Licensing and Gambling Acts Sub-Committee

Members of the Committee:

Cllr R Savage (Chairman)
Cllr D Goldson
Cllr B McClenning

Please could Councillors arrive 15 minutes prior to the start of the meeting.

Agenda

Date
Tuesday 8 October 2013

Time
9.30 am

Place
Council Chamber
South Norfolk House
Swan Lane
Long Stratton Norwich
NR15 2XE

Contact
Sue Elliott
tel (01508) 533663
South Norfolk District Council
Swan Lane
Long Stratton Norwich
NR15 2XE

Email: democracy@s-norfolk.gov.uk
Website: www.south-norfolk.gov.uk

If you have any special requirements in order to attend this meeting, please let us know in advance.
Large print version can be made available.
AGENDA

1. To report apologies for absence and identify substitute voting members (if any);

2. To deal with any items of business the Chairman decides should be considered as matters of urgency pursuant to Section 100B (4) (b) of the Local Government Act, 1972. [Urgent business may only be taken if, “by reason of special circumstances” (which will be recorded in the minutes), the Chairman of the meeting is of the opinion that the item should be considered as a matter of urgency.];

3. To receive Declarations of Interest from Members;
   (Please see guidance form and flow chart attached to the agenda page 3)

4. Licensing Hearing;
   (papers attached page 5)

   Premises: Winbirri Vineyard, Bramerton Road, Surlingham
   Applicant: Mr Lee Dyer
   Application for: Premises licence

   Members of Committee and Accreditation details:

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Application for a new premises licence

Winbirri Vineyard, Bramerton Road, Surlingham

An application has been made by Mr Lee Dyer for a new premises licence for Winbirri Vineyard, Bramerton Road, Surlingham, NR14 7DE. Relevant representations have been made regarding this application.

Given the above the application must be determined by a hearing of the Licensing and Gambling Sub-Committee.

In making this determination, the Sub-Committee must only have regard to the representations relevant to the content of the application and the four licensing objectives.

Cabinet member(s): Keith Kiddie
Ward(s) affected: Rockland

Contact Officer, telephone number, and e-mail: Amanda Mounser, 01508 533621 amounser@s-norfolk.gov.uk

1. Background

1.1. South Norfolk Council is the authority responsible for the issuing of premises licenses within the district under the Licensing Act 2003; which came into effect on the 24 November 2005.

1.2. Between February and August 2005 holders of existing Justice’s licenses and public entertainment licenses could apply to the licensing authority to convert these into a Premises Licence under the Act, simultaneous variations could also be applied for.

1.3. An application was made on the 1 August 2013 by Mr Lee Dyer for Winbirri Vineyards, Bramerton Road, Surlingham. The application applied for the provision of live music, recorded music, late night refreshment and the supply of alcohol both on and off the premises. This application was withdrawn on the 14 August 2013.

1.4. On the 15 August 2013, a subsequent application for a new premises licence was made by Mr Lee Dyer for Winbirri Vineyards, Bramerton Road, Surlingham.
2. **Proposal and Reasons**

2.1. The application applies for the supply of alcohol for consumption both on and off the premises.

**Premises Opening Hours**

- **Monday – Saturday**: 10:00 – 23:30
- **Sunday**: 10:00 – 22:30

**Supply of Alcohol**

- **Monday – Saturday**: 10:00 – 23:00
- **Sunday**: 10:00 – 22:00

2.2. Relevant representations have been made regarding this application from Norfolk Constabulary Licensing Officer (Appendix 3), South Norfolk Area Environmental Health Officer (Appendix 4), five relevant letters of objection from residents (Appendix 5) and one relevant letter of support from a resident (Appendix 6).

2.3. The application for a new premises licence must be determined by a hearing of the Licensing and Gambling Sub-Committee, as under the Act, determination may not be delegated to officer level. This determination should only be made in relation to received representations relevant to the content of this application and the four licensing objectives.

3. **Other Options**

3.1. The authority must, having regard to the application and any relevant representations, take such of the steps mentioned below (if any) as it considers necessary for the promotion of the licensing objectives.

The steps are—

(a) to grant the license subject to the conditions consistent with the operating schedule accompanying the application, modified to such extent as the authority considers necessary for the promotion of the licensing objectives

(b) to exclude from the scope of the licence any of the licensable activities to which the application relates;

(c) to reject the licence;

3.2. There is a right of appeal to the Magistrates Court within 21 days.

4. **Relevant Corporate Priorities**

4.1. The Licensing Act 2003 defines the following objectives:

- The Prevention of Public Nuisance
- The Prevention of Crime and Disorder
The Protection of Children from Harm
Public Safety

4.2. These objectives support the Council’s own objectives:

Enhancing our quality of life and the environment we live in.
Promoting a thriving local economy.

5. Conclusion

5.1. The Sub-Committee, having regard to the representations made and the licensing objectives must, in accordance with the Licensing Act 2003 determine the application for a new Premises Licence at Winbirri Vineyard, Bramerton Road, Surlingham.

5.2. The Sub-Committee may have regard to the amended guidance issued by the Home Office under section 182 of the Licensing Act 2003 and South Norfolk Council’s Statement of Licensing Policy published under the Act.

6. Recommendations

6.1. The authority must make its determination within the period of five working days beginning with the day or the last day on which the hearing was held.

6.2. Where a licensing authority determines an application it must notify the determination and its reasons for making it to—

(a) the holder of the licence,
(b) the applicant,
(c) any person who made relevant representations, and
(d) the chief officer of police for the police area (or each police area) in which the premises are situated.

Appendices

Appendix 1 – Copy of application to vary a premises licence
Appendix 2 – Plan of the premises
Appendix 3 – Representation from Norfolk Constabulary Licensing Officer
Appendix 4 – Representation from Environmental Health
Appendix 5 – Five representations of objection from residents
Appendix 6 – One representation of support from a resident
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 ______________________________________________
(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 |
| Winbirri Vineyard |
| Bramerton Road |

| Post town | Surlingham | Postcode | NR14 7DE |

| Telephone number at premises (if any) | 01595 894841 |
| Non-domestic rateable value of premises | £ N/A |

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- an individual or individuals * ✔
- a person other than an individual *
  - as a limited company
  - as a partnership
  - as an unincorporated association or
  - other (for example a statutory corporation)
c) a recognised club

d) a charity

e) the proprietor of an educational establishment

f) a health service body

g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales

g a) 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

h) the chief officer of police of a police force in England and Wales

* 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)

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<th>Mr</th>
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<th>Miss</th>
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Surname | Dyer |
First names | Lee |

I am 18 years old or over Please tick yes

Current postal address if different from premises address

PIPPIN COTTAGE
BRAMERTON ROAD

Post town | SURLINGHAM |
Postcode | NR14 9DE |

Daytime contact telephone number | 07595 894 841 |

E-mail address (optional) | lcdyber@hotmail.com |
SECOND INDIVIDUAL APPLICANT (if applicable)

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(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.

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Part 3 Operating Schedule

When do you want the premises licence to start?  31.08.2013

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

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

AGRICULTURAL BUILDING WITH ASSOCIATED VINEYARD

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

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

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

<table>
<thead>
<tr>
<th>Plays Standard days and timings (please read guidance note 6)</th>
<th>Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)</th>
<th>Indoors</th>
<th>Outdoors</th>
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<td>Day</td>
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<td>Please give further details here (please read guidance note 3)</td>
<td>State any seasonal variations for performing plays (please read guidance note 4)</td>
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**Indoor sporting events**

Standard days and timings (please read guidance note 6)

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Please give further details (please read guidance note 3)

**State any seasonal variations for indoor sporting events** (please read guidance note 4)

**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 5)
**Boxing or wrestling entertainments**

Standard days and timings (please read guidance note 6)

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**Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick** (please read guidance note 2)

- Indoors [ ]
- Outdoors [ ]
- Both [ ]

**Please give further details here** (please read guidance note 3)

**State any seasonal variations for boxing or wrestling entertainment** (please read guidance note 4)

**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 5)
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<th>Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)</th>
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**Anything of a similar description to that falling within (e), (f) or (g)**

Please give a description of the type of entertainment you will be providing.

**Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)**

- Indoors
- Outdoors
- Both

**Please give further details here** (please read guidance note 3)

**State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)** (please read guidance note 4)

**Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list** (please read guidance note 5)
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**Will the supply of alcohol be for consumption – please tick** (please read guidance note 7)

- On the premises [ ]
- Off the premises [ ]
- Both [x]

**State any seasonal variations for the supply of alcohol**
(please read guidance note 4)

**Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list** (please read guidance note 5)

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

<table>
<thead>
<tr>
<th>Name</th>
<th>LEE DYER</th>
</tr>
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</table>
| Address    | PIPPIN COTTAGE  
BRAMERTON ROAD  
SURUNGHAM |
| Postcode   | NR14 7DE |
| Personal licence number (if known) | PA1027 |
| Issuing licensing authority (if known) | 12-09-21 |
Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

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State any seasonal variations (please read guidance note 4)

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 5)
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 9)

b) The prevention of crime and disorder
   All alcohol to be stored in a locked bonded store except for minimal display bottles in sales area.
   A log book shall be kept detailing all refused sales of alcohol & will be available for inspection at the premises by the police or local authority on request.

c) Public safety
   An incident log shall be kept at the premises and made available on request to the police or local authority.
   A suitable fire risk assessment will be in place.
   Fire exits will be clearly signed & kept clear at all times.

d) The prevention of public nuisance
e) The protection of children from harm

A PROOF OF AGE, CHALLENGE 25 SHALL BE OPERATED AT ALL TIMES WHEN SALES TAKE PLACE.

STAFF TO BE TRAINED IN THE SALE OF ALCOHOL & A RECORD OF THIS TRAINING WILL BE LOGGED AND MADE AVAILABLE TO POLICE OR LOCAL AUTHORITY ON REQUEST.

Checklist:

- 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. ☑

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

Part 4 – Signatures  (please read guidance note 10)

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.

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<th>Signature</th>
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For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

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Information about the application for a licence.

- **Capacity**: [Blank]
- **Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)**: [Blank]
- **Post town** [Blank] **Postcode** [Blank]
- **Telephone number (if any)** [Blank]
- **If you would prefer us to correspond with you by e-mail, your e-mail address (optional)** [Blank]

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

I, LEE DYER

of PIPPIN COTTAGE
BRAMERTON ROAD
SURLINGHAM

[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

NEW PREMISES
[type of application]

by

LEE DYER
[name of applicant]

relating to a premises licence
[number of existing licence, if any]

for WINBIRRI VINEYARD
BRAMERTON ROAD
SURLINGHAM

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

LEE DYER
[name of applicant]
concerning the supply of alcohol at

WINBIRRI VINEYARD
BRAMERTON ROAD
SURLINGHAM

[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

PA1027
[insert personal licence number, if any]

Personal licence issuing authority

S.N.C.
[insert name and address and telephone number of personal licence issuing authority, if any]

Signed


Name (please print)

Lee Dyer

Date

14-8-13
A bonded locked vat store will be contained on the ground floor of building which will store the wine prior to any sales. A small selection of bottles will be kept in the chillers in the wine tasting room.
Re: Application for a premises licence – Winbirri Vineyard, Surlingham

I can confirm that Police have received a copy of the amended application for a premises licence for Winbirri Vineyard, Surlingham.

This application is for the sale of alcohol from 1000-2300 hrs Monday-Friday and for 1000-2200 hrs Sunday for consumption of alcohol for both on and off the premises.

I understand that the purpose of this application is to allow for those intending to enjoy a wine tour at the vineyard and to either purchase a drink to consume on site or to take home or both. The licensed area where the sales will take place can only accommodate a maximum of 50 people.

Police are consulted on premises licence application to establish if they would wish to object under the specific licensing objective, the prevention of crime and disorder.

The applicant has included proposed conditions including a challenge 25 Policy, staff training and training records.

There is no evidence to suggest that the granting of this licence would cause any impact to crime and disorder. Therefore there are no Police objections to this application.

Michelle Bartram
Licensing Officer
Dear Amanda,

The Environmental Protection Team has no objections with regard to the above referenced licensing application.

Kind regards,

David Addy
Area Environmental Health Officer
South Norfolk Council
Long Stratton
Norwich
NR15 2XE

Direct: 01508 533830
enserv@s-norfolk.gov.uk
www.south-norfolk.gov.uk
www.facebook.com/southnorfolkCouncil

Please consider the environment before printing this email.

From: Amanda Mounser
Sent: 05 September 2013 11:03
To: David Addy
Subject: FW: Winbirri Vineyard, Bramerton Road, Surlingham

From: Amanda Mounser
Sent: 16 August 2013 09:19
To: Adrian Nicholas; Christopher Coker; David Addy; 'Fire & Rescue Service'; Licensing Team; Planning; 'Police'; 'Public Health Board'; Rosie Bloomfield; Tim Durell; 'Trading Standards'
Cc: DCorbin; Sue Thomson
Subject: Winbirri Vineyard, Bramerton Road, Surlingham

Good Morning

Please be advised that the application previously submitted for Winbirri Vineyards on the 1 August 2013 has now been withdrawn.

A new application was received and accepted on the 15 August for a new premises licence at Winbirri Vineyards, Bramerton Road, Surlingham which applies only for the sale of alcohol Monday – Saturday 10:00-23:00 & Sunday 10:00-22:00.

As this is a new application, please note you will need to re-serve any representations you wish to make.

Note: This application has been received electronically and I am therefore serving on the applicants behalf.
Applicant: Mr Lee Dyer

A copy of the application with associated plan is attached. However please feel free to contact me should you require any further information or clarity.

The application is now subject to a 28 day consultation period expiring on the **12 September 2013**.

The Licensing Act 2003 provides a clear focus on the promotion of the four statutory objectives which must be addressed when licensing functions are undertaken. Each objective is of equal importance.

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection children from harm

These are the only matters to be taken into account when determining licensing applications and any conditions attached to the licence must achieve the licensing objectives.

Kind Regards

Amanda Mounser  
Licensing & Enforcement Officer  
Environment & Housing  
South Norfolk Council  
Swan Lane  
Long Stratton  
Norfolk  
NR15 2XE

Tel - 01508 533621  
Email – amounser@s-norfolk.gov.uk  
Secure Email – amounser@s-norfolk.gcsx.gov.uk  
Website – www.south-norfolk.gov.uk  
Facebook – www.facebook.com/southnorfolkCouncil
From: Tim Durell  
Sent: 23 September 2013 09:37  
To: Amanda Mounser  
Subject: FW: Winbirri Vineyards

Tim Durell  
Food and Health and Safety Manager  
Tel: 01508 533711  
Fax: 01508 533626  
www.south-norfolk.gov.uk  
www.facebook.com/southnorfolkcouncil

South Norfolk Council

Proud to have been awarded the Investors in People Gold standard – One of only 3% of organisations in the country to have achieved this award

From: Tim Durell  
Sent: 11 September 2013 13:55  
To: 'Mark Webster'  
Subject: RE: Winbirri Vineyards  
Importance: High

Good afternoon
Mr Webster
I shall do as you have requested.
Tim

Tim Durell  
Food and Health and Safety Manager  
Tel: 01508 533711  
Fax: 01508 533626  
www.south-norfolk.gov.uk  
www.facebook.com/southnorfolkcouncil

South Norfolk Council

Proud to have been awarded the Investors in People Gold standard – One of only 3% of organisations in the country to have achieved this award

From: Mark Webster [mailto:mark@riverscourt.co.uk]  
Sent: 11 September 2013 12:04  
To: Licensing Team; Sue Thomson; Tim Durell  
Subject: Winbirri Vineyards

Please could we withdraw our previous objection and lodge this instead.
Formal objection to application by My Dyer for a new premises Alcohol Licence at Winbirri Vineyards, Bramerton Road, Surlingham

On the following grounds:

**Public safety**

1. There is no tangible access to this ill-located barn. The current access on to a 60 mph public highway is fully blind on the Surlingham side (note Mr Dyer has made no effort to date to improve his existing visibility). The existing access is almost directly opposite an existing T-junction which also has blind visibility.

The Surlingham – Bramerton Road is already under considerable difficulty concerning oncoming vehicles entering and exiting the village.

Pedestrian access via the vehicle access or steep steps is directly on to the highway which has no street lighting or pavement.

2. Any attempt to improve public safety to and from this location and the ongoing severity of existing roadusers by this increase in traffic is merely hearsay. One would naturally assume that Mr Dyer would have attempted to have satisfied the concerns and needs of both local residents and highway requests prior to this application. Alas not. Public safety with the existing parking arrangements in Church Lane are likely to be compromised. Coaches and mini buses will have to back out on to the Surlingham-Bramerton Road if the limited carparking is full. Note: existing church carparking is only facilitated by the good will of a local neighbour. Note: the main road offers no safe on road disembarkation point within the area.

Tours to date which included wine-tasting and sales: The Strangers Club, and local school children (Note – I am not implying that alcohol was sampled or sold to the children). Those examples are used to show that considerable numbers are concerned and likely to increase.

**Public nuisance**

1. The height and location of this barn. It is some 20metres from children’s bedrooms on top of a hill.

The social drinking area is on the first floor with an external access point and balcony.

With this being a quiet rural area whose noise issues occur during the daylight hours.

Substantial additional after dark noise from:

a) cars arriving and departing the venue.
b) raised voices after alcohol intake from licensed premises (it’s a national problem)

c) anticipated live and piped music following a licenced premises licence.

2. Wholly inadequate vehicle access. As permitted agricultural development rights were in operation for the siting of this barn little consideration was given to car parks. Should this application be approved and nothing done, residents in close proximity to the church and those who access their properties through the Church Lane will receive further nuisance noise and obstruction well into the evening and night. (Please note the road leading from the main road in front of the lych gate is single lane and we already experience difficulty accessing our property). Should a new access be created on the main Surlingham/Bramerton road those residents heading up the hill towards Bramerton will occur significant increased light and noise levels from arriving and leaving cars.

3. Original licence

With the original licence which is now withdrawn being for up to 5000 people, with the hours of 10am to 11pm, 7 days a week, with half hour less on Sunday plus numerous late night extensions plus live and piped music inside and outside this premises I think we can safely say where this current application is heading.

This current application whilst considerably watered down presumably to placate the licensing authorities still allows up to 5000 people and late night drinking with no restriction to what type of alcohol is sold.

I think we can safely assume that late night extensions and live music inside and out will follow.

Hence my objection.

My Dyer has had ample opportunity to reduce the impact of his building, sort out his parking, sort out his access, enter into a sensible licencing agreement with restrictive covenants to the sale of his own wine and no night time noise.

Mr Dyer has made no offer to alleviate the fear of local residents so that this application is not just about selling wine from his vineyard during normal daytime hours. Had that been the case I am sure that Mr Dyer would have requested restrictive legally bound covenants plus show a workable vehicle safety and parking scheme to enable him to do just that. I think we can safely conclude that once a full non-restricted premises licence is granted then the live and piped music application will follow.

Hence my formal objection.

Mark and Helen Webster
Riverscourt
Church Lane
Surlingham
Norwich NR14 7DF
Dear Ms. Mounser,

The Council acknowledge the new application for an alcohol licence only for the above and would comment as follows:-

Although this application without any music is much preferable, there is still an issue of the noise of people returning to their cars during late evening and disturbing the residents living in that vicinity. Public safety as mentioned in our previous letter is an issue as well. The road is dangerous in that particular area of the village and with no street lighting or pavements could be seriously unsafe. The residents in the location of the vineyard are objecting and the Council feel its their duty to support them. Winbirri do have outlets for sale of their wine and the Council consider it unnecessary to turn the barn into a Visitors Centre.

Yours sincerely,
Diane Corbin
Surlingham Parish Clerk
Amanda Mounser

From: Rosie Broom
Sent: 09 September 2013 12:22
To: 'richard.p.atkins@bt.com'
Subject: RE: Winbirri Vineyard, Bramerton Road, Surlingham - Formal Objection to revised License Application.

Good Morning

I am writing to confirm receipt of your representation with regard to the premises licence application for Winbirri Vineyard, Bramerton Road, Surlingham. The application is presently subject to a 28 day consultation period which closes on Thursday 12 September 2013.

I will contact you again following the close of consultation to advise on either the delegated decision or the need to hold a hearing of the Licensing Committee and associated procedure. However if you have any queries in the meantime please do not hesitate to contact me.

Kind Regards

Rosie Broom
Licensing & Enforcement Officer
Environment & Housing
South Norfolk Council
Swan Lane
Long Stratton
Norwich
NR15 2XE

Direct: 01508 533602
Email - rbroom@s-norfolk.gov.uk
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South Norfolk Council
Proud to have been awarded the Investors In People Gold Standard – one of only 3% of organisations in the country to have achieved this award.

From: richard.p.atkins@bt.com [mailto:richard.p.atkins@bt.com]
Sent: 09 September 2013 11:32
To: Amanda Mounser; sthompson@s-norfolk.gov.uk; tdurrell@S-Norfolk.gov.uk; Licensing Team
Subject: Winbirri Vineyard, Bramerton Road, Surlingham - Formal Objection to revised License Application.

Amanda / Tim,
Thank you once again for your time during your visit to my home to discuss the original license application. Whilst at first glance the revised application does look more palatable, I do still need to lodge my formal objection on the following grounds:

Public safety
I. There is no suitable access that visitors to the premises can use. Visitors will either: a) need to negotiate Bramerton road on foot (national 60MPH speed limit applies, no footpath with high banks and hedges overrun, obscured vision due to the bends in the road, no lighting)
or;
b) Attempt to park in Church lane - spaces are very limited and not viable for coaches mini busses etc as they would need to reverse back out onto Bramerton road.  
From my meeting with Sue Thompson (11-08-13), I had understood that the applicant was going to seek planning permission for revised and safer access for his visitors (hard standing that could be a potential parking zone exists directly opposite the existing pedestrian access from Winbirri to the Bramerton road). I have seen no such application, so until access arrangements are clarified and resolved I don’t think the license should be granted. Limiting the license to no more than 10 people and operating only in normal day time hours may provide some mitigation in the short term?

**Public Nuisance**

**Music**—Much of the initial concern expressed by residents in the village was driven by the inclusion of Music in the original premises license application. Whilst this is no longer documented as part of the new application, I remain concerned as I believe the 2003 licensing act may facilitate such activities once the premises has been licensed. I therefore object to the granting of the license unless it made an explicit condition that no music is permissible at the premises, and that this rule be applied to any temporary license subsequently requested.

**Disturbance to residents of Church Lane**—Parking availability in Church Lane is very limited. Congestion often occurs through the general public’s use of the established non-commercial attractions – Footpaths, RSPB reserve, Church, shooting club etc. To facilitate these activities and help alleviate current parking contention, one of the residents of Church Lane allows usage of their facilities for specific events. This arrangement is entirely voluntary and unlikely to be extended to commercial tours. Additionally all these current events take place during normal day time hours so no disturbance is created in the evenings. The proposed intensification of usage and the licensing hours requested will undoubtedly create a noise and parking nuisance in the area.

I therefore object to the license being granted until adequate arrangements are in place to avoid this problem. As per the possible mitigation for the safety issue above, limiting numbers (10), licensing hours 10.00 – 19.00 and frequency of events (12 per year) may provide a possible course of mitigation.

Please can you confirm your receipt of this objection and confirm that this e-mail format is valid to register my formal objection.

Regards

Richard Atkins

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From: Amanda Mounser
[mailto:AMounser@S-NORFOLK.GOV.UK]
Sent: 16 August 2013 10:07
To: Atkins,RP,Richard,TWC R
Subject: Winbirri Vineyard, Bramerton Road, Surlingham

Good Morning Richard

Please find the application attached.

Many Thanks

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From: richard.p.atkins@bt.com
[mailto:richard.p.atkins@bt.com]
Sent: 16 August 2013 09:50
To: Amanda Mounser; Licensing Team
Subject: RE: Winbirri Vineyard, Bramerton Road, Surlingham

Amanda
Many thanks for the update – could you forward me a copy please.
Thanks Richard
Good Morning

Please be advised that the application previously submitted for Winbirri Vineyards on the 1 August 2013 has now been withdrawn.

A new application was received and accepted on the 15 August for a new premises licence at Winbirri Vineyards, Bramerton Road, Surlingham which applies only for the sale of alcohol Monday – Saturday 10:00-23:00 & Sunday 10:00-22:00.

As this is a new application, please note you will need to re-serve any representations you wish to make.

The application is now subject to a 28 day consultation period expiring on the 12 September 2013.

The Licensing Act 2003 provides a clear focus on the promotion of the four statutory objectives which must be addressed when licensing functions are undertaken. Each objective is of equal importance.

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection children from harm

These are the only matters to be taken into account when determining licensing applications and any conditions attached to the licence must achieve the licensing objectives.

Kind Regards

Amanda Mounser
Licensing & Enforcement Officer
Environment & Housing
South Norfolk Council
Swan Lane
Long Stratton
Norfolk
NR15 2XE

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South Norfolk Council, working with you, working for you.
Winbirri Vineyard, Bramerton road, Surlingham

I wish to object to the current application for a premises licence for the above location.

Firstly, let me make it clear that I support the vineyard and the work of Mr Dyer in setting it up. But I am unable to understand why it is necessary to have a licence to sell alcohol until 23.30 on weekdays and 22.30 on Sundays. I understand the licence is required so that potential buyers can taste the excellent products from the vineyard to help them make a purchase. However I can think of no other business that trades during such long hours except those providing leisure activities and even the local public houses are usually closed before this late hour.

The vineyard building is situated in a quiet residential area and there is no other commercial activity nearby. It is close to neighbouring homes and the historic church. The licensing hours will allow for vehicles to come and go until midnight or beyond, causing considerable disturbance. The building – on the highest point for some distance – will generate more noise than had it been sited lower in the environment and is also likely to cause some disturbance to the wildlife reserves close by.

There is no indication on the application as to how public nuisance will be avoided and the fact that this matter does not seem to have been considered gives some cause for concern.

I cannot see why reduced licensing hours – say 10.00 to 20.00 – would affect the business, which most people in Surlingham wish to become a success.

I hope the licensing committee can consider these matters which may well cause a public nuisance if they are not addressed before a licence is granted.

Yours sincerely,

Peter Hiscocks
Good Afternoon

Thank you for your update on Winbirri Vineyard new application to sell alcohol only and not music.

**The Protection Children from harm.**
I know it's a fine line when it comes to parking issues, but with the recent project under going with the alterations to the church to accommodate a new wing so children can attend a out of school centre. There must be something in place for cars and coaches to be able to park without unknowingly reversing into children or church visitors after consumed alcohol.
I ask the question what has been done about parking issues, will South Norfolk planning department need to address this problem.

**The Prevention of Public nuisance**
The villagers of Surlingham cannot understand why the alcohol consumption has to run late into the night and Sundays, is it just one set period when granting of a alcohol license?.

*People living around the Vineyard will have to be able to sleep without the banging of car doors and vehicles moving out of the small parking area late at night.*

**Public Safety**
Yet again access for emergency services would cause problem in front of the church to the cottages which are on two side of the Vineyard.

To sum up, need a new parking area for cars / coaches away from houses and shorter times of the selling of alcohol.

John and Carole Stokoe

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From: Amanda Mounser <AMounser@S-NORFOLK.GOV.UK>
To: Licensing Team <LicensingTeam@S-NORFOLK.GOV.UK>
Sent: Friday, 16 August 2013, 9:47
Subject: Winbirri Vineyard, Bramerton Road, Surlingham

**Good Morning**

Please be advised that the application previously submitted for Winbirri Vineyards on the 1 August 2013 has **now been withdrawn**.

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Monday – Saturday 10:00-23:00 & Sunday 10:00-22:00.

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The application is now subject to a 28 day consultation period expiring on the 12 September 2013.

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Kind Regards

Amanda Mounser  
Licensing & Enforcement Officer  
Environment & Housing  
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