

Public Document Pack



LICENSING COMMITTEE

Date: Friday, 14 June 2024
Time: 10.00am,
Location: Council Chamber
Contact: Alex Marsh (01438) 242587
committees@stevenage.gov.uk

Members: Councillors: E Plater (Chair), S Barr (Vice-Chair), M Arceno, R Boyle, P Clark, A Elekolusi, A Gordon, C Houlihan, M Humberstone, L Martin-Haugh, C Parris, G Snell, A Wells and T Wren

AGENDA

PART 1

1. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

2. MINUTES - 28 MARCH 2024

To approve as a correct record the Minutes of the previous meeting of the Committee held on 28 March 2024.

3 – 12

3. TERMS OF REFERENCE

To note the Terms of Reference as agreed at Annual Council on 22 May 2024.

13 – 14

4. LICENSING APPLICATIONS - PROCEDURE

To note the procedure for the hearing of licensing applications.

15 – 16

5. APPLICATION FOR THE GRANT OF PREMISES LICENCE - ASDA EXPRESS, BROADWATER CRESCENT, STEVENAGE, SG2 8EH

To determine an application for the grant of a premises licence for Asda Express, Broadwater Crescent, Stevenage, SG2 8EH.

17 – 98

6. URGENT PART I BUSINESS

To consider any Part I business accepted by the Chair as urgent.

7. EXCLUSION OF PUBLIC AND PRESS

To consider the following motions:

1. That under Section 100A of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as described in Paragraphs 1 7 of Part 1 of Schedule 12A of the Act as amended by Local Government (Access to Information) (Variation) Order 2006.

2. That Members consider the reasons for the following reports being in Part II and determine whether or not maintaining the exemption from disclosure of the information contained therein outweighs the public interest in disclosure.

8. URGENT PART II BUSINESS

To consider any Part II Business accepted by the Chair as urgent.

STEVENAGE BOROUGH COUNCIL

LICENSING COMMITTEE MINUTES

Date: Thursday, 28 March 2024

Time: 10.00am

Place: Council Chamber, Danestrete, Daneshill House

Present: Councillors: Claire Parris (Chair), Maureen McKay (Vice Chair), Sandra Barr, Michael Downing and Margaret Notley

Start / End Start Time: 10.00am
Time: End Time: 12.39pm

1 **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors Nazmin Chowdhury, John Duncan, Chris Howells, Graham Lawrence CC, Joan Lloyd, Lin Martin-Haugh, Graham Snell, Anne Wells and Tom Wren.

There were no declarations of interest.

2 **MINUTES - 7 DECEMBER 2023**

It was **RESOLVED** that the Minutes of the meeting of the Licensing Committee held on 7 December 2023 be approved as a correct record and signed by the Chair.

3 **LICENSING APPLICATIONS - PROCEDURE**

All parties noted the procedure for the Hearing which had been circulated with the agenda.

4 **APPLICATION FOR THE GRANT OF PREMISES LICENCE - ROOKERY YARD, 70 HIGH STREET, STEVENAGE, SG1 3EA.**

The Committee considered an application for the grant of a premises Licence for Rookery Yard, 70 High Street, Stevenage, SG1 3EA.

The Licensing Officer presented her report to the Committee outlining the facts of the application. She advised the Committee that there had been an error in the officer's report. Paragraph 3.2 on page 10 of the agenda pack related to the date that the application was accepted by the Council as valid and duly made. The correct date was 5 February 2024.

The applicant had applied for a premises licence to operate a restaurant and late bar with music at Rookery Yard, 70 High Street, Stevenage.

The application included:

- The provision of live music inside the premises, Monday to Sunday between the hours of 23:00hrs and 03:00hrs in the late bar
- The playing of recorded music, Monday to Sunday between 08:00hrs and 23.00hrs in the restaurant and between 23:00hrs and 03:00hrs in the late bar at the rear of the premises (inside and outside)
- The provision of performances of dance in the late bar only, Monday to Sunday between 23:00hrs and 03:00hrs.
- The sale of alcohol on the premises, Monday to Sunday between 11:00hrs and 23:00hrs in the restaurant, and Monday to Sunday between 23:00hrs until 03:00hrs in the late bar at the rear of the premises.

The application proposed that the opening hours for the premises would be Monday to Sunday, 07:00hrs until 23:00hrs for the restaurant, and Monday to Sunday 23:00 until 03:00 for the late bar, therefore the termination time for the sale of alcohol and the closing of the premises were the same.

The site, located on the western side of High Street adjoining Rookery Yard and Primett Road, had previously functioned as a restaurant and bar / nightclub. Nearby were residential flats and offices. The previous premises licence had covered the sale of alcohol and regulated entertainment.

Environmental Health had not submitted a formal representation but had successfully mediated 4 additional licence conditions with the applicant to prevent public nuisance.

Public Health expressed concerns related to the protection of children from harm. Following mediation from the Licensing Officer, after which the applicant had amended their application to include 4 new conditions, they had withdrawn their representation.

Hertfordshire Constabulary expressed concerns related to the prevention of crime and disorder, public safety, and public nuisance. They proposed reduced operating hours and 18 additional conditions. The applicant had agreed to all 18 conditions proposed by Hertfordshire Constabulary; however, they had not agreed to the proposed adjustments in operating hours.

The Chair invited all parties to ask questions of the Licensing Officer. There were none.

The Chair then invited the Responsible Authority, Hertfordshire Constabulary, to present their case. The Senior Licensing Officer spoke of the Constabulary's objections to the application, their key points of objection being:

- The proposed hours for the sale of alcohol.

- The proposed premises opening hours.

The Chair invited all parties to ask questions of the Responsible Authority.

Some Members asked questions related to staggered closing times for late night venues. Hertfordshire Constabulary responded that due to the location of the premises and the potential number of people exiting the premises at closing time, a 30-minute staggered closing would not be sufficient. They advised that patrons may look to move on to other venues but that some other late night venues restricted admission from certain times.

A Member asked a question related to the significance of the history of the premises. Hertfordshire Constabulary responded that their representation was not affected by the history of the premises.

The Chair then invited the other persons to present their case. The legal representative for the local business spoke of their objections to the application.

The Chair then invited the other persons to present their case. The legal representative acting on behalf of Cinnabar spoke of their objections. He advised that Cinnabar operated venues in three Hertfordshire towns and had never made a representation against any other premises in any of the places it traded. Their key points of objection were:

- Activities proposed including late-night and alcohol-led with no provision for late night refreshment, which suggested a nightclub style business in a mixed residential and commercial area was not suitable.
- Lack of information included with the application making it impossible to have confidence that the licensing objectives would be promoted.
- Inadequate conditions proposed.
- No confidence the Applicant could sustain the business model suggested by the application.

The Chair invited all parties to ask questions of Cinnabar and their Legal Representative. There were no questions asked.

The Chair invited the Applicant to present their case. The legal representative acting on behalf of the Applicant thanked Hertfordshire Constabulary for their input throughout the application process. The key points of their case were:

- The Applicant had a conditional agreement to take out a lease of the premises. The condition being that a suitable licence was granted to allow the business to operate.
- The proposal was for a restaurant operating at the front of the premises and a bar at the back acting as a social space.

- The restaurant would serve coffees through the morning moving onto artisan style pizzas in the evening.
- The relationship between these two aspects was critical to the sustainability of the business.
- The business would target a mature audience and the Applicant offered a condition that the business would refuse admission to under 21's.
- The capacity limit would be calculated based on the fire risk assessment that would be carried out once the premises had been kitted out.
- The proposed business model would likely see the bar only operating on Thursday – Saturday.
- The Applicant had hands on experience with the dispersal of customers from large capacity venues.

The Chair invited all parties to ask questions of Cinnabar and their Legal Representative.

A Member asked a question related to restaurant and the link between the two different aspects of the business. They responded that customers would not be able to access the bar area directly from the restaurant and vice versa. They confirmed that there would be two separate entrances, one on the High Street for the restaurant and the other on Rookery Yard for the bar.

A Member asked a question related to the social space. They confirmed that there would not be an entry charge for the bar area except on occasions when there would be performers or DJs.

A Member asked a question related to market research. They advised that they had conducted their own market research through discussions with local businesses and the Applicant stated that his understanding was that there was a market in Stevenage for the proposed business model.

A Member asked a question regarding the proposal for a 03.00hrs closing time. They responded that the business plan and modelling had been influenced by the nature of the premises including its shape and size. The Applicant believed that the premises had operated for a number of years in a similar vein, and this was the basis on which he had predicated his thinking for this application. The Senior Licensing Officer for the police highlighted that this was a new application that needed to be treated on its own merits.

Hertfordshire Constabulary sought assurance that the landlord of the premises would not be involved in the business. They responded that the landlord would not have any involvement in the running of the business other than their role as landlord and freeholder.

A Member asked a question related to the dispersal of customers at closing time. They responded that, whilst this would be subject to the capacity of the venue, customers would be encouraged to leave the enclosed environment of Rookery Yard upon exiting the venue and would be directed along Rookery Yard onto the High Street towards the Taxi Rank. There were plans for the mezzanine within the venue to be closed earlier than the main bar space, thereby creating a staggered closure of the premises.

A Member asked if the business had a target date for opening. They responded that there was not a set date at that time due to the work that would need to be completed prior to opening.

The Chair invited all parties to sum up their submissions.

At the conclusion of the summing up the Chair adjourned the meeting, and asked all parties to leave the room whilst the Committee determined the application.

At the conclusion of the Committee's deliberations, all parties were invited back into the meeting to hear the outcome.

The Chair read out the resolution made by the Committee and the reason for its decision.

It was **RESOLVED** that the application for the grant of a premises licence for be approved subject to:

- The permitted hours being set as follows:
 - Sale of alcohol (Restaurant) Mon-Sun 11:00-23:00
 - Opening times (Restaurant) 11.00-23.00
 - Sale of alcohol (Bar) Sun-Weds 19.00-Midnight, Thurs-Sat 19.00-01.00
 - Opening times (Bar) Sun-Weds 19.00-00.30, Thurs-Sat 19.00-01.30
- The Council's standard licensing conditions.
- The production of a plan clearly demarcating the separately licensed restaurant and bar areas.
- The additional licensing conditions proposed by Public Health, Environmental Health, the Police and the Licensing Authority, as set out below, the detailed wording to be settled by the Licensing Officer.
- An additional condition volunteered by the applicant to restrict admission to the bar area to over-21s.

REASON FOR DECISION: The Committee was satisfied that the licensed hours should be restricted in line with the recommendations of the Police, for the reasons set out in their representations. The Committee was satisfied that the more limited hours were justified to promote the licensing objectives related to crime and disorder, public safety, and public nuisance. However, the Committee felt that a 7pm

opening time for the bar was acceptable.

The Committee accepted that the additional licensing conditions, would promote the licensing objectives by ensuring that the premises are operated in a safe and proper manner.

The Committee notes the suggestion by the Police that, after an initial period and in the absence of problems, the applicant might consider applying to extend the licensed hours.

The Committee also noted the assurance by the applicant that the owner of the premises would play no part in the operation of the business.

SCHEDULE OF ADDITIONAL CONDITIONS

Condition volunteered by the Applicant -

- Access to the 'Rookery Yard' Bar shall be restricted to persons over the age of 21.

Conditions proposed by Public Health -

- The premises shall implement a 'Challenge 25' policy whereby all customers who appear to be under the age of 25 must produce photographic identification in the form of a passport, driving licence or Proof of Age Scheme (P.A.S.S) approved identification before the sale of alcohol can take place.
- A log (which may be electronically recorded) shall be kept detailing all refused sales of alcohol. The log shall include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police, or an authorised officer of the licensing authority at all times whilst the premises is open'.
- In addition to any other training, the premises licence holder shall ensure all staff responsible for the sale of alcohol are trained to prevent underage sales, to maintain a refusals book and monitor staff to ensure their training is put into practice.
- Written training records shall be kept for each staff member and shall be produced upon the request of Police or authorised officer of the licensing authority.

Conditions proposed by Environmental Health –

- Music to be played inside the premises only, no music to be played in the outside garden area.
- All windows and external doors shall be closed when regulated entertainment takes place, except for the immediate access and egress of persons. (Details on how this will be managed to be included in the noise management plan)
- The premises licence holder shall ensure that the premises operates in accordance with a Noise Management Plan, which will be subject to prior approval of the Council's environmental Health Department.
- A sound limiting device shall be installed. All electronic equipment used to produce amplified, recorded and live music shall be routed through the sound limiter device. The sound limiter device shall be set to a level which will not cause a public noise nuisance to the nearest noise sensitive receptors and the operating panel shall be properly secured so that it cannot be accessed by any person other than the premises licence holder.

Conditions proposed by the Police -

- There shall be no entry or re-entry into Rookery Yard Bar after midnight Thursday - Sunday
- The Premises Licence Holder or Designated Premises Supervisor shall install and maintain a comprehensive CCTV system covering the whole of the premises, including all entry and exit points.
- The Premises Licence Holder shall ensure that the CCTV system shall continually record whilst the Premises is open for licensable activities and during all times when customers remain on the Premises. All recordings shall be stored for a minimum period of 30 days with date and time stamping.
- A minimum of two persons shall be trained and at least one shall be available immediately to access, operate and download the CCTV system and recordings shall be made available within 48 hrs upon the request of the Police or authorised officer of the Licensing Authority, providing such requests are in connection with the prevention or detection of crime. Recordings shall be provided in the form of digital download burned onto a DVD or CD disc.
- All faults/defects in the CCTV system must be reported to Hertfordshire Constabulary immediately the fault is discovered. The notification must be made to the Hertfordshire Constabulary non-emergency telephone number 101 and a log number obtained from the Police and recorded in the incident book. The Stevenage Police Licensing Unit must also be notified.
- All faults with the CCTV system shall be repaired promptly.

- 28 days' notice shall be given to Hertfordshire Constabulary and the Licensing Authority of any planned special events to be held including full details of the nature of the event and of the promoter.
- The Premises must implement a "Challenge 25" policy whereby all customers who appear to be under 25 must produce photographic identification in the form of a passport, driving licence or Proof of Age Scheme (P.A.S.S) approved identification before being allowed to enter the Premises whilst licensable activities are taking place.
- In addition to any other training, the premises licence holder shall ensure all staff are trained in the prevention of underage sales, to maintain the refusals book and to monitor staff to ensure their training is put into practise.
- A log (which may be recorded electronically) shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises, by the police or an authorised officer of the licensing authority at all times whilst the premises are open.
- The entrance to the Bar shall be manned by at least 2 SIA approved door staff and shall be on duty in Rookery Yard from 21:00hrs each day (Sunday to Saturday) and for a minimum of 30 mins after closure and until all customers have dispersed from the Rookery Yard junction with High Street.
- Where the number of customers exceeds 200 persons. The number of SIA approved door staff will increase by one, on a ratio of 1 per 100 persons.
- SIA approved door staff at the entrance to the Bar shall use a clicker system to count persons in and out of the premises to ensure capacity levels are not exceeded.
- The designated premises supervisor shall ensure that tables are cleared of all bottles and glasses on a regular basis during trading hours to avoid an accumulation of glassware.
- The designated premises supervisor shall ensure so far is reasonably practicable that no customers shall be permitted to remove from the premises any open bottles or glasses for consumption or disposal outside the premises.
- The premises shall be a member of the local Pub watch scheme, a representative from the premises will attend meetings on a regular basis.
- No smoking shall be permitted on the High Street, outside the front of the premises, after 23.00hrs.
- Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.

5 **URGENT PART I BUSINESS**

None.

6 **EXCLUSION OF PUBLIC AND PRESS**

Not required.

7 **URGENT PART II BUSINESS**

None.

CHAIR

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LICENSING COMMITTEE

1. Membership – 14
2. Quorum - 4
3. Terms of Reference
- 3.1 To consider and determine applications under the Licensing Act 2003 where representations have been made, in respect of the following cases.
 - (i) Personal Licences;
 - (ii) Premises Licences/ Club Premises Certificates;
 - (iii) Provisional Statements;
 - (iv) Variation of Premises Licences/ Club Premises Certificates;
 - (v) minor variations of Premises Licences/Club Premises Certificates;
 - (vi) Variation of Designated Premises Supervisors;
 - (vii) Transfer Premises Licences;
 - (viii) Interim authorities;
 - (ix) Review premises licences/club premises certificates;
 - (x) Issue of Counter Notice following Police or Environmental Health objection to a temporary event notices.
- 3.2 To consider and determine applications and variations under the Gambling Act 2005 (where representations have been made and not withdrawn) in respect of the following cases:
 - (i) Premises Licences;
 - (ii) Variation to a Licence;
 - (iii) Transfer of a Licence;
 - (iv) Provisional Statements;
 - (v) Review of a Premises Licence;

- (vi) Club Gaming / Club Machine Permit;
- (vii) Cancellation of a Club Gaming / Club Machine Permit.

STEVENAGE BOROUGH COUNCIL

LICENSING COMMITTEE

HEARING OF LICENCE APPLICATIONS – PROCEDURE

The Committee will apply the following procedure when considering Premises Licence applications and Review applications to ensure adherence to the rules of natural justice.

1. The Chair will introduce himself/herself and invite the other Committee Members, the Licensing Officer(s), Legal Advisor, Committee Administrator, Responsible Authority representatives, interested parties and the Premises Licence Holder and any representative to introduce themselves.
2. The Licensing Officer will outline the reason for the hearing and report on the facts of the case. Members of the Committee, the Responsible Authority representatives, those who had submitted representations, and Premises Licence Holder (and/or representative) may ask questions of the Licensing Officer.
3. The Responsible Authority representatives may then state their case, calling any witnesses.
4. With the Chair's permission, Members of the Committee and the Premises Licence Holder (and/or representative) may then ask questions of the Responsible Authority representatives.
5. Those who have submitted representations may then state their case, calling any witnesses.
6. With the Chair's permission, Members of the Committee and the Premises Licence Holder (and/or representative) may then ask questions of those who have submitted representations.
7. The Premises Licence Holder (and/or representative) will state their case, calling any witnesses they wish.
8. With the Chair's permission, Members of the Committee, Responsible Authority Representatives and those who have submitted representations may then ask questions of the Premises Licence Holder (and/or representative).
9. The Responsible Authority representatives are then invited to sum up.
10. Those who have submitted representations are then invited to sum up.
11. The Premises Licence Holder (and/or representative) is then invited to sum up.
12. The Committee will retire to consider the matter and make its decision.
13. At the conclusion of its deliberations, the Committee will EITHER return to the meeting to deliver its decision OR inform all parties of its decision in writing as soon as possible after the meeting. In either event, reasons will be given for the Committee's decision.

NOTES:

- (1) EACH PARTY WILL BE AFFORDED A REASONABLE AMOUNT OF TIME TO PRESENT THEIR CASE.**
- (2) ALL PARTIES MAY ASK FOR CLARIFICATION OF ANY POINT AT ANY TIME IN THE PROCEEDINGS.**
- (3) THE COMMITTEE ADMINISTRATOR AND COUNCIL'S SOLICITOR WILL BE PRESENT THROUGHOUT THE MEETING AND MAY ASK QUESTIONS AT ANY TIME TO ASSIST THE COMMITTEE.**

Part 1 – Release to Press



Meeting Licensing Committee
Portfolio Area Environment & Performance
Date 14 June 2024

APPLICATION FOR THE GRANT OF PREMISES LICENCE – ASDA EXPRESS, BROADWATER CRESCENT, STEVENAGE SG2 8EH.

Authors Mary O'Sullivan | Ext. 2724
Lead Officers Christine Walker-Wells | Ext. 2247
Contact Officer Mary O'Sullivan | Ext. 2724

1 PURPOSE

- 1.1 To determine an application for the Grant of a Premises Licence for Asda Express, PFS Broadwater, Broadwater Crescent, Stevenage, Herts, SG2 8EH. Police and Planning have made representations against this application.
- 1.2 In reaching its decision, the Committee must have regard to its obligation to promote the four licensing objectives:
- The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm

Matters which do not relate to the four licensing objectives must be disregarded.

2 RECOMMENDATIONS

- 2.1 That the Committee reviews the evidence presented by the responsible authorities and applicant (and/or representatives) and determines what action should be taken in respect of this application for a premises licence.

3 SUMMARY OF APPLICATION

- 3.1 Euro Garages Ltd have applied for the grant of a Premises Licence at Asda Express, Broadwater, Stevenage, SG2 8EH. The premises is part of a Petrol Station which has a forecourt and a mini market style shop. The application proposes the following:
- 3.2 The premises to open 24 hours a day for the sale of alcohol for consumption off the premises and the provision of late-night refreshments between the hours of 2300hrs-0500hrs. (Late night refreshment is the selling of hot drinks and or food).
- 3.3 The sale of late-night refreshments, as per the application, which is stated as being for hot drinks only.
- 3.4 The applicant proposes that all spirits will be displayed behind the payment counter and available to the staff member only for selection in order to make a purchase. It is intended that beers and wines will be available for selection from the retail/customer area.
- 3.5 The shop will close to customers between the hours of 22:00hrs until 06:00hrs. Payment for fuel, alcohol and other goods will be made through the night payment window during these hours.
- 3.6 This application was accepted by the Council as valid and duly made on 23rd April 2024. **A copy of the application is attached - Appendix A.**

4 BACKGROUND INFORMATION

- 4.1 The petrol station is situated at the north of Broadwater Crescent directly at the busy four- junction roundabout on A607 Broadhall Way, Stevenage. This is in close proximity to Stevenage Football Club, The Roaring Meg and Roebuck Retail Parks.
- 4.2 Directly next to the premises is Our Mutual Friend PH and the closing times as per their premises licence are Monday to Thursday 1000 to 0030hrs and Friday to Sunday 1000 to 0230hrs. Currently it is closing at 23:00hrs. The surrounding area is otherwise mainly residential.
- 4.3 The Council's licensing database indicates that the premises previously known as 'The Broadwater Service Station' did once hold a premises licence until approx. 2015 authorising the sale of alcohol; Mondays – Saturday between 0800hrs and 2300hrs and Sundays 1000hrs -2230hrs. The opening hours were 24 hours The licence was surrendered on 02.09.2015.

4.4 The premises have been operating for 24 hours a day as a petrol station with a small minimarket style shop. They were unaware that the planning conditions restricted them from doing so.

4.5 **A location map is attached - Appendix B.**

5 RESPONSIBLE AUTHORITIES

5.1 Representations were made by two Responsible Authorities, Hertfordshire Police and The Planning department.

5.2 The Planning Department submitted an objection on 10.05.2024, under the licensing objective of prevention of public nuisance in respect of the proposed opening hours. Permission was granted for the redevelopment of the petrol station in 1996 and a condition added restricting the opening hours of the retail shop to 0700hrs – 23:30hrs in order to protect the amenities of the neighbouring residential dwellings. This condition also stipulates that these hours shall not be amended without the submission of a planning application to the local planning authority. To date no application has been received therefore the planning department object to this application.

A copy of the Planning Representations and Objection is attached - Appendix C

5.3 On 28.05.2024 The Planning officer responded directly to the applicants' legal representations during the mediation process on 28.05.24, reiterating that the retail operating hours would need to either be between 0700hrs and 2330hrs or to submit a planning application to vary this condition prior to commencing operations. Any application would take approx. 8 weeks to process with consultation letters being sent to nearby residents so it is not known if any representations might arise. No acceptance of hours or application to vary, has been received by Planning and the representation still stands at the time of publishing this report.

A copy of the Planning Mediation E mail is attached – Appendix D

5.4 The Planning and licensing regimes involve consideration of different (albeit related) matters. The licensing Committee is not bound by decisions made by a planning committee, and vice versa. However, licensing committees and officers should consider discussions with their planning counterparts prior to determination with the aim of agreeing mutually acceptable operating hours and scheme designs. Although the applicant has indicated an intention to submit a planning application to vary the permitted hours, no application has been submitted as at the date of preparing this report.

5.5 Hertfordshire Police submitted an objection on 22.05.2024 relating to the licensing objectives Prevention of Crime and Disorder, Public Safety, and the Prevention of Public Nuisance. In summary the Police report that there have been a number of incidents at the premises where Police have been called, these include aggressive customers, anti-social behaviour and assault on staff. The premises has also been a target for shoplifting. The Police have been concerned about the staffing levels at the service station during the evening and overnight.

A copy of the original Police representations and objection is attached -Appendix C

5.5 Following the mediation process, the Police have withdrawn their representations with the applicant agreeing to voluntarily amend their application by reducing the time for the sale of alcohol from 24 hours Monday to Sunday to between 0600hrs and 2300hrs Monday to Sunday. The hours for late night refreshment are to remain as applied for 2300hrs – 0500hrs Monday to Sunday. Furthermore, the applicant has also agreed to add the following conditions:

- All sales between 2200hrs and 0600hrs will be made through the night hatch.
- Members of the public will not be permitted to enter the premises between 2200hrs and 0600hrs. for the avoidance of doubt this does not apply to officers of the emergency services.
- The provision of late-night refreshment will be limited to the sale of hot drinks only.
- Save for in exceptional circumstances, there will be at least 2 members of staff on site between the hours of 0600hrs and 22hrs.

E Mail Correspondence between the applicant and Police, relating to the amendment to the application is attached at Appendix D

6 INTERESTED PARTIES

6.1 No other representations were received from other parties.

6.2 The Licensing Officer has liaised with the applicant to discuss all representations received.

6.3. Representations made by planning remain upheld upon the deadline of the publishing of this report.

6.4 A summary of the hours which have been applied for, the hours agreed with Police during mediation and the hours the applicant is willing to accept are outlined in the table below:

	Times for the sale of alcohol	Opening times of the premises	Times for Late Night Refreshments
a) Hours applied for.	Mon-Sun 00:00 – 23:59	Mon-Sun 00:00 - 23:59	Mon-Sun 23:00 – 05:00
b) Hours proposed by police.	Mon – Sun 06:00-23:00	Mon – Sun 00:00 – 23:59	Mon- Sun 23:00 – 05:00
c) Hours applicant is willing to accept.	Mon – Sun 06:00 – 23:00	Mon – Sun 00:00 – 23:59	Mon – Sun 23:00 – 05:00

7 IMPLICATIONS

7.1 Financial Implications

- 7.1. There are no financial or resource implications arising from the content of this report.

7.2 Legal Implications

- 7.2.1 The Committee is advised that paragraphs 9.31- 10.10 of the Guidance under section 182 of the Act describe the powers of a Licensing Authority on the determination of an application.
- 7.2.2 The following options are available to the committee under section 18(4) of the Licensing Act 2003:
- (a) to grant the licence subject to conditions for the promotion of the licensing objectives and mandatory conditions;
 - (b) to exclude from the scope of the licence any of the licensable activities to which the application relates;
 - (c) to refuse to specify a person in the licence as the premises supervisor;
 - (d) to reject the application.

7.3 Policy Implications

7.3.1 Stevenage Borough Council Statement of Licensing Policy 2020 – 2025

The following sections of the licensing authority's statement of licensing policy apply to this application:

- 1.2 The Act requires the Licensing Authority to carry out its licensing function so as to promote the four licensing objectives:

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

7.4 Guidance issued under section 182 of the Licensing Act 2003

7.4.1 The Committee is reminded of the Guidance issued under section 182 of the Licensing Act 2003. These particular sections are relevant to this application:

- Application for Premises Licences paragraphs
- Determining Applications paragraphs

7.5 Equalities and Diversity Implications

7.5.1 Any decision by the Committee is based on evidence before it at the meeting; there are no equalities and diversity implications.

7.6 Crime and Disorder

7.6.1 The Committee is reminded of their duty under the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the authority's responsibility to co-operate in the reduction of crime and disorder in the Borough.

8 BACKGROUND DOCUMENTS

BD1 Licensing Act 2003

BD2 Stevenage Borough Council, Statement of Licensing Policy 2020-2025

BD3 Guidance issued under section 182 of the Licensing Act 2003

9 APPENDICES

- A A copy of the Premises application and plan
- B Location map
- C Representations from Police and Planning
- D Mediation correspondence between the applicant, Police and Planning
- E Email from the Planning Officer to the applicant

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

84773.17948

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

Euro Garages Limited

* Family name

Euro Garages Limited

* E-mail

janet_braithwaite@gosschalks.co.uk

Main telephone number

01482324252

Include country code.

Other telephone number

- Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House?

- Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

04246195

Business name

Euro Garages Limited

If the applicant's business is registered, use its registered name.

VAT number

-

Put "none" if the applicant is not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of His Majesty's prerogative

Section 4 of 21

NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality [Documents that demonstrate entitlement to work in the UK](#)

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? / /
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

Provide a general description of 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.

Convenience Store/Petrol Filling Station

Continued from previous page...

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

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Continued from previous page...

Section 13 of 21

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State 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.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

Continued from previous page...

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

None

Continued from previous page...

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Continued from previous page...

Section 18 of 21

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

Staff shall be trained in the premises licence holder's procedures which include liquor licensing and all checkout operators shall have additional training in the sale of alcohol.
All spirits will be displayed behind the counter.
No miniature bottles of spirits of 20cl or below shall be sold from the premises. Please note this does not apply to pre-packaged gift packs which may contain a spirit miniature.
There will be no customers permitted to enter the premises between the hours of 22.00 and 06.00. Any sales between these hours will be made through the night pay window.

b) The prevention of crime and disorder

A CCTV system will be installed and maintained at the premises. Cameras will cover internal areas and the external area immediately in front of the store. The system will be capable of continuously recording and copies of such recordings shall be kept for a period of not less than 31 days and handed to the Police or authorised person upon production of a compliant 'Access Request'.
All spirits will be displayed behind the counter.

c) Public safety

The premise licence holder seeks to comply with the requirements of the health and safety legislation.

d) The prevention of public nuisance

The provision of late night refreshment will be limited to the sale of hot drinks only.

e) The protection of children from harm

The store will have a till prompt system for alcohol products.
When prompted, staff will adopt a Challenge 25 proof of age scheme.
Only recognised forms of photographic identification such as Passport, Photo Driving Licence, 'Proof of Age' card, Military ID or any other form of identification agreed with the police will be accepted as proof of age. If the appropriate proof of age is not produced there will be no sale.
Notices are to be prominently displayed advising customers of the Challenge 25 policy.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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 in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

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 birth or adoption certificate issued 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 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 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.

Continued from previous page...

- 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 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, 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.

Continued from previous page...

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.

Home Office online right to work checking service

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

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

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

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

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o 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.
 - o 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.
 - o 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.
 - o 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:
 - o 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.
 - o 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.
 - o 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.

Continued from previous page...

- 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:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o 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;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o 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.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00

Continued from previous page...

Capacity 80000-89999 £56,000.00
Capacity 90000 and over £64,000.00

* Fee amount (£)

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to 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.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/stevenage/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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

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

OFFICE USE ONLY

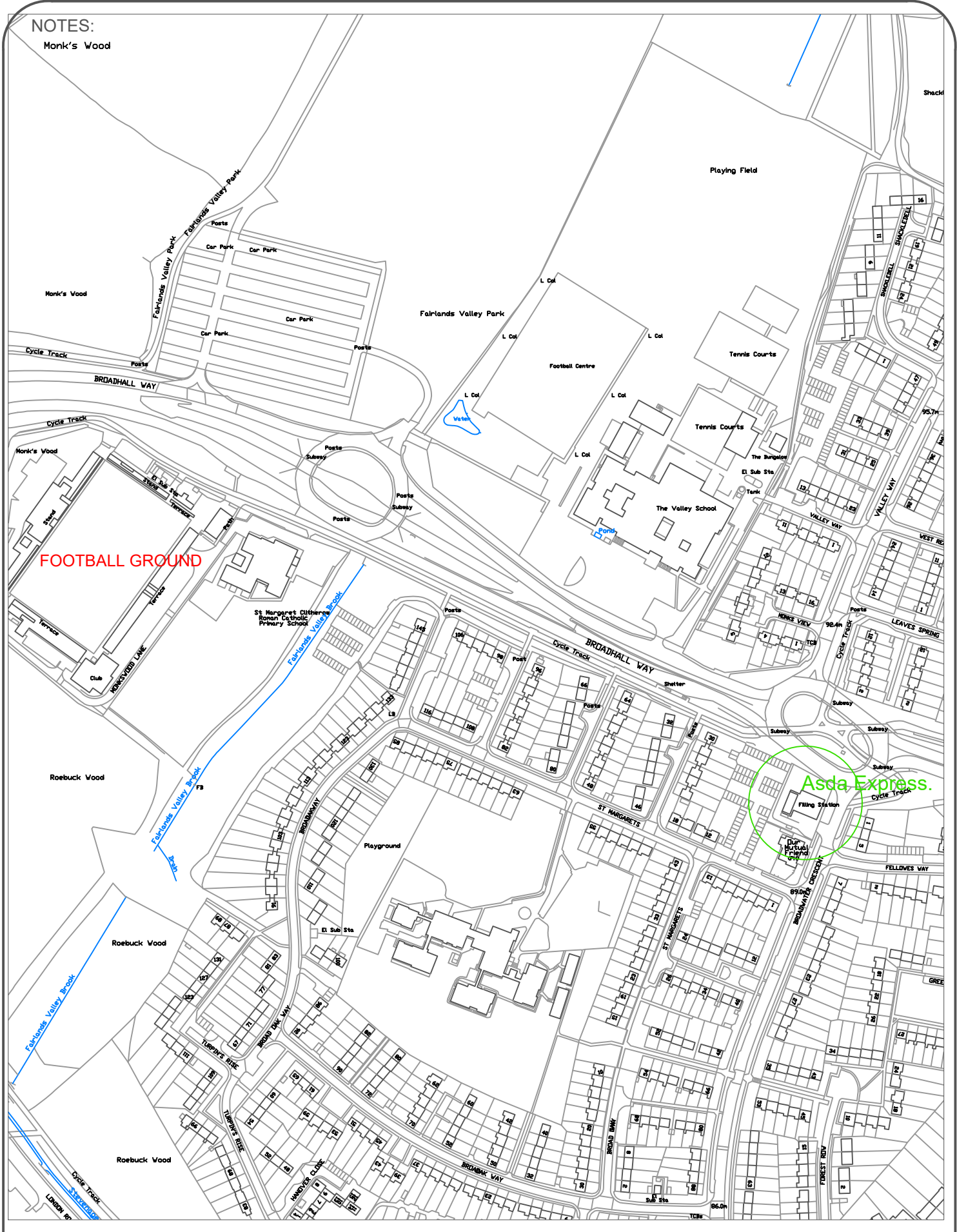
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Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
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Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)

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NOTES:
Monk's Wood



STEVENAGE BOROUGH COUNCIL
Zayd Al-Jawad
Head of Planning and Engineering
Daneshill House,
Danestrete,
Stevenage,
Herts, SG1 1HN.
Telephone: (01438) 242242

PROJECT:
**ASDA EXPRESS
BROADWATER CRES/
BROADHALL WAY**

DRAWING:
Page 45

DATE:
MAY 2024

DRAWN BY:
SPB

CHECKED:

SCALE:

no: Revision Date:

DRAWING NUMBER:

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Appendix C

Representations from Police and Planning

Application No : 24/00296/LIC
Location : Broadwater Service Station Broadwater Crescent
Proposal : Grant of a premises licence for Asda Express Petrol Filling Station-Broadwater Broadwater Crescent
Drawing Nos.:
Applicant :
Date Valid: 23 April 2024
Recommendation: OBJECTION TO THE PROPOSED DEVELOPMENT

SITE HISTORY

2/0335/96 – Demolition of existing petrol filling station and redevelopment of new petrol filling station. 04.02.1997 Granted.

99/00039/FP Installation of Automatic Telling Machine 08.04.1999 PER

06/00300/PATELE Swap out of existing lamp column and replacement with 12.5m high dual purpose mast with three associated equipment cabinets 19.07.2006 PARFU

07/00264/FP Installation of free standing cash machine 15.07.2010 NOTPRO

14/00283/AD 5 no. non-illuminated fascia signs, 2 no. internally illuminated static fascia signs and 1 no. internally illuminated static sign 31.07.2014 ADGRAN

15/00206/AD Erection of 2no. externally illuminated breaking wave signs, 2no. externally illuminated blade signs, 2no. non-illuminated koala signs and 8no. non-illuminated pump number signs. 27.05.2015 ADGRAN

16/00629/FP Retention of free standing ATM. 02.11.2016 PER

16/00630/AD Retention of 1no. internally illuminated ATM fascia sign 02.11.2016 ADGRAN

16/00725/FP Retention of single storey rear extension and detached storage container 01.12.2016 PER

DEVELOPMENT

Application for a new premises license.

AGENT

No Agent

APPLICANT

The Licensing Officer
Stevenage Borough Council
Daneshill House
Danestrete
Stevenage
Herts
SG1 1HN

WARD: Roebuck
GREEN BELT: No
CONSERVATION AREA: No
LISTED BUILDING: No

TREE PRES. ORDER: No

SUMMARY OF RECOMMENDATION

Objection – there are conditions attached to the premises restricting the hours of opening.

APPLICATION SITE AND SURROUNDINGS

The application site is a petrol filling station with associated retail shop located on the western side of Broadwater Crescent, at its northern most junction with Broadhall Way in a residential area of the town. To the south is a public house (Mutual Friend) and there are residential dwellings all around the site.

PROPOSAL

The application seeks a premises licence for the following:

- The provision of Late night refreshment – Monday-Sunday, 23:00hrs until 05:00hrs
- The sale of alcohol – Monday -Sunday, 00:00hrs until 24:00hrs
- Opening hours of the premises – Monday to Sunday, 00:00hrs until 24:00hrs

CONSULTATION & RESPONSES

Notices

No Site Notice Required.

No Press Notice Required.

Summary of consultation responses

Consulted:

Consultee	Date Consulted
-----------	----------------

Responses:

Consultee	Comment
-----------	---------

Neighbour responses

In Support	Against	Comments	Neighbours Notified	Contributors Received
0	0	0	0	0

PLANNING POLICY CONTEXT

A revised National Planning Policy Framework (NPPF) was published in December 2023. This made significant changes to the September 2023 version and revised policy with respect to the following:

- maintaining supply and delivery of housing.
- making effective use of land with the allowance of mansard roof extensions to suitable properties.
- significant uplift in the average density of residential development can be seen as being inappropriate if the built form is out of character.
- strengthening policies around achieving well-designed and beautiful places.
- requirement for councils to prepare Local Design Codes.
- no longer a requirement to review or change Green Belt boundaries when plans are being prepared or updated.
- local planning authorities should now give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic.
- change to policies on Biodiversity.

The Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up-to-date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted (para.12).

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Stevenage Borough Council comprises the following documents:

- The Stevenage Borough Council Local Plan 2011-2031 (adopted 2019)
- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014); and
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007).

Other Policies

Public Sector Equality Duty (PSED)

ASSESSMENT AND REASONED JUSTIFICATION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the development plan unless material consideration indicate otherwise'.

The proposal raises the following key issues:

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

Comments

In 1996 a planning application was granted permission for the redevelopment of the petrol station. Condition 11 of this permission restricts opening hours of the retail shop to 7am to 11.30pm in order to protect the amenities of neighbouring residential dwellings. The condition also stipulates that these hours shall not be amended without first submitting a planning application to the Local Planning Authority.

No planning application has been submitted since this permission was granted that has amended the details of this condition and as such, the licence application which is seeking to operate the retail store 24 hours a day would be a breach of planning control.

Conclusion

The hours sought in the licence application would result in a breach of planning control which could lead to enforcement action. The Local Planning Authority will need to receive a planning application to amend the opening hours at which point a full and detailed assessment could be undertaken as to the potential impacts of 24 hour operations within a densely populated residential area. The licence variation should not be supported until such time as the hours of operation have been assessed under an application for planning permission.

RECOMMENDATION

OBJECTION

INFORMATIVES

1. This determination refers to the following plans:
 - Application form
 - Premises plan
 - Consent form

OFFICER: Linda Sparrow

DATE: 9 May 2024



Licensing Act 2003

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES
Stevenage Borough Council LICENSING AUTHORITY

Responsible Authority: Hertfordshire Constabulary

Your Name	Gillian Akroyd
Job Title	Senior Licensing Officer
Postal address	Stevenage Police Station Lytton Way Stevenage Herts, SG1 1HF
Email Address	Gillian.akroyd@herts.police.uk
Contact telephone number	01438 757370 or 07734496130

Name of the premises you are making a representation about	Asda Express PFS Broadwater	
Address of the premises you are making a representation about	Broadwater Crescent, Stevenage	
Is this the first objection in respect of these premises	Yes	<small>Brief details / cross reference</small>

Hertfordshire Constabulary, being a nominated Responsible Authority under the Licensing Act 2003, wish to make representation to this application.

Our representation(s) are made in consideration to the below licensing objectives, as we believe the operating schedule does not adequately demonstrate how you, the applicant will best support this.

Licensing Objections

<i>Which of the four licensing Objectives does your representation relate to?</i>	<i>Yes Or No</i>	<i>Evidence supporting representation or reason for representation. Please use continuation sheet as required</i>
Crime and Disorder	Y	<p>Police have concerns with regard to the application for a 24-hour alcohol licence for these premises.</p> <p>Over the past twelve months, there have been various incidents recorded at the shop, where Police have been called to assist.</p> <p>This includes aggressive customers, shoplifting, suspected drink drive, anti-social behaviour by youths and assault on staff.</p> <p>Unfortunately, this shop has been the subject of targeted shoplifting.</p> <p>A recent example of this was on 04052024, when Pc Helen Hart confirmed that there was a report of the panic alarm being activated for a threatening customer, who had been shoplifting, against the lone shop worker, (the shoplifter had left prior to their arrival).</p> <p>When the Officers arrived, they saw that the door had been locked from the inside and had to be let in by the staff member. Once inside and interviewing the victim, it became clear that he was on his own and unable to manage the shop whilst helping with police enquiries. There were customers having to wait outside, becoming agitated. PC Hart felt that there was no control over the shop.</p> <p>There have been alcohol related incidents at the neighbouring Public House, which have spilled out on to the forecourt of the Petrol Station and has caused distress and alarm to the staff working at the site. Information available).</p> <p>The timings requested – (24 hours) are not conducive to the site where the premises are situated in Stevenage. There is a 'lively' Public House next door, and this is along the direct route from the Lamex Stadium, which houses the First Division Stevenage Football Team, and serves both home and away fans attending the shop both during day matches and evening matches.</p> <p>Th current Manager has aired his concerns, as when the shop previously had an alcohol licence which was relinquished, he had concerns about the shop having customers stealing alcohol which was and will be sited at the front door, and beside the toilets, where customers have been known to take stolen goods to that area.</p>

Public safety	Y	Concerns raised by the local Police Sergeant for that area, who believes that there is an issue with granting a licence at these premises in relation to the physical layout and location of the garage. Implementing a 24-hour alcohol license will generate an increase in vehicle traffic and there is very limited parking on-site other than at the pumps. Unlike other ASDA locations in town where parking is greater. Also, the location involves egressing directly onto a busy roundabout which has been an accident hotspot previously due to the roundabout being on a fast road and the approach to the roundabout is on a bend.
To prevent public nuisance	Y	The Regional Manager for Our Mutual Friend has also raised concerns about the proposal of Asda Express applying for an alcohol licence, due to them already experiencing people purchasing alcohol elsewhere, and after closing time of that pub, sitting on the Pubs furniture, consuming the alcohol that has been purchased elsewhere and causing nuisance to local residents. Police and Council have been called about these concerns.
To protect children from harm	N/A	N/A

The below additions to the Schedule as provided at Part 4 of the application, identifies those matters that we believe are necessary, to promote the licensing objectives.

<p>Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.</p>	<p>Police Senior Licensing Officer in company with the Local Officer for Broadwater, has attended the site and spoken at length with the current Manager.</p> <p>He has been responsible for the shop and garage for some years and has shown concern that there will be a lack of staff, and adding an alcohol licence, generally, would exacerbate the situation.</p> <p>Discussion took place about timings, and he explained that though currently there is no alcohol on site, he still has customers arrive late at night requesting alcohol, and who are not happy when there is none available, especially following the closing time of the pub next door (between 11pm and midnight).</p> <p>At this time, should the alcohol licence be issued, the owner of the shop (Asda), intends for the shop to close and lock the doors at 11pm, but still serve alcohol over the 24-hour period.</p> <p>The Manager has informed the attending Police SLO, that he would prefer not to have any form of Alcohol on site, but should this be compulsory, he would recommend that alcohol should only be served from 9am until 10pm.</p> <p style="text-align: center;">Page 55</p>
--	---

Conclusion:

Police have concerns, as above, in relation to this shop holding an alcohol licence at this time.
The proposals for a 24 hour alcohol licence is not deemed acceptable or feasible, due to the size of the premises, the lack of staff managing this very busy shop, (especially at night), when there is only one assistant working on site after 5pm, and the shop items and petrol station all available to customers.

Due to those concerns shown by Police Senior Licensing Officer, local Police Sergeant and Police Constables, the Regional Manager for the neighbouring Public House and the Manager of the shop on site, Police **are objecting to this application.**

Should you require clarification on any matter being made, please contact the named officer to discuss further.

Signed: GKAkroyd

.....

Date: ...21st May 2024.....

Note for Officers:

Please submit this form along with any additional sheets to: Licensing at Stevenage Borough Council or email to licensing@stevenage.gov.uk

This form must be returned within the Statutory Period.

Appendix D

Mediation correspondence between the applicant,
Police and Planning

Mary O'Sullivan

From: AKROYD, Gillian 7779 <Gillian.Akroyd@herts.police.uk>
Sent: 31 May 2024 16:59
To: Richard Taylor; Mary O'Sullivan
Cc: Licensing; Julie Dwan; Janet Braithwaite; R Licensing Eastern Area
Subject: [External] RE: Asda Express, Broadwater, Stevenage GTE:0009500002949

Follow Up Flag: Follow up
Flag Status: Flagged

Thank you Richard, this is acceptable to police, and will be withdrawing the objection,

Kind regards,

Gill

From: Richard Taylor <RJT@gosschalks.co.uk>
Sent: Friday, May 31, 2024 3:40 PM
To: AKROYD, Gillian 7779 <Gillian.Akroyd@herts.police.uk>; Mary O'Sullivan <Mary.O'Sullivan@stevenage.gov.uk>
Cc: Licensing <Licensing@stevenage.gov.uk>; Julie Dwan <Julie.Dwan@stevenage.gov.uk>; Janet Braithwaite <janet_braithwaite@gosschalks.co.uk>; R Licensing Eastern Area <LicensingEasternArea@herts.police.uk>
Subject: RE: Asda Express, Broadwater, Stevenage GTE:0009500002949

Hi Gill

I've taken instructions and Asda is happy to agree the following –

Save for in exceptional circumstances, there will be at least 2 members of staff on site between the hours of 0600 and 2200.

The caveat is simply to allow for circumstances when someone calls in sick and a replacement is being sought/en route. The intention is that the store will never be single manned unless all sales are through the night hatch.

Please confirm this is acceptable.

Kind regards

Richard Taylor | Partner | Head of Licensing Department

01482 590216 | E: rt@gosschalks.co.uk

Queens Gardens, Kingston Upon Hull, HU1 3DZ

DD: 01482 590216 | F: 0870 600 5904 | M: 07949 777777 | Reception: 01482 590252 | www.gosschalks.co.uk

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If, during the course of this matter, you receive an email or phone call purporting to be from Gosschalks informing you that our bank details have changed, it is likely to be an attempted fraud. If this happens, please report it immediately to our Cashiers Department on 01482 590203 who will verify our bank details and, if necessary, report the matter to the police.

From: AKROYD, Gillian 7779 <Gillian.Akroyd@herts.police.uk>
Sent: Friday, May 31, 2024 2:48 PM
To: Richard Taylor <RJT@gosschalks.co.uk>; Mary O'Sullivan <Mary.O'Sullivan@stevenage.gov.uk>
Cc: Licensing <Licensing@stevenage.gov.uk>; Julie Dwan <Julie.Dwan@stevenage.gov.uk>; Janet Braithwaite

<janet_braithwaite@gosschalks.co.uk>; R Licensing Eastern Area <LicensingEasternArea@herts.police.uk>
Subject: RE: Asda Express, Broadwater, Stevenage GTE:0009500002949

CAUTION: This email originated from outside the firm. Think before opening attachments and following links.

Many thanks Richard,

Would you confirm that this will go on as a condition of the licence, and then I will ensure that the objection to the application is withdrawn,

Kindest regards,

Gill

From: Richard Taylor <RJT@gosschalks.co.uk>
Sent: Friday, May 31, 2024 2:42 PM
To: AKROYD, Gillian 7779 <Gillian.Akroyd@herts.police.uk>; Mary O'Sullivan <Mary.O'Sullivan@stevenage.gov.uk>
Cc: Licensing <Licensing@stevenage.gov.uk>; Julie Dwan <Julie.Dwan@stevenage.gov.uk>; Janet Braithwaite <janet_braithwaite@gosschalks.co.uk>; R Licensing Eastern Area <LicensingEasternArea@herts.police.uk>
Subject: RE: Asda Express, Broadwater, Stevenage GTE:0009500002949

Dear Gillian

I have just received notification from Asda that following a review of the staffing levels at these premises, additional resources are to be provided. The effect of this will be that as of next week, these premises will have a minimum of two members of staff working at all times between 0600 and 2200. Thereafter, when the premises is using the night hatch and therefore, members of the public cannot be admitted, the premises may be single manned.

If you have any further queries then please do not hesitate to contact me.

Kind regards

Richard Taylor | Partner | Head of Licensing Department
15, London Road, Luton, Bedfordshire LU1 3JF
120, Kings Gardens, Kington Upon Hull, HU1 3DZ
DD: 01482 590216 | F: 0570 0201198 | M: 07575 10551 | Reception: 01482 320000 | www.gosschalks.co.uk

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If, during the course of this matter, you receive an email or phone call purporting to be from Gosschalks informing you that our bank details have changed, it is likely to be an attempted fraud. If this happens, please report it immediately to our Cashiers Department on 01482 590203 who will verify our bank details and, if necessary, report the matter to the police.

From: AKROYD, Gillian 7779 <Gillian.Akroyd@herts.police.uk>
Sent: Friday, May 31, 2024 12:10 PM
To: Richard Taylor <RJT@gosschalks.co.uk>; Mary O'Sullivan <Mary.O'Sullivan@stevenage.gov.uk>
Cc: Licensing <Licensing@stevenage.gov.uk>; Julie Dwan <Julie.Dwan@stevenage.gov.uk>; Janet Braithwaite <janet_braithwaite@gosschalks.co.uk>; R Licensing Eastern Area <LicensingEasternArea@herts.police.uk>
Subject: RE: Asda Express, Broadwater, Stevenage GTE:0009500002949

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Many thanks Richard, and will await your update,

Kindest regards,

Gill

From: Richard Taylor <RJT@gosschalks.co.uk>

Sent: Friday, May 31, 2024 11:57 AM

To: AKROYD, Gillian 7779 <Gillian.Akroyd@herts.police.uk>; Mary O'Sullivan <Mary.O'Sullivan@stevenage.gov.uk>

Cc: Licensing <Licensing@stevenage.gov.uk>; Julie Dwan <Julie.Dwan@stevenage.gov.uk>; Janet Braithwaite <janet_braithwaite@gosschalks.co.uk>; R Licensing Eastern Area <LicensingEasternArea@herts.police.uk>

Subject: RE: Asda Express, Broadwater, Stevenage GTE:00095000002949

Hi Gillian

Apologies for the delay in replying.

I confirm that I have raised the issue of staffing levels with Asda. This has been escalated and I'll come back to you ASAP.

Regards

Richard Taylor | Partner | Head of Licensing Department

Assistant Chief Constable

Queens Gardens, Kingston Upon Hull, HU1 3JF

DD: 01482 590216 | F: 0870 600 9984 | M: 07949 131031 | Reception: 01482 590277 | www.gosschalks.co.uk

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From: AKROYD, Gillian 7779 <Gillian.Akroyd@herts.police.uk>

Sent: Thursday, May 30, 2024 10:31 AM

To: Mary O'Sullivan <Mary.O'Sullivan@stevenage.gov.uk>; Richard Taylor <RJT@gosschalks.co.uk>

Cc: Licensing <Licensing@stevenage.gov.uk>; Julie Dwan <Julie.Dwan@stevenage.gov.uk>; Janet Braithwaite <janet_braithwaite@gosschalks.co.uk>; R Licensing Eastern Area <LicensingEasternArea@herts.police.uk>

Subject: RE: Asda Express, Broadwater, Stevenage GTE:00095000002949

CAUTION: This email originated from outside the firm. Think before opening attachments and following links.

Good morning Richard,

I would just like to pick up on the subject of staffing, which we had discussed during our negotiations.

Have you had the chance to speak with the company with regard to this, at all?

Many thanks, and a prompt reply would assist, before I confirm to the Licensing Authority,

Kindest regards,

Gill

Gillian Akroyd 7779
Community Safety Unit
Senior Licensing Officer
Stevenage



HERTFORDSHIRE

CONSTABULARY

Office: 01438 757370

Mobile: 07734496130

Gillian.akroyd@herts.police.uk

Prevention First

In a non-emergency, [report information online](#), [speak to us via web chat](#) or call via [101](#) (in an emergency, always dial 999).

From: AKROYD, Gillian 7779 <Gillian.Akroyd@herts.police.uk>

Sent: Tuesday, May 28, 2024 1:09 PM

To: Mary O'Sullivan <Mary.O'Sullivan@stevenage.gov.uk>; Richard Taylor <RJT@gosschalks.co.uk>

Cc: Licensing <Licensing@stevenage.gov.uk>; Julie Dwan <Julie.Dwan@stevenage.gov.uk>; Janet Braithwaite <janet_braithwaite@gosschalks.co.uk>; R Licensing Eastern Area <LicensingEasternArea@herts.police.uk>

Subject: RE: Asda Express, Broadwater, Stevenage GTE:0009500002949

Good morning Mary and Richard,

I agree with the amendment of conditions stated below, and would add that, as discussed with Richard, the Company will re-visit the staffing levels at the Broadwater Asda Express Service Station, during the evening/overnight shifts, due to concerns raised in the Police representation.

Kind regards,

Gillian Akroyd 7779

**Senior Licensing Officer
Stevenage Police**



Office: 01438 757370

Mobile: 07734496130

Gillian.akroyd@herts.police.uk

Prevention First

In a non-emergency, [report information online](#), [speak to us via web chat](#) or call via [101](#) (in an emergency, always dial 999).

From: Richard Taylor <RJT@gosschalks.co.uk>

Sent: Tuesday, May 28, 2024 9:57 AM

To: Mary O'Sullivan <Mary.O'Sullivan@stevenage.gov.uk>; Janet Braithwaite <janet_braithwaite@gosschalks.co.uk>

Cc: Licensing <Licensing@stevenage.gov.uk>; AKROYD, Gillian 7779 <Gillian.Akroyd@herts.police.uk>

Subject: RE: Asda Express, Broadwater, Stevenage GTE:0009500002949

Dear Mary

Thank you for the email below which has been passed to me as I have overall responsibility for all Asda applications.

I have discussed this with Gillian Akroyd of Hertfordshire Constabulary and am pleased to confirm that we have reached agreement on an amendment to the hours for alcohol sales and three new conditions.

Please accept this email as an amendment to the application such that the hours sought for alcohol sales are reduced to 0600-2300 every day.

Furthermore, we have agreed the following additional conditions –

- All sales between 2200 and 0600 will be made through the night hatch
- Members of the public will not be permitted to enter the premises between 2200 and 0600. For the avoidance of doubt, this does not apply to officers of the emergency services
- The provision of late night refreshment will be limited to the sale of hot drinks only.

I have copied Gillian into this email in order that she can confirm that subject to these amendments, the representation from the police is withdrawn.

I will email you separately with regard to planning.

Regards

Richard Taylor | Partner | Head of Licensing Department

Asda Express, Broadwater, Stevenage

Queens Gardens, Kingston upon Hull, HU1 3DZ

DD: 01482 590216 | F: 0870 600 5984 | M: 07949 1329 | Richard.Taylor@gosschalks.co.uk | www.gosschalks.co.uk

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From: Mary O'Sullivan <Mary.O'Sullivan@stevenage.gov.uk>

Sent: Friday, May 24, 2024 4:27 PM

To: Janet Braithwaite <janet_braithwaite@gosschalks.co.uk>

Cc: Licensing <Licensing@stevenage.gov.uk>

Subject: Asda Express, Broadwater, Stevenage

CAUTION: This email originated from outside the firm. Think before opening attachments and following links.

Dear Janet,

As discussed, please find a copy of the Police objection to this premises licence application.

Kind regards

Mary O'Sullivan | Licensing Officer | Stevenage Borough Council | Daneshill House, Danestrete, Stevenage, Herts., SG1 1HN

Tel: 01438 242724 | 07759 855295 Email: Mary.O'Sullivan@stevenage.gov.uk Web: www.stevenage.gov.uk





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MARY O'SULLIVAN

From: AKROYD, Gillian 7779 <Gillian.Akroyd@herts.police.uk>
Sent: 28 May 2024 13:09
To: Mary O'Sullivan; Richard Taylor
cc: Licensing; Julie Dwan; Janet Braithwaite; R Licensing Eastern Area
Subject: [External] RE: Asda Express, Broadwater, Stevenage
GTE:00095000002949

Categories: Yellow Category

Good morning Mary and Richard,

I agree with the amendment of conditions stated below, and would add that, as discussed with Richard, the Company will re-visit the staffing levels at the Broadwater Asda Express Service Station, during the evening/overnight shifts, due to concerns raised in the Police representation.

Kind regards,

Gillian Akroyd 7779

Senior Licensing Officer
Stevenage Police



Office: 01438 757370

re ntion Fi rst

Mobile: 07734496130

Gillian.akroyd@herts.police.uk

In a non-emergency, [report information online](#), [speak to us via web chat](#) or call via 101 (in an emergency, always dial 999).

From: Richard Taylor <RJT@gosschalks.co.uk>

Sent: Tuesday, May 28, 2024 9:57 AM

To: Mary O'Sullivan <Mary.O'Sullivan@stevenage.gov.uk>; Janet Braithwaite <janet_braithwaite@gosschalks.co.uk>

Cc: Licensing <Licensing@stevenage.gov.uk>; AKROYD, Gillian 7779 <Gillian.Akroyd@herts.police.uk> Subject:

RE: Asda Express, Broadwater, Stevenage GTE:00095000002949

Dear Mary

Thank you for the email below which has been passed to me as I have overall responsibility for all Asda applications. I have discussed this with Gillian Akroyd of Hertfordshire Constabulary and am pleased to confirm that we have reached agreement on an amendment to the hours for alcohol sales and three new conditions.

Please accept this email as an amendment to the application such that the hours sought for alcohol sales are reduced to 0600-2300 every day.

Furthermore, we have agreed the following additional conditions —

1

- All sales between 2200 and 0600 will be made through the night hatch
- Members of the public will not be permitted to enter the premises between 2200 and 0600. For the avoidance of doubt, this does not apply to officers of the emergency services
- The provision of late night refreshment will be limited to the sale of hot drinks only.

I have copied Gillian into this email in order that she can confirm that subject to these amendments, the representation from the police is withdrawn.

I will email you separately with regard to planning.

Regards

Richard Taylor | Partner | Head of Licensing Department

Cueens Gardens, Kingston upon Hull, HU1 3D/

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From: Mary O'Sullivan <Mary.O'Sullivan@stevenage.gov.uk>

Sent: Friday, May 24, 2024 4:27 PM

To: Janet Braithwaite eanet braithwaite

Cc: Licensing <Licensille

Subject: Asda Express, Broadwater, Stevenage

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Dear Janet,

As discussed, please find a copy of the Police objection to this premises licence application.

Kind regards

Mary O'Sullivan | Licensing Officer | Stevenage Borough Council | Daneshill House, Danestrete, Stevenage, Herts., SG1 1HN

Tel: 01438 242724 | 07759 855295 Email: Mary.O'Sullivan@stevenage.gov.uk Web: www.stevenage.gov.uk



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~~MARY O'SULLIVAN~~

From: AKROYD, Gillian 7779 <Gillian.Akroyd@herts.police.uk>
Sent: 28 May 2024 09:53
To: Mary O'Sullivan; Julie Dwan
Subject: [External] RE: SBCL0277 - Asda Express Premises Licence

Follow Up Flag: Foilow up
Flag Status: Flagged

Categories: Yellow Category

Good morning,

I have just had a call from the Lead Solicitor, Richard Taylor, Gosschalks Solicitors, who act on behalf of Asda. After negotiation, he will be adjusting the application, and once this is sent through, should this be what has been agreed, I will withdraw my application.

Kindest regards,

Gill

From: Mary O'Sullivan <Mary.O'Sullivan@stevenage.gov.uk>
Sent: Thursday, May 23, 2024 2:08 PM
To: AKROYD, Gillian 7779 <Gillian.Akroyd@herts.police.uk>
Subject: SBCL0277 - Asda Express Premises Licence

It was good to speak with you today and as discussed in respect the objections you have raised for the Asda Premises Licence Application, could I please ask that as part of the mediation process that you consider any additional conditions that you feel might assist to negate your concerns and support the licensing objectives.

Best wishes

Mary

Mary O'Sullivan I Licensing Officer I Stevenage Borough Council I Daneshill House, Danestrete, Stevenage, Herts., SG1 2LN

Tel: 01438 242724 | 07759 855295 Email: Mary.O'Sullivan@stevenage.gov.uk Web: www.stevenage.gov.uk



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Mary O'Sullivan

From: Mary O'Sullivan
Sent: 29 May 2024 09:55
Linda Sparrow
Subject: RE: Asda Express PFS Broadwater, Broadwater Crescent, Stevenage GTE:00095000002951

Categories: Yellow Category

Tracking:

Recipient	Delivery	Read
Linda Sparrow	Delivered: 29/05/2024 09:55	Read: 29/05/2024 09:56

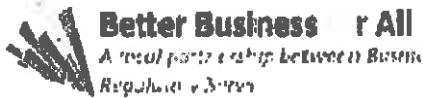
Hi Linda,
Did you get a response to your representation?

Many thanks

Mary'

Mary O'Sullivan | Licensing Officer | Stevenage Borough Council | Daneshill House, Danestrete, Stevenage, Herts., SG1 1HN

-rel: 01438 242724 | 07759 855295 Email: Mary.O'Sullivan@stevenage.gov.uk Web: www.stevenage.gov.uk



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From: Linda Sparrow <Linda.Sparrow@stevenage.gov.uk>
Sent: Tuesday, May 28, 2024 2:35 PM
To: Richard Taylor <RJT@gosschalks.co.uk>; Janet Braithwaite <janet_braithwaite@gosschalks.co.uk>
Cc: Phil Wortley <Phil.Wortley@stevenage.gov.uk>; Julie Dwan <Julie.Dwan@stevenage.gov.uk>; Mary O'Sullivan <Mary.O'Sullivan@stevenage.gov.uk>
Subject: RE: Asda Express PFS Broadwater, Broadwater Crescent, Stevenage GTE:00095000002951

Hi Richard,

My name is Linda and I am the Senior Planning Officer that was handling the original planning consultation on the licence variation.

The Local Planning Authority (LPA) is unable to remove its objection to the licence variation application because it does not align with the requirements of the planning application that covers this site. As I understand it, if there remains an objection to the application then it must be referred to the Licencing Committee. If you/your client wish to avoid proceeding to Licencing Committee then you will need to amend your licence application to accord with the details of the planning application (reference 2/0335/96) such that we can then remove our objection. Failure to amend the application will mean that we cannot remove our objection.

Should the application not be amended and the application is referred to the Licencing Committee and you receive an approval, then this still does not mean that the premises can operate at those hours as their would be a breach of planning control which the LPA reserves the right to investigate and enforce against through issuing a Breach of Condition Notice which would require cessation of all operations outside the prescribed hours with immediate effect,

Accordingly, there are two options as I see it:

1. Submit an amendment to the licence application to bring the hours of operation into alignment with the planning application;
2. Proceed as is, and if you are granted the licence by the Committee then submit a Section 73 planning application to vary the condition prior to commencing operations.

If following option 1 then you can always submit a planning application to vary the condition at a later date and then apply for another variation of the licence if approved.

For clarity, the approved hours of operations for the retail shop, as stipulated in condition 11 attached to planning permission 2/0335/96, are 7.00am to 11.30pm.

Kind regards,

Linda Sparrow | Senior Planning Officer | Development Management | Stevenage Borough Council

| Email. linda.sparrow@stevenage.gov.uk | Phone: 07931 863551 Please note I work from home

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Warning: all information provided on your planning application is now publicly available. Individuals and organisations offering their services may contact YO.I. The Council does not endorse or approve any builders, surveyors, trades persons or other supplier, and advises householders to obtain quotes/references: and check the legitimacy of any contractor who contacts them before making payment.

From: Richard Taylor <RJT@rosschalks.co.uk>

Sent: Tuesday, May 28, 2024 12:27 PM

To: Mary O'Sullivan <Mary.O'Sullivan@stevenage.gov.uk>; Janet Braithwaite <janet_braithwaite@gosschalks.co.uk>
<Linda.Sparrow@stevenage.gov.uk>; Phil Wortley <Phil.Wortley@stevenage.gov.uk>; Julie Dwan
Cc: Linda Sparrow Phil Wortley
<Julie.Dwan@stevenage.gov.uk>
Subject: [External] RE: Asda Express PFS Broadwater, Broadwater Crescent, Stevenage GTE:0009500002951

Hi Mary

Thanks so much for that.

I'll wait to hear from you.

Take care

Richard Jaylot | Partner Head of Licensing Department

Queens Gardens, Kingston Upon Hull, HU1 3DZ

DD: 01482 590216 F: 0770005684 M: www.zosshalks.co.uk

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From: Mary O'Sullivan <Mary.O'Sullivan@stevenage.gov.uk>
Sent: Tuesday, May 28, 2024 12:07 PM
To: Richard Taylor <RJT@gosschalks.co.uk>
Cc: Linda Sparrow <Lind@Sparrow@stevenage.gov.uk>; Phil Wortley <Phil.Wortley@stevenage.gov.uk>; Julie Dwan <Julie.Dwan@stevenage.gov.uk>
Subject: RE: Asda Express PFS Broadwater, Broadwater Crescent, Stevenage GTE:0009500002951

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Dear Richard,

I will forward your E mail to the planning department and would ask that mediation take place between you both. I await confirmation from the Police that their objection will officially be withdrawn and we can regroup and see if there is a need for a committee meeting.

Kind regards

Mary O'Sullivan | Licensing Officer | Stevenage Borough Council | Daneshill House, Danestrete, Stevenage, Herts., SG1 1HN
Tel: 01438 242724 | 07759 855295 Email: Mary.O'Sullivan@stevenage.gov.uk Web: www.stevenage.gov.uk



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From: Richard Taylor <RJT@1QSS1halks.co.uk>
Sent: Tuesday, May 28, 2024 11:01 AM
To: Mary O'Sullivan <Mary.O'Sullivan@stevenage.gov.uk>; Julie Dwan <Julie.Dwan@stevenage.gov.uk>
Cc: Janet Braithwaite <Janet.Braithwaite@hoss1halks.co.uk>
Subject: [External] Asda Express PFS Broadwater, Broadwater Crescent, Stevenage GTE:00095000002951

Good morning

I understand from Gillian Akroyd that the police representation is to be withdrawn following the amendments that I made and notified you of earlier.

If that's correct then the only representation is that from the planners.

As you may know, Asda acquired the Euro Garages Ltd estate about 6 months ago. The application premises have (I'm told) been trading 24 hours for many years.

Having received the representation from planning, I have passed this to those who deal with planning matters for Asda and have been advised that this will be investigated and the appropriate planning application will be submitted if required.

I am very keen to avoid a hearing here if at all possible and mindful of the s182 guidance which is clear that there should be "proper separation" between the planning and licensing regimes, I wonder if those responsible for the planning both at the authority and at Asda could have those discussions outside of the licensing forum. As there is only a representation from the planners which relates solely to planning (rather than licensing) issues, it seems inappropriate to convene a licensing hearing.

If this is to proceed to a hearing, I will be dealing with it and I'd be grateful if we could avoid the following dates where I already have hearings.

June - 13, 14, 17, 18, 19
July — 5, 8-12 incl

I know that some of these dates are outside the 20 working day window but can confirm that Asda will agree for the hearing to be listed outside of the prescribed timescales to accommodate my availability.

Hopefully the listing will be academic and we can leave the planning people to sort the planning matters between them.

Kind regards

Richard Iaylor | Partner | Head of Licensing Department

Richard Iaylor | Partner | Head of Licensing Department

Queens Gardens, Kingston Upon Hull, HU1 3DZ

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From: Mary O'Sullivan
Sent: 30 May 2024 09:10
To: RJT@gosschalks.co.uk
cc: Phil Wortley; Julie Dwan
Subject: Licensing Committee Hearing 14.06.24 at 10am - Asda Express, Broadwater, Stevenage.

Tracking:	Recipient	Delivery	Read
	RJT@gosschalks.co.uk		
	Phil Wortley	Delivered: 30/05/2024 09:10	Read: 30/05/2024 10:53
	Julie Dwan	Delivered: 30/05/2024 09:10	
	Committees	Delivered: 30/05/2024 09:10	

Dear Richard,

The date for the Licensing Committee Hearing in respect of Asda Express Broadwater, has been set as 14.06.24 at 10:00am. This has been decided upon by constitutional services and is within the 20 days from the date after the consultation period finished. This application does not have a separate planning application running alongside this premises licence application so it would not be in the public interest to justify a delay which is in line with the guidance.

If it is your intention to ask for an adjournment, then it would need to be in writing, setting out the reasons, alternatively a representative can attend in your place and request an adjournment - which will be at the discretion of the licensing committee.

Kind regards

Mary

Mary O'Sullivan | Licensing Officer | Stevenage Borough Council | Daneshill House, Danestrete, Stevenage, Herts., SG1 2LN
Tel: 01438 242724 | 07759 855295 Email: Mary.o'sullivan@stevenage.gov.uk Web: www.stevenage.gov.uk



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From: Mary O'Sullivan
Sent: 30 May 2024 10:27
To: AKROYD, Gillian 7779
Subject: RE: Conditions Query - Asda Express, Broadwater, Stevenage

Categories: Yellow Category

Yes no problem, will do.

Many thanks

Mary

Mary O'Sullivan | Licensing Officer | Stevenage Borough Council | Daneshill House, Danestrete, Stevenage, Herts., SG1 1HN

Tel: 01438 242724 | 07759 855295 Email: Mary.O'Sullivan@stevenage.gov.uk Web: www.stevenage.gov.uk

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From: AKROYD, Gillian 7779 <Gillian.Akroyd@herts.police.uk>
Sent: Thursday, May 30, 2024 10:26 AM
To: Mary O'Sullivan <Mary.O'Sullivan@stevenage.gov.uk>
Subject: [External] RE: Conditions Query - Asda Express, Broadwater, Stevenage

Hi Mary,

I will speak with the rep from Gosschalks and ask him to offer that condition,
Bear with me,

Kindest regards,

Gill

From: Mary O'Sullivan <Mary.O'Sullivan@stevenage.gov.uk>
Sent: Thursday, May 30, 2024 10:01 AM

To: AKROYD, Gillian 7779 <Gillian.Akroyd@herts.police.uk>
Subject: Conditions Query - Asda Express, Broadwater, Stevenage

Good morning Gill,

Could I please confirm if you're withdrawing your objection to the Asda Express Premises Application or are you awaiting details of staffing levels in the evening and overnight — is this a condition that you request with regards to minimum staff levels between specific times? I ask as I'm putting together the committee report with a view to the Licensing Committee Hearing taking place on 14.6.24 at 10am and wanted to clear this point up.

Many thanks

Mary O'Sullivan | Licensing Officer | Stevenage Borough Council | Daneshill House, Danestrete,
Stevenage, Herts., SGI IHN
Tel: 01438 242724 | 07759 855295 Email: Mary.O'Sullivan@stevenage.gov.uk Web: www.stevenage.gov.uk



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From: AKROYD, Gillian 7779 <Gillian.Akroyd@herts.police.uk>
Sent: Tuesday, May 28, 2024 1:09 PM
To: Mary O'Sullivan <Mary.O'Sullivan@stevenage.gov.uk>; Richard Taylor <RTaylor@stevenage.gov.uk>;
Cc: nsing <licensing@stevenage.gov.uk>; Licensing
Janet Braithwaite <braithwaite@rosschalks.co.uk>; R Lio Braithwaite
<ianet@stevenage.gov.uk>; R Licensing Eastern Area <LicensingEasternArea@stevenage.gov.uk>
Subject: [External] RE: Asda Express, Broadwater, Stevenage GTE:0009500002949

Julie Dwan

Good morning Mary and Richard,

I agree with the amendment of conditions stated below, and would add that, as discussed with Richard, the Company will re-visit the staffing levels at the Broadwater Asda Express Service Station, during the evening/overnight shifts, due to concerns raised in the Police representation.

Kind regards,

Gillian Akroyd 7779

Senior Licensing Officer
Stevenage Police

Office: 01438 757370
Mobile: 07734496130



Prevention First

Gillian.akroyd@herts.police.uk

In a non-emergency, report information online. speak to us via web chat or call via 101 (in an emergency, always dial 999).

From: Richard Taylor <RJT@rosschalks.co.uk>

Sent: Tuesday, May 28, 2024 9:57 AM

To: Mary O'Sullivan <Mary.O'Sullivan@stevenage.gov.uk>; Janet Braithwaite <janet.braithwaite@rosschalks.co.uk>

Cc: Licensing <licensing@stevenage.gov.uk>; AKROYD, Gillian 7779 <Gillian.Akroyd@herts.police.uk>

Subject: RE: Asda Express, Broadwater, Stevenage GTE:00095000002949

Dear Mary

Thank you for the email below which has been passed to me as I have overall responsibility for all Asda applications. I have discussed this with Gillian Akroyd of Hertfordshire Constabulary and am pleased to confirm that we have reached agreement on an amendment to the hours for alcohol sales and three new conditions.

Please accept this email as an amendment to the application such that the hours sought for alcohol sales are reduced to 0600-2300 every day.

Furthermore, we have agreed the following additional conditions —

- All sales between 2200 and 0600 will be made through the night hatch
- Members of the public will not be permitted to enter the premises between 2200 and 0600. For the avoidance of doubt, this does not apply to officers of the emergency services
- The provision of late night refreshment will be limited to the sale of hot drinks only.

I have copied Gillian into this email in order that she can confirm that subject to these amendments, the representation from the police is withdrawn.

I will email you separately with regard to planning.

Regards

Richard Taylor | Partner | Head of Licensing Department

Queens Gardens, Kingston upon Hull, HU1 3DZ

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From: Mary O'Sullivan <Mary.O'Sullivan@stevenage.gov.uk>

Sent: Friday, May 24, 2024 4:27 PM

To: Janet Braithwaite <janet_braithwaite@gosschalks.co.uk>

<Licensing@stevenage.gov.uk>

Cc: Licensing

Subject: Asda Express, Broadwater, Stevenage

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Dear Janet,

As discussed, please find a copy of the Police objection to this premises licence application.

Kind regards

Mary O'Sullivan | Licensing Officer | Stevenage Borough Council | Daneshill House, Danestrete, Stevenage, Herts., SG1 1HN

Tel: 01438 242724 | 07759 855295 Email: Mary.O'Sullivan@stevenage.gov.uk Web: www.stevenage.gov.uk



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Appendix E

E Mail from the Planning Officer to the Applicant.

Mary O'Sullivan

From: Linda Sparrow
Sent: 29 May 2024 09:57
To: Mary O'Sullivan
Subject: RE: Asda Express PFS Broadwater, Broadwater Crescent, Stevenage
GTE:00095000002951

Hi ya,

No, not heard anything as of yet.

Kind regards,

Linda Sparrow | Senior Planning Officer | Development Management | Stevenage Borough Council | Email.
linda.sparrow@stevenage.gov.uk | Phone: 07931 863551

Please note I work from home

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From: Mary O'Sullivan <Mary.O'Sullivan@stevenage.gov.uk>
Sent: Wednesday, May 29, 2024 9:55 AM
To: Linda Sparrow <Linda.Sparrow@stevenage.gov.uk>
Subject: RE: Asda Express PFS Broadwater, Broadwater Crescent, Stevenage GTE:00095000002951

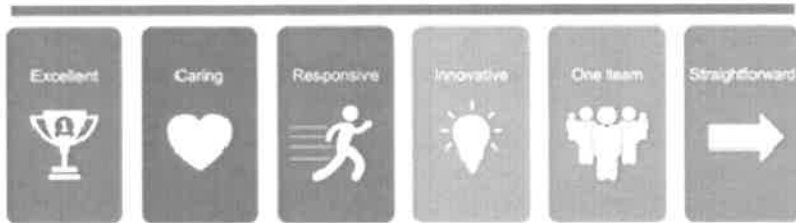
Hi Linda,

Did you get a response to your representation?

Many thanks

Mary

Mary O'Sullivan | Licensing Officer | Stevenage Borough Council | Daneshill House, Danestrete, Stevenage, Herts., SG1 1HN
Tel: 01438 242724 | 07759 855295 Email: Mary.O'Sullivan@stevenage.gov.uk Web: www.stevenage.gov.uk



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From: Linda Sparrow <Linda.Sparrow@stevenage.gov.uk>

Sent: Tuesday, May 28, 2024 2:35 PM

To: Richard Taylor <RJT@gosschalks.co.uk>; Janet Braithwaite <janet_braithwaite@gosschalks.co.uk>

Cc: Phil Wortley <Phil.Wortley@stevenage.gov.uk>; Julie Dwan <Julie.Dwan@stevenage.gov.uk>; Mary O'Sullivan <Mary.O'Sullivan@stevenage.gov.uk>

Subject: RE: Asda Express PFS Broadwater, Broadwater Crescent, Stevenage GTE:00095000002951

Hi Richard,

My name is Linda and I am the Senior Planning Officer that was handling the original planning consultation on the licence variation.

The Local Planning Authority (LPA) is unable to remove its objection to the licence variation application because it does not align with the requirements of the planning application that covers this site. As I understand it, if there remains an objection to the application then it must be referred to the Licencing Committee. If you/your client wish to avoid proceeding to Licencing Committee then you will need to amend your licence application to accord with the details of the planning application (reference 2/0335/96) such that we can then remove our objection. Failure to amend the application will mean that we cannot remove our objection.

Should the application not be amended and the application is referred to the Licencing Committee and you receive an approval, then this still does not mean that the premises can operate at those hours as their would be a breach of planning control which the LPA reserves the right to investigate and enforce against through issuing a Breach of Condition Notice which would require cessation of all operations outside the prescribed hours with immediate effect.

Accordingly, there are two options as I see it:

1. Submit an amendment to the licence application to bring the hours of operation into alignment with the planning application;
2. Proceed as is, and if you are granted the licence by the Committee then submit a Section 73 planning application to vary the condition prior to commencing operations.

If following option 1 then you can always submit a planning application to vary the condition at a later date and then apply for another variation of the licence if approved.

For clarity, the approved hours of operations for the retail shop, as stipulated in condition 11 attached to planning permission 2/0335/96, are 7.00am to 11.30pm.

Kind regards,

Linda Sparrow | Senior Planning Officer | Development Management | Stevenage Borough Council | Email.
linda.sparrow@stevenage.gov.uk | Phone: 07931 863551

Please note I work from home

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From: Richard Taylor <RJT@gosschalks.co.uk>

Sent: Tuesday, May 28, 2024 12:27 PM

To: Mary O'Sullivan <Mary.O'Sullivan@stevenage.gov.uk>; Janet Braithwaite <janet_braithwaite@gosschalks.co.uk>

Cc: Linda Sparrow <Linda.Sparrow@stevenage.gov.uk>; Phil Wortley <Phil.Wortley@stevenage.gov.uk>; Julie Dwan <Julie.Dwan@stevenage.gov.uk>

Subject: [External] RE: Asda Express PFS Broadwater, Broadwater Crescent, Stevenage GTE:00095000002951

Hi Mary

Thanks so much for that.

I'll wait to hear from you.

Take care

Richard Taylor | Partner | Head of Licensing Department

Partner at Gosschalks LLP

Queens Gardens, Kingston Upon Hull, HU1 3DZ

DD: **01482 590216** | F: 0870 600 5984 | M: 07949 12001 | Reception: 01482 124252 | www.gosschalks.co.uk

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From: Mary O'Sullivan <Mary.O'Sullivan@stevenage.gov.uk>

Sent: Tuesday, May 28, 2024 12:07 PM

To: Richard Taylor <RJT@gosschalks.co.uk>

Cc: Linda Sparrow <Linda.Sparrow@stevenage.gov.uk>; Phil Wortley <Phil.Wortley@stevenage.gov.uk>; Julie Dwan <Julie.Dwan@stevenage.gov.uk>

Subject: RE: Asda Express PFS Broadwater, Broadwater Crescent, Stevenage GTE:00095000002951

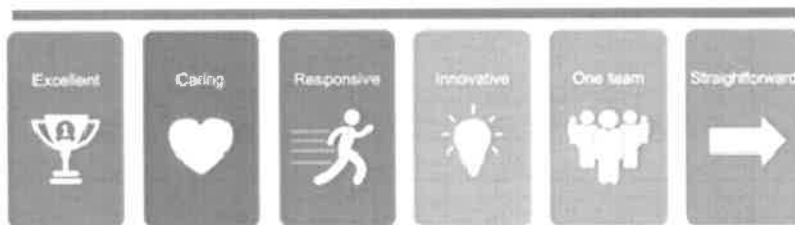
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Dear Richard,

I will forward your E mail to the planning department and would ask that mediation take place between you both. I await confirmation from the Police that their objection will officially be withdrawn and we can regroup and see if there is a need for a committee meeting.

Kind regards

Mary O'Sullivan | Licensing Officer | Stevenage Borough Council | Daneshill House, Danestrete, Stevenage, Herts., SG1 1HN
Tel: 01438 242724 | 07759 855295 Email: Mary.O'Sullivan@stevenage.gov.uk Web: www.stevenage.gov.uk



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From: Richard Taylor <RJT@gosschalks.co.uk>
Sent: Tuesday, May 28, 2024 11:01 AM
To: Mary O'Sullivan <Mary.O'Sullivan@stevenage.gov.uk>; Julie Dwan <Julie.Dwan@stevenage.gov.uk>
Cc: Janet Braithwaite <janet_braithwaite@gosschalks.co.uk>
Subject: [External] Asda Express PFS Broadwater, Broadwater Crescent, Stevenage GTE:00095000002951

Good morning

I understand from Gillian Akroyd that the police representation is to be withdrawn following the amendments that I made and notified you of earlier.

If that's correct then the only representation is that from the planners.

As you may know, Asda acquired the Euro Garages Ltd estate about 6 months ago. The application premises have (I'm told) been trading 24 hours for many years.

Having received the representation from planning, I have passed this to those who deal with planning matters for Asda and have been advised that this will be investigated and the appropriate planning application will be submitted if required.

I am very keen to avoid a hearing here if at all possible and mindful of the s182 guidance which is clear that there should be "proper separation" between the planning and licensing regimes, I wonder if those responsible for the planning both at the authority and at Asda could have those discussions outside of the licensing forum. As there is only a representation from the planners which relates solely to planning (rather than licensing) issues, it seems inappropriate to convene a licensing hearing.

If this is to proceed to a hearing, I will be dealing with it and I'd be grateful if we could avoid the following dates where I already have hearings.

June – 13, 14, 17, 18, 19

July – 5, 8-12 incl

I know that some of these dates are outside the 20 working day window but can confirm that Asda will agree for the hearing to be listed outside of the prescribed timescales to accommodate my availability.

Hopefully the listing will be academic and we can leave the planning people to sort the planning matters between them.

Kind regards

Richard Taylor | Partner | Head of Licensing Department

for and on behalf of Gosschalks LLP

Queens Gardens, Kingston Upon Hull, HU1 3DZ

DD: 01482 590216 | F: 0870 600 5984 | M: 07949 137931 | Reception: 01482 590200 | www.gosschalks.co.uk

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