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Licensing Sub-Committee Agenda

Thursday, 28 March 2024 at 2.00 pm

Council Chamber, Muriel Matters House, Breeds Place, Hastings, TN34 3UY.
Please enter the building through the Contact Centre entrance via the seafront.

For further information, please contact Democratic Services on 01424 451484 or email democraticservices@hastings.gov.uk

		Page No.
1.	Appointment of Chair for this Meeting	
2.	Apologies for absence	
3.	Minutes of previous meeting	1 - 4
4.	Declarations of Interest	
5.	Notification of Additional Urgent Items	
	PROCEDURAL NOTE	
6.	Application for a premises licence with representations, Hastings Queens Road Service Station, Queens Road, Hastings, TN34 1RH	7 - 54
7.	Additional urgent items (if any)	

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Agenda Item 3 Public Document Pack

LICENSING SUB COMMITTEE

8 SEPTEMBER 2022

Present: Councillors Patmore (Chair), O'Callaghan, Jobson and Collins (in reserve).

24. APPOINTMENT OF CHAIR FOR THIS MEETING

In accordance with the terms of reference of the Licensing Committee, Councillors were invited to nominate a Chair for the duration of the meeting.

Councillor O'Callaghan proposed that Councillor Patmore take the Chair, seconded by Councillor Jobson.

RESOLVED (unanimously): that Councillor Patmore be appointed as Chair for the duration of the meeting.

25. APOLOGIES FOR ABSENCE

None received.

26. MINUTES OF PREVIOUS MEETING

RESOLVED – (Unanimously) that the minutes of the meeting held on 15th June 2022 be approved as a true record.

27. DECLARATIONS OF INTEREST

None received.

28. VARIATION OF A PREMISES LICENCE WITH REPRESENTATIONS. FLAMES GRILL, HAVELOCK ROAD, HASTINGS

The Licensing Lead Officer, Mr Bryant, introduced his report. Hastings Borough Council received an application to vary the premises licence of Flames Grill, Havelock Road, Hastings on 17th May 2022. Flames Grill is located within Area 1A (Hastings Town Centre) of the Council Special Saturation Policy (Cumulative Impact).

The full variation application requests an extension to late night refreshment and opening times, as set out in the report.

The Council's Licensing Policy matrix shows that an application for a 'Late night takeaway' premises within a Saturation Area would not be acceptable and the applicant would need to demonstrate that the issue of such a licence would not cause problems to the area or add to any existing identified problems.

Mr Bryant said the applicant made no mention of the Cumulative Impact Zone in their application, or the issues raised by the matrix. However, a few days before the Sub-Committee hearing a Cumulative Impact Zone statement and draft Dispersal Policy were submitted by the applicant via their agent.

LICENSING SUB COMMITTEE

8 SEPTEMBER 2022

The application is required to be advertised by approved notice and shared with responsible authorities. Following this process two representations were received, from Sussex Police and the Hastings Borough Council licensing team.

Mr Bryant noted that in February 2020 a Licensing Sub-Committee hearing was held to review the premises licence for Flames Grill following a request from Sussex Police under the licensing objectives “the Prevention of Crime and Disorder” and “Public Safety”. The review referred to eleven separate incidents.

At that time the Licensing Sub-Committee applied conditions to the licence. This decision was appealed and subsequently a consent order was granted by the court and is included within the premises licence.

PC Spalding, Licensing Officer for Sussex Police, made a submission.

A formal objection to the application for a major variation was submitted on 24th May 2022. The objection states that the application does not address the fact that the premises falls within the Cumulative Impact Zone or how increasing operating hours will not have a negative impact on the licensing objectives. The late submission of the Cumulative Impact Zone statement does not address these issues and increasing the operating hours would only take the premises further away from the approach set out in the Council’s Licensing Policy matrix.

PC Spalding said that there is already a high demand on Sussex Police and other emergency services within the vicinity of the premises at 3am. An increase in the operating hours is likely to increase this demand.

The latest crime statistics show that Havelock Road has the second highest level of public place violent crime in Hastings and in the last three years there have been twenty violent crimes reported at or directly outside the premises.

PC Spalding referred to the draft Dispersal Policy submitted by the applicant and said such procedures should already be in operation, considering the previous review of the premises licence.

In conclusion Sussex Police believe that granting the application would result in an increase in public place violent crime within an area which already suffers above average crime. Regardless of measures taken by the applicant crime would no doubt increase due to delayed dispersal of intoxicated people out of the town centre if the premises operating hours were extended.

Mrs Worth, Licensing Officer, Hastings Borough Council, made a submission and noted that no reference was made to the Cumulative Impact Policy or the Council’s Licensing Policy in the application. The matrix clearly states that late-night takeaways would not be acceptable as a new application or a full variation in the area. The only

LICENSING SUB COMMITTEE

8 SEPTEMBER 2022

other food related business in the Cumulative Impact Zone to have a licence for late night refreshment is KFC which closes at midnight.

Mr Hopkins, who represented the applicant, asked if the licensing authority has received any complaints made against the premises in relation to its operation? Mrs Worth said she was not aware of any complaints.

Mr Hopkins made a submission on behalf of the applicant. The applicant is aware of the matrix policy and that the premises is within the Cumulative Impact Zone. The application is to add an additional hour to the operating hours and does not seek to remove any existing conditions. The applicant is offering the draft Dispersal Policy to be added as a condition to the licence and SIA door staff will be trained on the policy.

The application will not lead to additional intoxication and the premises has a strict no alcohol policy. Rather, by opening for an additional hour the premises will help to reduce intoxication and the rush for the taxi rank in the town centre, thereby reducing potential conflict.

The premises has been refurbished within the past year and redesigned to aid queuing in order to reduce the risk of violence on the premises. The applicant also has letters of support from nearby late-night venues who welcome the application.

The applicant feels the premises can make a positive contribution by reducing the rush to the taxi rank and providing an opportunity for people to sober up after leaving local venues by consuming fast food. With Flames Grill closing at 3am there is currently nowhere for people leaving nearby venues to go other than the taxi rank. A well-managed premises can reduce the impact of excess alcohol consumption and a more staggered dispersal from the town centre via an extension of operating hours will relieve demand on the police and other emergency services.

Mr Hopkins said the previously granted Temporary Event Notices demonstrate that the premises can operate successfully until 4am. No incidents were reported on those occasions.

No other responsible authorities, local businesses or residents objected to the application and the premises cannot be held responsible for crime taking place over the road at the taxi rank.

Mr Hopkins said the Cumulative Impact Policy and the matrix are guidance, and the application must be considered on its own merits.

All parties summarised their positions.

The Sub-Committee retired to consider the application.

RESOLVED (unanimously):

REFUSE

LICENSING SUB COMMITTEE

8 SEPTEMBER 2022

We have listened carefully to all the submissions and we are bound to be directed by the promotion of the Licensing Objectives and Material Consideration of:

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

On balance, the Sub-Committee DOES NOT ACCEPT the evidence provided in support of the application and therefore the application fails to satisfy the principal material considerations.

We refuse the application for the following reasons:

1. The application goes against the Culminative Impact Policy as set out in the Council's Licensing Policy.
2. The Sub-Committee have considered this case on its own merits and being mindful of the licensing objectives, the Sub-Committee believe the proposed changes to the licence would add to the cumulative impact caused by licenced premises and challenges already experienced in the area, and would undermine the promotion of the Licensing Objectives specifically Prevention of Crime and Disorder, Public Safety and Prevention of Public Nuisance.
3. The Sub-Committee considered the submissions made by the Applicant but did not believe these sufficiently addressed that impact and challenges to justify the Sub-Committee departing from the Council's Policy.

(The Chair declared the meeting closed at 1.17pm)

Licensing Sub Committee Procedures

Annex

1. The Chair's Introduction and Explanation of the Procedure, which will be followed

- Introduce Members and Officers and invite the applicant, objectors and any representatives to the table, asking them to introduce themselves.
- Explain that the hearing will follow a procedure, and that is that the Officer will make his report, followed by the Consultees such as the Police and then the Objectors and finally the Applicant. There will be an opportunity for questions. Members may ask for clarification from the Licensing Officer and Summaries may be given if required.
- Ask if the Parties received the report and are ready to proceed.
- If any Party to the hearing fails to attend ask Members to consider whether to adjourn the hearing or to proceed in the Party's absence.

The Hearing of each application will then follow the order set out below:

2. Summary of report by Licensing Manager / Officer.

3. Statutory Consultees (eg Police, Fire Service, Environmental Health) submissions on the application.

Any questions for Statutory Consultees from

- Applicant / Representative?
- Objectors?
- Officers?
- Members?

4. Other Objectors each make submissions on the application.

Any questions for Objectors from

- Applicant / Representative?
- Statutory Consultee?
- Officers?
- Members?

5. Applicant / Representative make submissions on the application / call any witnesses.

Any Questions for Applicant / Representative / Witnesses from

- Statutory Consultees and Objectors?
- Officers?
- Members?

6. Do Members require any clarification from the Licensing Manager / Officer?

If clarification given, questions on clarification only from:

- Applicant / Representative?
- Statutory Consultees and Objectors?
- Members?

7. Summaries (if required)

- Licensing Manager / Officer summing up
- Statutory Consultees and Objectors' summing up
- Applicant/Representative summing up

8. Decision Making

- Members retire to discuss the application, propose and second a recommendation and vote on this.
- They may take legal advice from the Legal Advisor. The Legal Advisor will advise the Parties of any legal advice given to the sub-committee. No other person may retire with the Sub-committee.
- The decision is announced by the Chair giving full reasons for the decision, together with any conditions, which are to be attached to the grant of the licence or the reasons for a refusal of the application.

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Agenda Item 6



Report to: Licensing Sub-Committee.

Date of Meeting: 28th March 2024

Report Title: Application for a premises licence with representations, Hastings
Queens Road Service Station, Queens Road, Hastings TN34 1RH.

Report By: Natasha Tewkesbury. Head of Community and Regulatory Services.

Purpose of Report

To consider the application for a new premises licence as a result of representations received.

Responsible Authorities. None

Recommendation(s)

- 1. Members consider the content of the report, options available and determine the application.**

Reasons for Recommendations

The Licensing Act 2003 requires a licensing sub-committee to consider such applications when appropriate representations have been made. The decision reached at the sub-committee can be subject to appeal by any party to the hearing that is aggrieved by the decision.

Introduction

1.0 Background

1. On 7th February 2005 the Licensing Act 2003 came into force for all local authorities, marking the practical commencement of the Government's new liquor licensing regime.
2. On the 8th February 2024, Hastings Borough Council received an application for a premises licence for Hastings Queens Road Service Station, Queens Road, Hastings, made under section 17 of the Licensing Act 2003. (Attached at Appendix A).
3. The premises formally operated under a licence granted in 2016, operating as 'Morrisons Daily Petrol Filling Stn (PFS)'. In May 2019 the Council was informed that the Licence was to be surrendered.
4. A Variation to the Licence relating to the Main Morrisons Store Premises Licence was received in March 2022 to add the PFS to the Licence. No objections were received and the was licensed granted.
5. This premise holds a licence under the Licensing Act 2003. The premise is located within Area 1B Hastings Town Ctr (Queens Road) of the Council Special Saturation Policy (Cumulative Impact) a map of the area is attached. (Appendix B) A copy of the existing licence is attached (Appendix C).
6. This existing premises licence covers the use of the premises for:
 - Late night refreshment Monday – Sunday 23.00 – 24.00
 - Supply of alcohol Monday – Sunday 06.00 – 24.00
 - The operating hours of the premises are Monday – Sunday 06.00 – 24.00

The Cumulative Impact Policy was reviewed and extended in 2022 and is contained within the Council's Licensing Policy, each application will be considered on a case by case basis. Where no representations are received, any application will be granted in terms consistent with the operating schedule. Where relevant representations are received in relation to applications for the grant of a new premise licence a hearing will be held. Applicants are advised to seek legal advice if making an application for a licence in a Cumulative Impact Zone. It is for the applicant to address the Cumulative Impact Policy and produce evidence to demonstrate that the matter:

- (a) Will not add to the cumulative impact caused by licensed premises and challenges already experienced in the area;
 - (b) Will not undermine the promotion of the Licensing Objectives.
7. In addition, at the statutory review of the Licensing Policy carried out at the end of 2015 and published in January 2016, a matrix was added to the policy and reviewed

in 2022. This matrix was published to help give clearer guidance to applicants for premises licenses as to how the Council would prefer the area to develop from a licensed premises perspective, and what type of application if applied for, would suit this best. The main operation of the application is the sale of fuel. Alcohol and Late night refreshment being ancillary to the main operation.

8. This application replicates the hours relating to the licensable activities within the existing licence and the only change is to extend the opening hours of the PFS not the licensable activities. During the period since the existing licence was granted, the Council has not been made aware by anyone of any issues relating to the alcohol sales at the PFS.

2.0 Application

9. When applying for a new premises licence under the Licensing Act 2003, the applicant is required to describe any steps they intend to take to promote the four Licensing Objectives as defined by the Licensing Act 2003. The Operating Schedule detailing these steps can be seen in the application form. This is included at Appendix A. The application requests the following:
 10. To have Late night refreshment Monday to Sunday 23.00hrs to 24.00hrs (in line with the existing 'Morrisons' licence).
 11. To supply of Alcohol for sales "Off" the premises on Monday to Sunday from 06.00hrs to 24.00hrs (in line with the existing 'Morrisons' licence).
 12. To extend opening hours of the premises, Monday to Sunday from 06.00hrs - 24.00hrs to a 24 Hours basis for Fuel and ancillary sales.
13. When submitting an application for a licence under the Licensing Act 2003 the applicant is asked to describe what steps they intend to take to promote the four licensing objectives: -
 - the prevention of crime and disorder,
 - public safety,
 - prevention of public nuisance,
 - protection of children from harm.

3.0 Consultation

14. The Licensing Act 2003 requires an applicant to advertise their application once in a local newspaper and on the premises by way of an approved notice for 28 days to allow for representations to be made, this has been done The Licensing Act 2003 requires applicants to advertise both on the premises and in a local newspaper to inform the public of the application. The application details are also advertised on the Council's website. There was a consultation period of 28 days, for representations to be made. The applicant conformed with all the requirements as laid out within The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005.

15. Copies of the application are required to be served on a list of responsible authorities at the same time as placing the application before the local authority, this has been done and no representations were made.
16. Several representations have been received from local residents in relation to the application, objecting to the existing hours that the premises has operated under for the last two years and making comment regarding the extension of the fuel sales hours which is not relevant to this decision. These can be seen in Appendix D.
17. As part of the consultation, the Senior Licensing Officer has been in contact with Sussex police to make checks on crime levels in relation to the PFS and the licensing team has also agreed additional conditions with the applicant regarding '**reduce the strength**' to which the applicant has agreed. '**There shall be no sale of beer, lager, or cider with an ABV content above 6% ABV save for craft and premium beer, lager or cider**'. In addition, they have also agreed to a contact line to be made available for the public once the licence is in operation. This can be seen in Mrs Rolfe's memo. (Appendix E)

4.0 The Decision-Making Process – Licensing Objectives

18. In their decision making, the Licensing Sub-Committee must act to promote the four Licensing Objectives. All carry equal weight as part of the process. The Licensing Objectives are:
 - The Prevention of Crime and Disorder
 - Public Safety
 - The Prevention of Public Nuisance
 - The Protection of children from Harm
19. A representation is a 'relevant representation' if it is about the likely effect of the grant of the licence on the promotion of the licensing objectives. The objector must establish that such a consequence is a likely effect of a grant (i.e., more probable than not).

5.0 Legal Considerations

20. Under section 18 of the Licensing Act 2003 (as amended), following receipt of an application for a premises licence if relevant representations are received, unless all parties agree that a hearing is unnecessary, the Licensing Authority must hold a hearing. At the hearing, the Sub-Committee shall, having regard to the representations, take such steps as it considers appropriate for the promotion of the licensing objectives. The relevant options are outlined in para. 8.1 of this Report.
21. The Licensing Sub Committee should be mindful of the requirements and responsibilities placed on it by other legislation in addition to those contained within the Licensing Act 2003. These include, but are not limited to, having due regard to the Equality Act 2010, the Human Rights Act 1998 and the Crime and Disorder Act 1998.

22. Under section 181 and Schedule 5 of the Licensing Act 2003, there is a right of appeal to the Magistrates' Court in respect of application for new premises licences. This right of appeal is open both to the applicant and to any person who has made relevant representations. The appeal application must be made within 21 days of the written notification of the Sub-Committee's decision. If members choose to refuse the application in full or in part, the applicant has a right of appeal to the Magistrates' Court. There is also a right of appeal to conditions imposed as a result of the hearing by any person affected by the decision.

5.0 Financial implications

23. The applicant has paid the application fee. Should the application not be granted this fee is not refundable.

The cost of delivering the licensing function is fully covered by the Licensing fees.

A decision made by the Sub-Committee may be appealed by any party to the proceedings to a Magistrates' Court. Costs associated with this matter and incurred by any party, may in certain circumstances be awarded against the Council. The impact of these additional costs (if any) will therefore need to be met from within existing revenue budgets.

6.0 Risk implications

24. There are no risks associated with the content of this report.

7.0 Equality impact assessment

25. An Equality Analysis is not constructive in this instance

8.0 Environmental impact assessment

26. There are no sustainability and/or carbon reduction implications associated with this report.

9.0 Options

27. The Licensing Sub-Committee shall take the steps it considers appropriate for the promotion of the Licensing Objections and may:

- **Grant the Licence in the same terms as it was applied for.**
- **Grant the Licence but modify the conditions as appropriate for the promotion of the licencing objectives.**
- **Grant the Licence but modify the hours of licensable activity as appropriate for the promotion of the licensing objectives.**
- **Reject the application.**

28. The Sub-Committee are asked to note the procedures relating to this hearing which are contained in The Licensing Act 2003 (Hearing) Regulations 2005, as amended.

29. In determining what, if any, conditions should be attached to a licence, these should only be imposed where it is considered appropriate and proportionate on a case-by-

case basis. The applicant, any person or any Responsible Authorities may also suggest conditions to address concerns as a means to promote the Licensing Objectives. The Sub-Committee may not impose any condition unless its discretion has been exercised following receipt of a relevant representation and is satisfied that it is appropriate to promote one or more of the licensing objectives.

Wards Affected

Castle Ward.

Policy Implications

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	No
Crime and Fear of Crime (Section 17)	Yes
Risk Management	No
Environmental Issues	No
Economic/Financial Implications	No
Human Rights Act	Yes
Organisational Consequences	No
Local People's Views	Yes
Anti-Poverty	No

Additional Information

Appendix A. Premises Licence application.
Appendix B. Map of site.
Appendix C. Current licence.
Appendix D. Representation List (interested parties)
Appendix E. Memo from Snr Licensing Officer

Officer to Contact

Stewart Bryant, Licensing Lead.
stewart.bryant@hastings.gov.uk
01424 783232

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Motor Fuel Limited

(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Hastings Queens Road Service Station, Queens Road			
Post town	Hastings	Postcode	TN34 2LL

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£59,175

Part 2 - Applicant details

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

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
- i as a limited company/limited liability partnership please complete section (B)
- ii as a partnership (other than limited liability) please complete section (B)
- iii as an unincorporated association or please complete section (B)
- iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

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

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name	Motor Fuel Limited
Address	10 Bricket Road, St Albans, Hertfordshire, AL1 3JX
Registered number (where applicable)	05206547
Description of applicant (for example, partnership, company, unincorporated association etc.)	Company

Telephone number (if any)

E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD MM YYYY
0 6 0 2 2 0 2 4

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

DD MM YYYY
□ □ □ □ □ □ □ □

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

A petrol forecourt store located on Queens Road, Hastings, TN34 2LL, currently branded as Morrison's.

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

□

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

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)



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



In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

E

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

F

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

G

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

H

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

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	23:00	24:00	Please give further details here (please read guidance note 4) The provision will take place inside the premises but customers may leave the premises with items purchased		
Tue	23:00	24:00			
Wed	23:00	24:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	23:00	24:00			
Fri	23:00	24:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
Sat	23:00	24:00			
Sun	23:00	24:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 8)	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5)					
Mon	06:00	24:00						
Tue	06:00	24:00						
Wed	06:00	24:00						
Thur	06:00	24:00				<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri	06:00	24:00						
Sat	06:00	24:00						
Sun	06:00	24:00						

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

Name Paul Jones	
Date of birth	
Address	
Postcode	
Personal licence number (if known) PA0300	
Issuing licensing authority (if known) Merthyr Tydfil County Borough Council	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

N/A

L

<p>Hours premises are open to the public Standard days and timings (please read guidance note 7)</p>			<p><u>State any seasonal variations</u> (please read guidance note 5)</p> <p>The opening hours of the store are not a licensable activity and the applicant asks that the hours not be restricted by the premises licence.</p>
Day	Start	Finish	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)</p>
Mon	00:00	24:00	
Tue	00:00	24:00	
Wed	00:00	24:00	
Thur	00:00	24:00	
Fri	00:00	24:00	
Sat	00:00	24:00	
Sun	00:00	24:00	

M

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

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

The applicant is aware that the premises falls within a cumulative impact area. The applicant believes that, as this is a like for like replacement licence for the petrol forecourt store and combined with the steps that it takes to promote the licensing objectives, the grant will not add to the cumulative impact referred to in the licensing policy.

b) The prevention of crime and disorder

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team.
2. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
3. All recordings shall be stored for a minimum period of 28 days with date and time stamping.
4. Viewing of recordings shall be made available subject to data protection legislation and as soon as is reasonably practicable upon the request of Police or authorised officer throughout the entire 28-day period.
5. A staff member from the premises who is conversant with the operation of the CCTV system shall be contactable at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
6. An incident log shall be kept at the premises and made available on request to an authorised officer of the Council or the Police. It must be completed within 24 hours of the incident and will record the following: a) all incidents of crime and disorder occurring at the premises all crimes reported to the premises b) any incidents of disorder c) any visit by a relevant authority or emergency service. The log shall be retained at the premises or at the offices of the licence holder for a minimum period of 12 months.
7. There shall be no self-service of spirits except for spirit mixtures.

c) Public safety

There will at all times be adequate levels of staff maintained at the premises. Such staff levels will be disclosed, on request, to the licensing authority and police.

d) The prevention of public nuisance

Adequate waste receptacles for use by customers shall be provided in and immediately outside the premises.

e) The protection of children from harm

1. The premises licence holder will ensure that an age verification policy will apply to the premises whereby all cashiers will be trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form or method of identification that complies with any mandatory condition that may apply to this licence.
2. All staff concerned in the sale or supply of alcohol shall undergo a recognised training scheme for such duties prior to the sale of alcohol by the staff member.
3. Refresher training must be completed and documented at intervals of no more than 6 months.
4. Training records will be retained at the premises or at the offices of the licence holder for a minimum period of 12 months from the date of training.
5. Signage informing customers of the age verification policy adopted at the premises will be prominently displayed at the point of sale and at any night pay window.
6. A written delegation of authority record will be kept at the premises whereby non personal licence holders are authorised to make sales on behalf of a personal licence holder.
7. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premises is open. The record shall be retained at the premises or at the offices of the licence holder for a minimum period of 12 months.
8. All sales tills shall prompt the cashier making a sale of alcohol to verify that the customer is aged 18 or over.

Checklist:

Please tick to indicate agreement

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

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

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her
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	proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	<i>Winckworth Sherwood LLP</i>
Date	06/02/2024
Capacity	Agent

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) TLV/39096/1031 Winckworth Sherwood LLP Arbor, 255 Blackfriars Road			
Post town	London	Postcode	SE1 9AX
Telephone number (if any)	0207 593 5104		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) tvlahovic@wslaw.co.uk			

Notes for Guidance

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

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

15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

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

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

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

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

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.

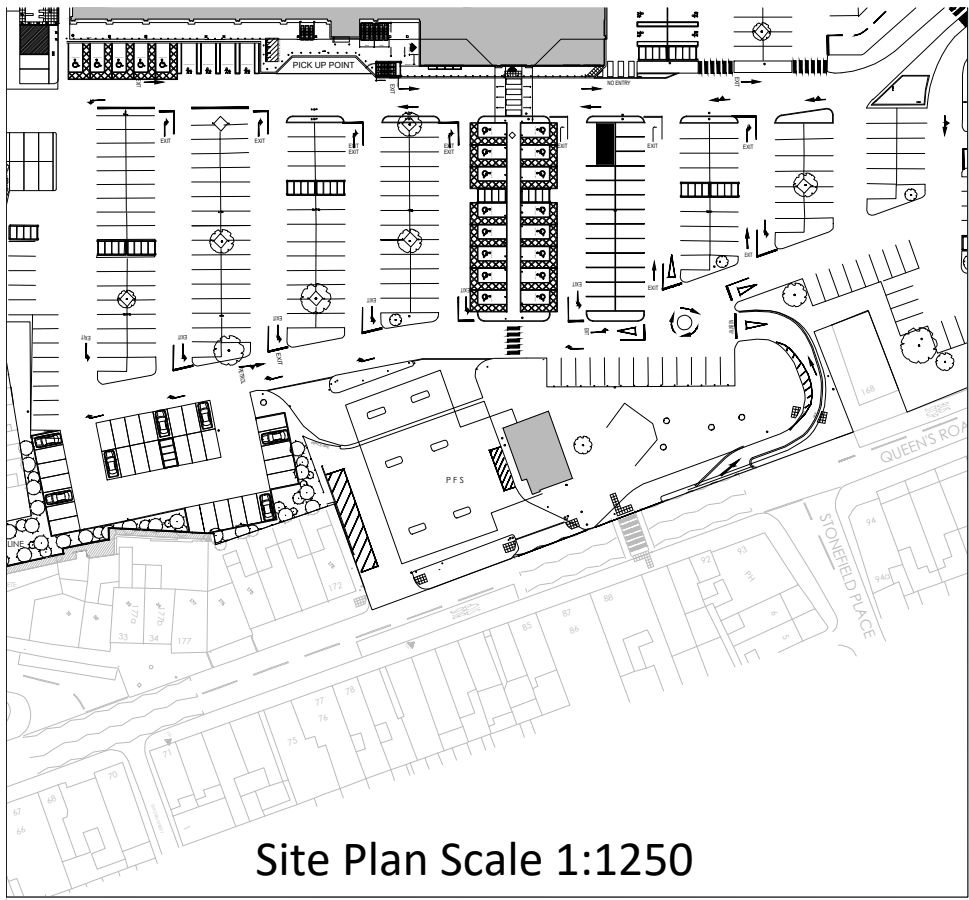
Home Office online right to work checking service

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.

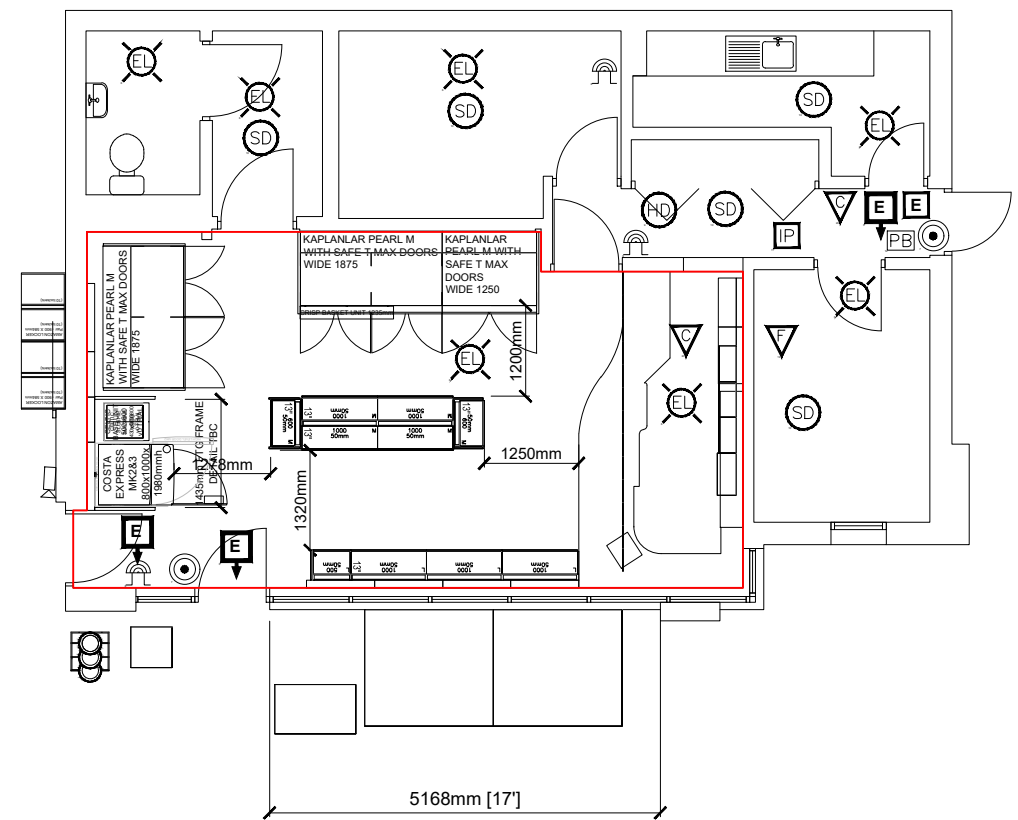
To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth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



Site Plan Scale 1:1250



THE ENTIRE PREMISES MAY BE USED FOR THE SALE OF ALCOHOL AND THE PROVISION OF LATE NIGHT REFRESHMENT

Key - Fire Symbols

[Symbol]	NOTICE - 'FIRE DOOR-KEEP
[Symbol]	NOTICE - 'KEEP LOCKED
[Symbol]	ILLUMINATED EXIT DIRECTION
[Symbol]	EXIT SIGN
[Symbol]	EMERGENCY LIGHTING
[Symbol]	FIRE ALARM CALL POINT
[Symbol]	AUDIBLE WARNING
[Symbol]	EXIT DETECTOR
[Symbol]	SMOKE DETECTOR
[Symbol]	ALARM INDICATOR PANEL
[Symbol]	DOORS FITTED WITH PUSH BARS
[Symbol]	DOORS FITTED WITH PRESSURE RELEASE
[Symbol]	ROLLER SHUTTER DOOR
[Symbol]	FIRE EXTINGUISHER - WATER TYPE
[Symbol]	FIRE EXTINGUISHER - FOAM TYPE
[Symbol]	FIRE EXTINGUISHER - CARBON DIOXIDE
[Symbol]	FIRE EXTINGUISHER - DRY POWDER TYPE
[Symbol]	FIRE EXTINGUISHER - AQUEOUS SOLUTION
[Symbol]	FIRE EXTINGUISHER - VAPORISING LIQUID
[Symbol]	FIRE BLANKET
[Symbol]	FIRE HOSE REEL
[Symbol]	FIRE RESISTANT WALLS
[Symbol]	FIRE RESISTANT DOORS

ALL REQUIRED AREAS OF THE STORE ARE COVERED BY THE SPINKLER SYSTEM

NOTES:

1. FIRE FIGHTING EQUIPMENT & ALL OF THE REQUIREMENTS OF THE FIRE SERVICE WILL BE INCORPORATED & WILL BE PROVIDED TO COMPLY WITH THE EUROPEAN STANDARDS

No. BSEN3 & BS7863.

FIRE STANDARDS:

1. FIRE SAFETY RELATED SIGNS AND NOTICES ARE TO THE HEALTH AND SAFETY (SAFETY SIGNS & SIGNALS) REGULATIONS ACT 1996. THOSE THAT COMPLY TO BS 5499, PART 1, 1990 ALSO COMPLY
2. ILLUMINATED 'EXIT' SIGNS ARE TO CONFORM TO BS2560
3. FIRE FIGHTING EQUIPMENT IS TO COMPLY WITH EUROPEAN STANDARDS BS EN3 AND BS 7863

353 HASTINGS

Hastings Queens Rd TN34 1RN

SALES FLOOR

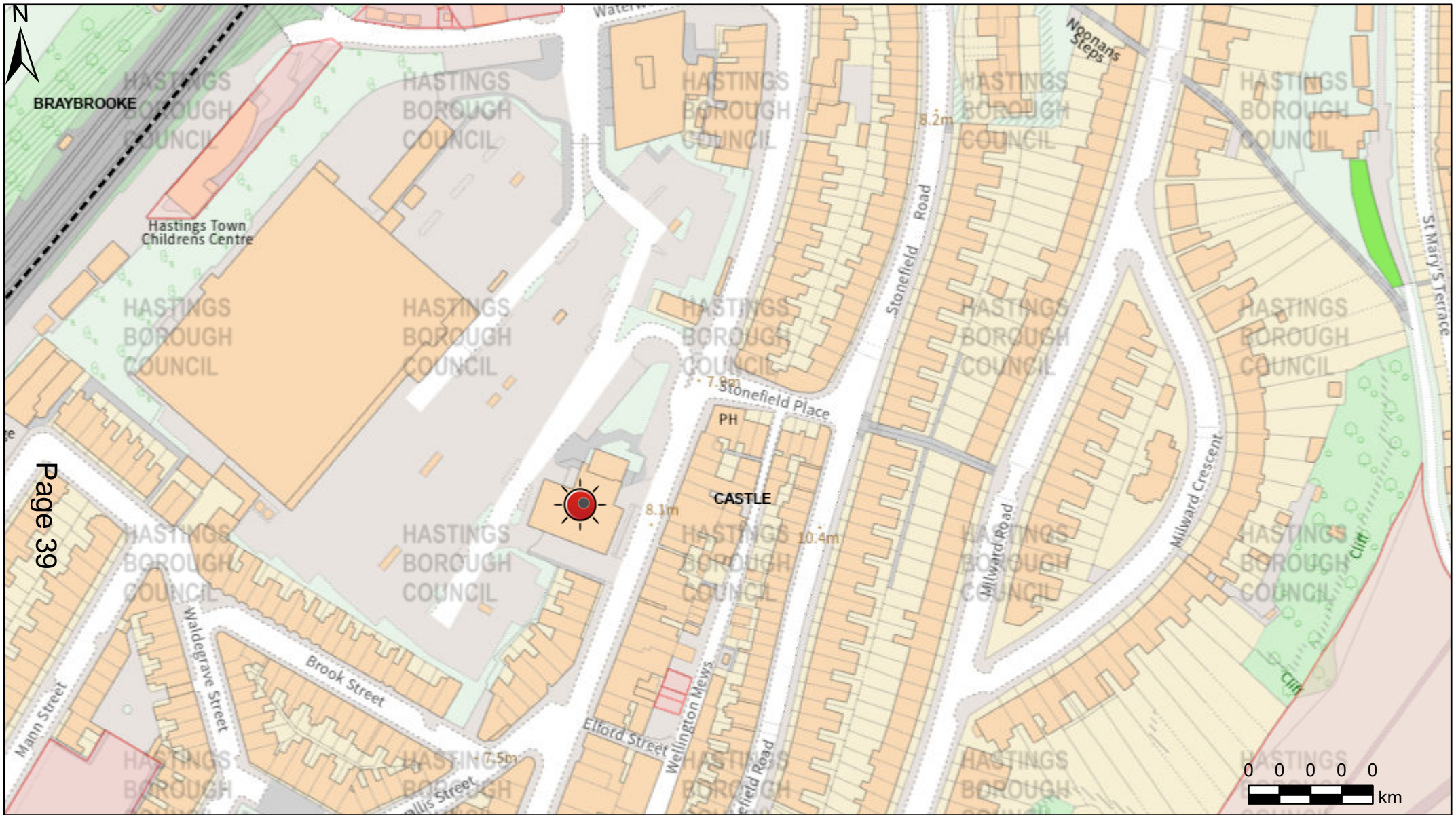
RETAIL SALES AREA 427 Sq. Ft.

Scale: 1:100

only scaled on **A3**



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MF PFS

Date: 13/03/2024

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PREMISES LICENCE SUMMARY

Premises licence number

HOP50669

Premises details

Postal address of premises, or if none, ordnance survey map reference or description

MORRISONS STORE & PETROL FILLING STATION
QUEENS ROADPost Town
HASTINGS, EAST SUSSEX.Post Code
TN34 1RN

Telephone number

NONE GIVEN

Where the licence is time limited the dates

NONE

Licensable activities authorised by the licence

LATE NIGHT REFRESHMENT

SUPPLY OF ALCOHOL

The times the licence authorises the carrying out of licensable activities

LATE NIGHT REFRESHMENT MONDAY – SUNDAY 23.00 – 24.00

SUPPLY OF ALCOHOL MONDAY – SUNDAY 06.00 – 24.00

The opening hours of the premises

MONDAY – SUNDAY 06.00 – 24.00.

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

SALE BY RETAIL OF ALCOHOL FOR CONSUMPTION OFF THE PREMISES

HASTINGS BOROUGH COUNCIL

Name, (registered) address of holder of premises licence

WM. MORRISON SUPERMARKETS LIMITED
HILMORE HOUSE
GAIN LANE
BRADFORD
BD3 7DL.

Change of DPS 7th June 2022
Granted / issued 18th April 2022.

Registered number of holder, for example company number, charity number (where applicable)

00358949

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Darren King

(Change of DPS 2nd August 2023)

State whether access to the premises by children is restricted or prohibited

This licence is issued by Hastings Borough Council on 14th July 2023 (Variation on floor plan).



Authorised Signature

Appendix D: Emails of valid objections received during the consultation period.

OBJECTION 1

I would like to formally object to the planning application by the owners of the filling station to extend licensing hours for the sale of alcohol and presumably fuel on the site to midnight, 7 days per week.

We are in a residential area that already has a number of "off-Licence" premises as well as pubs. Our locality has become increasingly blighted by on-street drinking and the unwelcome disposal of empty bottles (often spirits) and cans (of beer) on the street. Our streets can also be noisy late at night arising from groups congregating. I am certainly anxious at times arriving back late in such situations. This constitutes public nuisance (and it is largely residents who remove the waste).

The application does not seem to be about the core business of the filling station; namely, fuel sales. The extended hours are simply about alcohol sales and "late-night refreshments".

With regard to crime and disorder, our neighbourhood, particularly at the weekend, attracts a number of potentially illegal activities. We know that drug sales take place in secluded spots around St Andrews Square and Brook Street. Whilst drugs are not a factor in this licence decision, it may compound residents' existing issues (for the sake of one more alcohol-selling outlet).

Kindest regards,

OBJECTION 2

I am write to express my strong objection to the proposed license application for alcohol sales at the petrol station between 6 am and midnight. As a concerned resident of the area, I believe granting such a license would pose significant risks to the community and conflict with the fundamental objectives outlined in the Licensing Act 2003.

In this residential area, we are well served with various pubs and bars which are open up to 1am. We also have a good range of off licences serving alcohol until Midnight.

I am aware that the Licensing Act 2003 underscores four paramount licensing objectives, each deemed of equal importance: the prevention of crime and disorder, public safety, public nuisance, and the protection of children from harm.

The alcohol sales hours at the petrol station raise grave concerns regarding preventing public nuisance. The proximity of the petrol station to a Morrisons store, where alcohol is readily available until 10 pm, already presents noise disturbances and safety issues in the area during late hours. Granting a license for alcohol sales until midnight at the petrol station would inevitably exacerbate these problems, disrupting the peace of Queens Road and surrounding residential areas.

Furthermore, the protection of children from harm must not be overlooked. Allowing alcohol sales at the petrol station, especially during extended hours, increases the risk of exposing children to harmful environments. Given that children frequently traverse the area, including routes to and from school, it is imperative to prioritise their safety and well-being by minimising their exposure to alcohol-related activities.

In light of these concerns, it is evident that granting the proposed license would undermine the core objectives of the Licensing Act 2003 and jeopardise the welfare of the local community. Therefore, I urge the Licensing Authority to carefully consider the implications of this application and prioritise the overarching public interest by denying the license for alcohol sales at the Motor Fuel (Morrisons) petrol station.
Thank you for your attention to this matter.

Sincerely,

Further response from;

Thank you for your prompt acknowledgement of my objection. I appreciate your clarification regarding the licensable activities and the distinction between opening hours and licensable activities. Regarding your offer to mediate between myself and the applicant, while I understand the applicant's desire to extend their operating hours, my primary concern remains the potential impact on the local community, including noise disturbances and increased traffic during unsociable hours.

If the applicant could supply assurances or mitigation measures regarding noise control, security, and traffic management during the proposed extended hours, it may alleviate some of my concerns. Additionally, ensuring adequate provisions for litter management and maintaining the overall cleanliness of the premises would be beneficial.

OBJECTION 3

I am writing to make a representation under the licensing act 2003.

As a resident of Queens Road I am objecting to the new proposal put forward to allow Motor Fuel Limited for both licensable activities.

Queens Road already has issues with public nuisance, anti-social behaviour and crime & disorder. The change in licensing hours at the Queens Road Service Station (to serve alcohol until 12am 7 days a week) creates a potential concentration of customers leaving premises simultaneously which according to the council's own Licensing Policy is a 'key cause of disorder and disturbance' which can lead to 'peaks of noise and other nuisance' This is to the detriment of the 3rd licensing objective – the prevention of public nuisance. The opening of the garage 24/7 would also increase the potential for light pollution and noise/vibration from the premises (both covered in the council's Licensing Policy) The garage uses a loud tannoy system to communicate with people on the forecourt. In conclusion, we live in a residential area where we are currently able to purchase both alcohol and fuel to a reasonable hour. Any increase in licensing/opening hours would have a detrimental effect on our residential community and would not be socially responsible.

OBJECTION 4

I am writing to object to the application by Motor Fuel Limited at Hastings Queens Road Service Station to sell alcohol between the hours of 0600 and 2400 daily for consumption off the premises and to provide late night refreshment between the hours of 2300 and 2400 daily.

I believe this application undermines more than one of the key principles of the licensing objectives and as such should be refused.

We live on Brook Street and overlook the site and already experience the light and noise pollution this business creates (along with regular antisocial behaviour in the carpark)

We understood this when we purchased the property and the current opening hours of 6am-10.30pm 6 days a week and until 9pm on Sundays are what we consider to be reasonable for such a business in a residential area.

The garage uses an intercom system to communicate with customers at the fuel pumps which we already find problematic and intrusive. We have voiced these concerns with the manager of Morrisons.

How would the applicant deal with the potential for any crime, disorder or anti-social behaviour at the premises whilst trying to communicate with customers at the fuel pumps through the intercom?

In this residential area, we are well served with various pubs and bars which are open up to 1am.

We also have a good range of off licences serving alcohol until Midnight.

We regularly see bottles/cans and drug paraphernalia from street drinkers and drug takers in our street and the surrounding area, along with graffiti and other vandalism.

We have also witnessed drug dealing on a regular basis in and around this area.

We believe that this application will further exacerbate public nuisance both in the streets and the car park and is completely unreasonable. We would ask that this application be refused.

Yours sincerely

Supporting evidence sent by



XX1



XX2/3





XX4/5



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Date: March 7th 2024

From: Kirstie Rolfe, Senior Licensing Officer

To: Stewart Bryant, Senior EHP, Lead Officer Licensing.

**New Premises Licence Application - Motor Fuel Limited, Hastings
Queens Road Service Station, Queens Road, Hastings TN34 2LL.**

On the 8th February 2024, an application for a new premises licence was received from Winckworth Sherwood LLP, Arbor, 255 Blackfriars Road, London, on behalf of the applicant Motor Fuel LTD, for the above premises.

A premises licence was issued for this location on 26th April 2022 under the name of Morrisons Store & Petrol Filling Station.

The premises licence was for both the main store and filling station. It authorised the following licensable activities: -

- supply of alcohol Monday to Sunday 06:00 – 24:00 hours,
- late night refreshment Monday to Sunday 23.00 until 24:00 hours.
- hours open to the public Monday to Sunday 06:00 until 24:00 hours.

I am lead to believe that the premises doesn't use the full license hours.

Morrisons have informed us that they will be removing the filling station from their premises licence in due course. It is currently still active as we have not received the variation application and it has not been surrendered.

Motor Fuel LTD, have applied for a premises licence with the same licensable activities granted to Morrisons;

- supply of alcohol Monday to Sunday 06:00 – 24:00 hours,
- late night refreshment Monday to Sunday 23.00 until 24:00 hours.

The hours open to the public are being increased.

- Monday to Sunday 00.00 hours until 24:00 hours.

Police Licensing have not made any formal representation against this application. I approached Sussex Police Licensing to ask them to review their decision in light of local residents objections.

Sussex Police Licensing Officer Ben Deacon provided me with the following update on 4th March 2024;

I have checked our records (Power Bi) from March 2023-2024 and there are only 8 crimes within a 0.15 radius of the premises, which mainly fall by Alexandra Park, I have then conducted a 0.10/0.9 radius check and it shows very little if no issues around by the petrol station, but the odd ones by or in

Morrisons supermarket. I have then conducted a further check, which shows that the majority of calls and issues stem from the main supermarket itself and not the petrol station- these reports namely consist of 'Homelessness' 'Begging' & 'Mental Health' leading up to more serious offences such as shoplifting from the store- but nothing to do with the petrol station.

Sussex Police have continued with their original response and do not raise any objections to this application.

Hastings Borough Council Statement of Licensing Policy was reviewed and amended with effect from the 10th February 2022.

In the licensing policy the cumulative impact area for Hastings town centre includes Queens Road. The policy states- *This does not prevent any person making an application for a licence within the designated area. Responsible authorities must note that the licensing authority can only give effect to the Cumulative Impact Policy in respect of any application for a premises within the cumulative impact areas if a relevant representation is received.*

The matrix (on pages 4 & 5 of the Licensing Policy,) gives examples for applicants as to the types of operation and hours the council wishes to promote.

The Statement of Licensing also states;

2.11 Shops, Stores, Supermarkets and Garages with "off sales" licenses
Licensing Policy 12 - Shops, stores and supermarkets should be free to sell alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are very good reasons for restricting those hours.

If the law permits the shop to open for 24 hours or limits such opening, for example, on Sundays, the Authority will generally permit the sale of alcohol during those hours. However, good reasons may exist for imposing a limitation, for example, following police representations in the case of shops known to be a focus of disorder, disturbance, or anti-social behaviour, including pressurising shop staff to make unlawful sales of alcohol.

1. The sale or supply of alcohol at premises used primarily as a garage or forming part of premises, which are primarily used as a garage, is restricted by the 2003 Licensing Act.

The licensing authority is a responsible authority under the Licensing Act 2003. Although the application does not sit directly within our matrix, the Licensing authority will not be making a representation for the following reasons.

1. The application is the same as the existing licence for the licensable activities, it is only different because the premises will be open 24hrs for fuel sales.
2. There have been no problems with the operation of the garage site including its licensable activities, as confirmed by the police data and their lack of a representation.
3. The matrix is effectively a guide to applicants as how the Council wants the areas to develop, as the premises have operated there for years without issues, we do not therefore believe that in this case it is relevant.

On 4th March 2024, I emailed the applicants agents highlighting the objections that had been received. I requested they consider adding a reduce the strength condition to their licence, if granted. Furthermore, I asked them if they had reviewed our statement of licensing policy, specifically our matrix but they didn't make comments on this in their response. The following is the response received.

'The store is already licensed. We are applying for a like for like licence in terms of the hours applied for and are updating the operating schedule. So, there will be no negative impact on the cumulative impact as there is effectively no change from the status quo save for additional conditions.'

We are authorised to agree the following additional condition:

- *There shall be no sale of beer, lager, or cider with an ABV content above 6% ABV save for craft and premium beer, lager or cider.*

MFG owns some 900 licensed petrol stations. Once the transfer of this store is complete we will be happy to arrange for the local residents to have a contact number for the new management team'.

Having received objections from the public that I have not been able to resolve by mediation, a hearing is required to allow a licensing sub committee to make a decision.

Kirstie Rolfe MLoL
Senior Licensing Officer

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