

NB

In considering any representations or notice made by a party the Sub-Committee may take into account documentary or other information produced by a party in support of their application, representations or notice either before the hearing or with the consent of all other parties at the hearing.

Please Note:

1. ***Each application coming before the Licensing Sub-Committee will be treated on its own merits, and the Sub-Committee will take its decision based upon:***
 - a) ***the promotion of the four licensing objectives, as given by the Licensing Act 2003, namely:***
 - ***the prevention of crime and disorder;***
 - ***public safety;***
 - ***the prevention of public nuisance; and***
 - ***the protection of children from harm;***
 - b) ***Bromsgrove District Council's Statement of Licensing Policy;***
 - c) ***guidance issued under section 182 of the Licensing Act 2003; and***
 - d) ***the Licensing Act 2003.***
 - e) ***The report presented to the Sub-Committee by the Technical Officer, and all relevant written and oral representations.***

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BROMSGROVE DISTRICT COUNCIL

LICENSING SUB-COMMITTEE

12TH JULY 2023

LICENSING ACT 2003

APPLICATION FOR THE GRANT OF A PREMISES LICENCE

HARBOURS HILL VINEYARD

PUBLIC HEARING	
Director:	Head of Worcestershire Regulatory Services
Contact Officer:	Paul Morrish Technical Officer (Licensing) Worcestershire Regulatory Service enquiries@worcsregservices.gov.uk
Ward(s) affected:	Avoncroft
Appendices:	Appendix One – Application Form and plan of premises Appendix Two – Representations from other parties

1. PURPOSE OF REPORT

1.1. To consider and determine an application for grant of a premises licence in respect of

Harbours Hill Vineyard
Harbours Hill Farm

Hanbury Road

Bromsgrove

Worcestershire

B60 4AG

2. BACKGROUND

- 2.1. On 19 May 2023 an application was received from Harbours Hill Vineyard for grant of a premises licence in respect of

Harbours Hill Vineyard
Harbours Hill Farm
Hanbury Road
Bromsgrove
Worcestershire
B60 4AG

- 2.2. The application contained all the requisite documentation including the fee and a plan of the premises. A copy of the application form and plan of the premises is attached as **Appendix One**
- 2.3. It can be confirmed that the application has been advertised in accordance with the requirements of the Licensing Act 2003 and associated regulations, and that the application has also been served on all responsible authorities.
- 2.4. The applicant is applying for the following licensable activities:-

Activity	Days	From	To
Sale of Alcohol (On-line sales only)	Everyday	00:00	- 23:59
Sale of Alcohol (sales at the premises)	Everyday	09:00	- 18:00

- 2.5. The designated premises supervisor identified in the application is Mr Nico Pretorius

3. REPRESENTATIONS

RESPONSIBLE AUTHORITIES

- 3.1. No representations have been received from any of the responsible authorities notified of the application.

OTHER PERSONS

- 3.2.1 Two relevant representations have been received from other parties. For a representation to be considered relevant, it must be about the likely effect of the grant of the licence on the promotion of the licensing objectives as set out in the Licensing Act 2003 – prevention of crime and disorder, public safety, public nuisance and the protection of children from harm. Whilst the representations received do raise concerns that can be considered as relevant representations, other matters raised in the representations cannot be considered to be relevant representations for the purposes of the Licensing Act 2003.

4. LOCAL POLICY CONSIDERATIONS

- 4.1. The Sub-Committee should have regard to the Council's Statement of Licensing Policy under the Licensing Act 2003.
- 4.2. The Council's Statement of Licensing Policy is available to download from the Council's website or to request a hard copy, contact Worcestershire Regulatory Services on 01905 822799 or email enquiries@worcesterservices.gov.uk

5. LEGAL IMPLICATIONS

- 5.1. The Sub-Committee is obliged to determine this application with a view to the promotion of the licensing objectives which are:
 - the prevention of crime and disorder;
 - public safety;
 - the prevention of public nuisance;
 - the protection of children from harm.
- 5.2. In making its decision, the Sub-Committee is also obliged to have regard to the guidance issued by the Secretary of State under section 182 of the Licensing Act 2003 and the Council's own Statement of Licensing Policy.
- 5.3. The Sub-Committee must also have regard to the representations made and the evidence it hears.
- 5.4. The Sub-Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:
 - (a) Grant the application as requested
 - (b) Modify the conditions of the licence, by altering or omitting or adding to them.
 - (c) Reject the application in whole or in part.
- 5.5. The Sub-Committee is asked to note that it may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate in order to promote the licensing objectives.
- 5.6. All parties to the hearing will be notified of the Sub-Committee's decision in writing within five working days of the conclusion of the hearing.
- 5.7. Any party aggrieved by a decision taken by the Sub-Committee may appeal against the decision to a Magistrates' Court within 21 days of being notified of the decision in writing.
- 5.8. The hearing should be conducted in accordance with the agreed procedure.

6. FOR DECISION

- 6.1. The Sub-Committee must consider and determine the application.

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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.

I/We Harbours Hill Vineyard

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
Harbours Hill Farm Hanbury Road Stoke Prior			
Post town	Bromsgrove	Postcode	B60 4AG

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£ None

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- | | | |
|--|--------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | X | 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) |

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- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or X
- 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 over		I am 18 years old or		<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)					

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SECOND INDIVIDUAL APPLICANT (if applicable)

<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth over		I am 18 years old or		<input type="checkbox"/>	Please tick yes
Nationality					
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Mr Nico Pretorius & Mrs Carole Pretorius
Address <div style="background-color: black; width: 100%; height: 40px; margin-top: 5px;"></div>
Registered number (where applicable) n/a
Description of applicant (for example, partnership, company, unincorporated association etc.) Partnership
Telephone number (if any) <div style="background-color: black; width: 100%; height: 15px; margin-top: 5px;"></div>

E-mail address (optional)

████████████████████

Part 3 Operating Schedule

When do you want the premises licence to start? ASAP

DD	MM	YYYY

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

The premises is a farm and vineyard situated in Stoke Prior, with a barn and brick outbuilding. We intend to make our own wine using fruit from our vineyards and sell it to the public directly from the premises and online. We are looking to convert the outbuilding into an area where the wine can be made and distributed from and used for wine tasting. The barn will be used to store the wine once made.

We plan to have visitors by appointment only, with a maximum of 50 visitors at any one time. Wine tasting could also be carried out in the vineyards so in adverse weather, we would look to make use of a marquee situated within the grounds.

We will also look to sell the wine online.

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 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)

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Supply of alcohol (if ticking yes, fill in box J)

X

In all cases complete boxes K, L and M

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A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish			Both <input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for 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)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish			Both <input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Wed			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Thur			(please read guidance note 6)		
Fri			(please read guidance note 6)		
Sat			(please read guidance note 6)		
Sun			(please read guidance note 6)		

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish	Outdoors		
			Both	<input type="checkbox"/>	
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4) <u>State any seasonal variations for the performance of live music</u> (please read guidance note 5) <u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Mon					
Tue					
Wed					
Thur					
Fri					
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"/>
Day	Start	Finish			Both <input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the 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"/>
Day	Start	Finish	Outdoors		
			Both	<input type="checkbox"/>	
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur					
Fri			<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)		
Sat					
Sun					
			<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)		

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
Mon			Outdoors	<input type="checkbox"/>
Tue			Both	<input type="checkbox"/>
Wed			<u>Please give further details here</u> (please read guidance note 4)	
Thur			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)	
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)	
Sat				
Sun				

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises <input type="checkbox"/>
				Off the premises <input type="checkbox"/>
				Both <input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) 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) These times listed are for online sales only. The premises will be open from 09:00 – 18:00 as stated in the opening hours	
Mon	00:00	23:59		
Tue	00:00	23:59		
Wed	00:00	23:59		
Thur	00:00	23:59		
Fri	00:00	23:59		
Sat	00:00	23:59		
Sun	00:00	23:59		

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

Name Nico Pretorius	
Date of birth [REDACTED]	
Address [REDACTED] [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) 23/01136/PERSLI	
Issuing licensing authority (if known) Bromsgrove District Council	

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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).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	09:00	18:00	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)</p>
Tue	09:00	18:00	
Wed	09:00	18:00	
Thur	09:00	18:00	
Fri	09:00	18:00	
Sat	09:00	18:00	
Sun	09:00	18:00	

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

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

The premises consists of an external barn, a brick outbuilding and vineyards. Only the barn and the brick outbuilding, as detailed on the plan, are to be used for the production, distribution, and storage of our own wine along with wine tasting events by appointment only. The premises are bordered with mature hedging and secure fencing and access to the property is via locked gates.

Customers will not be able to visit the premises without an appointment and in order to buy the wine, customers will need to prove they are over the age of 18 years. This also applies to online sales and proof of ID may be requested upon delivery.

b) The prevention of crime and disorder

- No members of the public will be able to purchase wine directly from the premises without an appointment first.

CCTV

The premises licence holder must ensure that:

- CCTV cameras are located within the premises to cover all public areas including all entrances and exits
- The system records clear images permitting the identification of individuals.
- The CCTV system is able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 28 days.
- The CCTV system operates at all times while the premises are open for licensable activities. All equipment must have a constant and accurate time and date generation.
- The premises will inform the Police or local authorities if there is any reason their CCTV is not working at any point, this will be logged in their incident book.
- The CCTV system is fitted with security functions to prevent recordings being tampered with, i.e. password protected.
- There are members of trained staff at the premises during operating hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable but within 24 hours at the latest. The CCTV will be provided in accordance with the Data Protection Act 2018 (or any replacement legislation).

The 50m+ driveway from the main roads have an intruder alarm each, which sets of an alarm in the house and at night. The alarm also activates the flood lights of the farmstead area.

INCIDENT BOOK

- The premises must record all incidents that occur on the premises. Incidents that will be included in the incident book every time will be - first aid incidents, removal of persons by staff, anything that results in an injury and people that have been refused alcohol.
- An incident log must be kept at the premises, and made immediately available on request to an 'authorised person'
- (as defined by Section 13 of the Licensing Act 2003) or the Police, which must record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder

- (e) seizures of drugs or offensive weapons
- (f) any faults in the CCTV system or searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service
- 6) All existing staff shall be trained within one month of the date this

AUTHORISATION OF SALE OF ALCOHOL

- Authorised for the sale of Alcohol will defined in a written document. This will detail who is authorised the sale of alcohol and evidence that the staff member has been trained to spot underage drinkers. This document will be signed by both the staff member and the DPS. This document will be left on site and will be made available to the police, local authority or any other relevant authority seeking inspection or a copy.

TRAINING RECORDS

- A written document of training provided to each member of staff must be held on the site and be in a written form. This document will be left on site and will be made available to the police, local authority or any other relevant authority seeking inspection or a copy.

c) Public safety

- All visitors to the premises will be by appointment only and they will not be permitted to wander the premises unattended.

d) The prevention of public nuisance

- Visitors to the premises will be by appointment only.
- Visitors will not be left unattended whilst on the premises.
- During wine tasting events, these will be done by bookings only and there will be no more than 50 people permitted to attend.
- On site sale of alcohol will be between the hours of 09:00-18:00 by appointment only. Sale of alcohol between 00:00-23:59 is for online sales only

e) The protection of children from harm

- No children will be able to access the production and storage area and they will not be permitted to attend any wine tasting events that take place.
- Any members of the public making an online purchase of our wine, will be made aware that this is an 18 and over alcoholic purchase product.
- We will only deliver our wine to 18 years and over and if any doubt, proof of ID will be requested.

CHALLENGE 25

- To operate the challenge 25 scheme in the premises
- To display appropriate signage/information for customers informing them you operate challenge 25
- All staff to be trained in the understanding of this scheme

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- To operate a refusals/challenge log alongside this scheme to ensure all challenges made by staff are fully recorded in this log – date/time/member of staff/ID produced yes or no

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).


IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

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Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the 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, if appropriate (please see note 15)
Signature	
Date	12/05/2023
Capacity	Owner

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)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

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.

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- 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 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 premises 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 by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's

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permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,

- (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
- (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-









- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

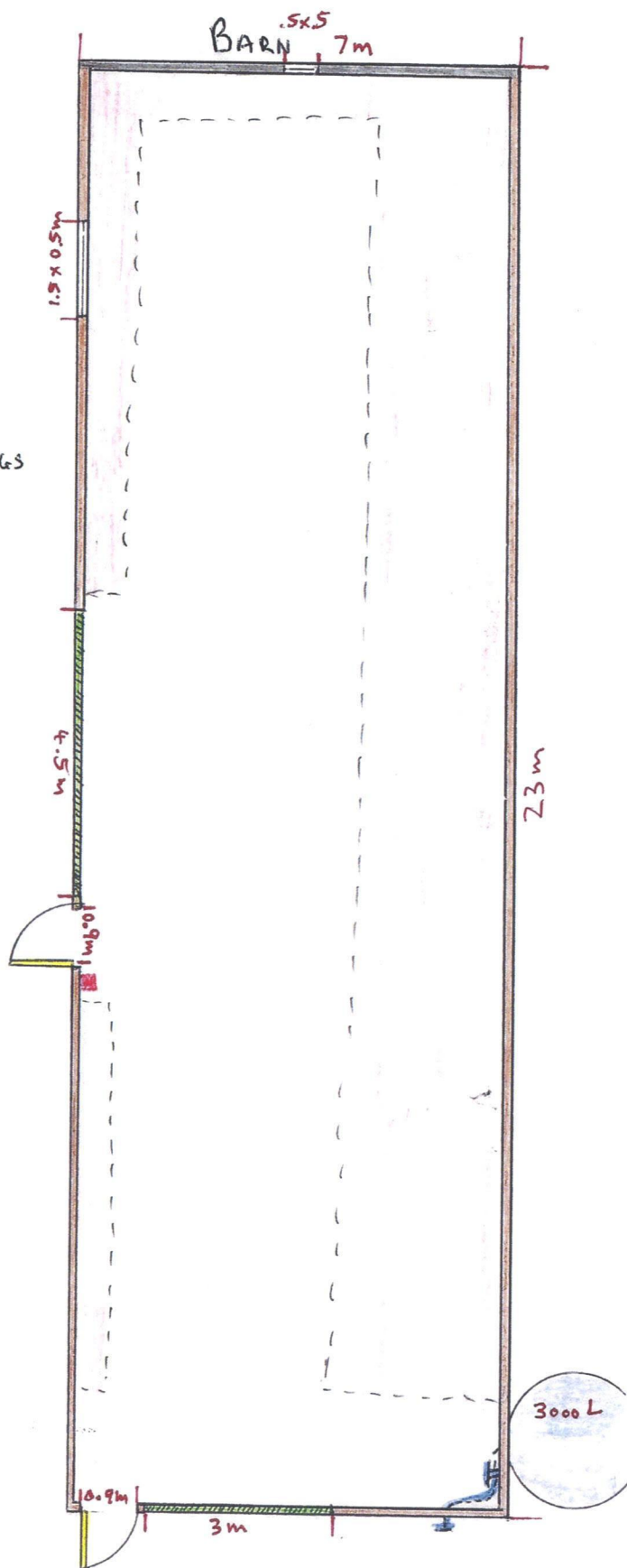
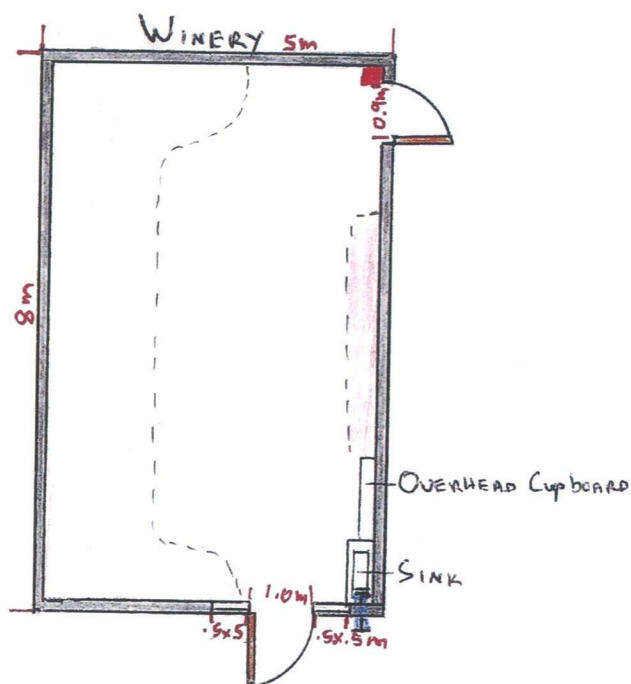
Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

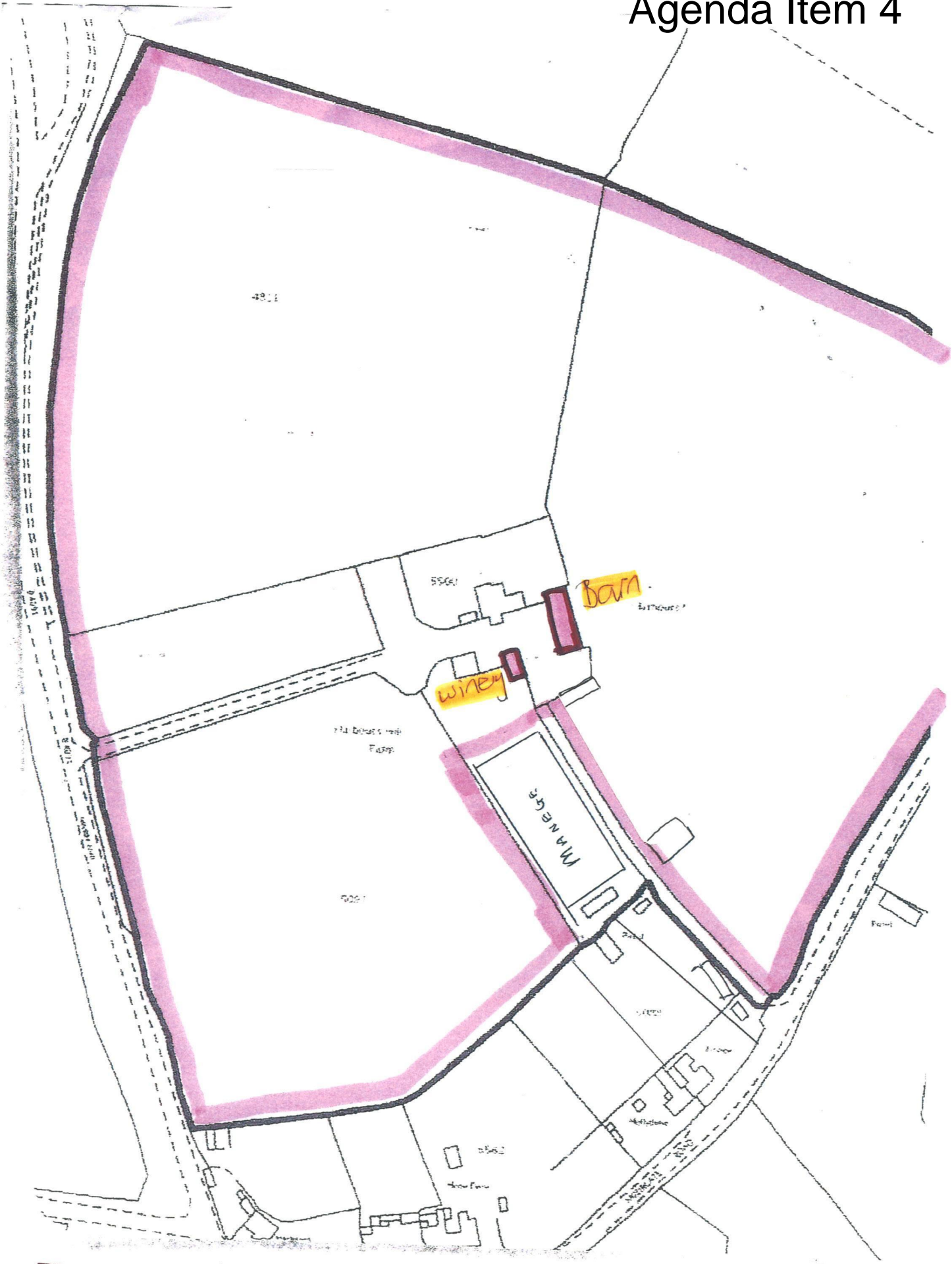
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- BRICK WALLS 
- CONCRETE (1m HIGH) + 
- WOOD CLADDING 
- STEEL DOOR 
- WOODEN DOOR 
- ROLLER SHUTTER DOOR (ELECTRIC) 
- WINDOWS (NO ESCAPE) 
- TAP 
- TANK (RAINWATER) 
- FIRE EXTINGUISHER 
- ELECTRIC SOCKETS + LIGHTS  BOTH BUILDINGS
- EQUIPMENT STORAGE AREA 

SCALE 1:100





- WINE + CIDER: PRODUCTION, STORAGE, TASTING, RETAIL
- BOUNDARY

APPENDIX TWO – REPRESENTATIONS FROM OTHER PARTIES

1.

From: _____

Sent: 10 June 2023 20:20

To: Tom Phelan

Subject: Representation to Application 23/02434/PREMLI

Dear Mr Phelan,

Thank you for being given the opportunity to review application 23/02434/PREMLI.

I'm sure you would agree, but we are somewhat disappointed that there was no prior neighbour consultation over what is a significant change to the use of Harbours Hill Farm.

However, the lack of simple communication is not a reason to why we are providing this representation. Typically, we would support development of business in the countryside and any contribution to employment and the economy.

_____ we have the obvious interest in anything that affects the environment around our property and any negative impact to it and therefore us.

Harbours Hill Farm is a quiet farm in a rural setting and typically has approximately 2-3 visitors per day associated with the rented stables, manège and fields. The entrance/exit to Moorgate road is single track and is of loose stone construction. The application mentions no more than 50 people permitted to attend per event, it doesn't state how many events could be held per day. For example; at best case if this equalled to one event per day and 50 separate cars coming and going, traffic along the drive would be a vast increase from the 2-3 cars per day and therefore creates a nuisance ((d) The prevention of public nuisance) of noise and dust to which we would strongly object. However, we do note that on the plans, the drive is excluded from the boundary surrounding the proposed area. Is our understanding correct that this drive will therefore not be used for access from visitors/deliveries in association with these licensed activities? If, not using this access track was included in the License conditions then we feel the nuisance would be minimal.

Moorgate Road is a rural country lane, single track in some areas, and has a combination of agricultural vehicles, horses, walkers (no pavements), cyclists (I believe it's a popular Strava segment!) and a very small amount of commuter traffic of approximately 20-30 vehicles per day (not scientifically measured, just an observation from our security camera footage).

In areas, particularly near the entrance/exit of the farm and our property, debris from the farm track carries onto road and thus difficult conditions to get traction (see photo attached 'Debris on road'). The road is national derestricted speed limit (60mph) and there is no traffic calming measure in place. The road at the point of the entrance is also a gradual blind bend heading south-west (see photo attached 'Blind bend') making it extremely difficult to pull out of any junction along this section. This bend in the road is not sharp enough to force any speed reduction so assume national speed limit often occurs! I would even go as far as saying local residents understand the hazard and

APPENDIX TWO – REPRESENTATIONS FROM OTHER PARTIES

have learned through bad experiences (see photo attached 'skid marks') to pull out of driveways with extreme care. Often when friends or family come to our own house, we will escort them off the drive due to the high speed and limited visibility you have from the driver's seat. The considerable increase in vehicles entering and exiting the farm without experience of the hazards in our opinion will create a danger to the public ((c) Public safety), so we would also object based on this point. However, again, we do note that on the plans, the drive/entrance is excluded from the boundary surrounding the proposed area. Is our understanding correct that this drive/access will therefore not be used for access from visitors/deliveries in association with these licensed activities? If, not using this access point was included in the License conditions then we feel the danger to the public would be minimal.

Please consider our requests and provide feedback, we feel best to raise concern only at this point in the process.

Best regards,

2.

From:

Sent: 14 June 2023 15:51

To: Tom Phelan

Subject: Harbours Hill Winery 23/02434/PREMLI

Hi Tom

We refer to the above licensing application, and our previous correspondence with you dated 9th June 2023.

We have now had chance to study the application details which are raising the following concerns:-

(a) We have yet to receive formal notice of this application from our immediate neighbours Harbours Hill Winery.

(b) The application mentions up to 50 persons per event, this could suggest a number of events per day taking place between 9am and 6pm each day.

The traffic impact on an already busy (60mph limit) Hanbury Road should be the subject of analysis by the Highway Authority if not already implemented by yourselves. Particularly with regard to future enhanced visibility splays.

The sketch plan attached to the application indicates that the menage and gravel farm track leading onto Moorgate Road are not within the application site indicated by the purple line, therefore would not form part of Harbours Hill Winery license, should one be granted.

We would request that a condition be applied such that this farm track is excluded from being used by Harbours Hill Winery.

APPENDIX TWO – REPRESENTATIONS FROM OTHER PARTIES

Moorgate Road today already presents dangerous traffic conditions with movements to and from existing residential properties.

(c) We are further concerned that the enterprise seems to be open ended in respect of business growth in the future.

(d) We understand that the wine making process does produce both Carbon Dioxide and Hydrogen Sulphide by-products.

This could impact on the quality of our lives due to the close proximity of the facility and with Item (c) above considered.

(e) The application involves the use of two buildings as part of the facility, which exceeds 150sq m. A planning application and/or notification of change of use may be required to encompass the retail element.

(f) Is this appropriate in Green Belt, as this former quiet equestrian based Farm will now be subject to material change, the extent of which is not known?

Further, the events mentioned would contribute to high noise levels particularly when outside.

Perhaps a viable alternative would be to investigate the use of existing vacant premises on the Business Park, very close to their property on Hanbury Road.

We thank you for this opportunity to voice our concerns with regard to this application and trust consideration will be given accordingly.

Kind regards,

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