



PREMISES / PERSONAL LICENCES SUB-COMMITTEE

DATE:	Tuesday, 10 March 2020
TIME:	10.00 am
VENUE:	Council Offices, Thorpe Road, Weeley, CO16 9AJ

MEMBERSHIP:

Councillor A Davis
Councillor M Skeels Jnr.

Councillor C Winfield
Councillor D Casey (Standby
Member)

Most Council meetings are open to the public and press.

Agendas and Minutes are published on the Council's website www.tendringdc.gov.uk. Agendas are available to view five working days prior to the meeting date and the Council aims to publish Minutes within five working days of the meeting.

Meeting papers can be provided, on request, in large print, in Braille, or on disc, tape, or in other languages.

For further details and general enquiries about this meeting, contact Debbie Bunce on 01255 686573.

DATE OF PUBLICATION: Thursday 27 February 2020

AGENDA

1 **Election of Chairman for the Meeting**

The Sub-Committee will elect its Chairman for the meeting.

2 **Apologies for Absence and Substitutions**

The Committee is asked to note any apologies for absence and substitutions received from Members.

3 **Declarations of Interest**

Councillors are invited to declare any Disclosable Pecuniary Interests or Personal Interest, and the nature of it, in relation to any item on the agenda.

4 **Report of Corporate Director (Operational Services) - A.1 Application for the Grant of a Premises Licence - Ardleigh Service Station, Colchester Road, Ardleigh, Essex CO7 7PA (Pages 5 - 60)**

The Sub-Committee will determine an application for the grant of a Premises Licence in respect of the above premises.

5 **Adjournment of Meeting**

Following the conclusion of the consideration of item A.1 the Sub-Committee will then adjourn until 2.00 p.m. (or such other later time as the Chairman deems appropriate).

6 **Report of Corporate Director (Operational Services) - A.2 Application for the Grant of a Premises Licence - Ardleigh South Service Station, Colchester Road, Ardleigh, Essex, CO7 7NS (Pages 61 - 102)**

The Sub-Committee will determine an application for the grant of a Premises Licence in respect of the above premises.

Information for Visitors

FIRE EVACUATION PROCEDURE

There is no alarm test scheduled for this meeting. In the event of an alarm sounding, please calmly make your way out of any of the fire exits in the Chamber and follow the exit signs out of the building.

Please heed the instructions given by any member of staff and they will assist you in leaving the building and direct you to the assembly point.

Please do not re-enter the building until you are advised it is safe to do so by the relevant member of staff.

Your calmness and assistance is greatly appreciated.

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TENDRING DISTRICT COUNCIL

Procedure for hearings – Premises/Personal Licences Sub-Committee

Licensing Act 2003 and Hearing Regulations 2005

The Licensing Committee officers and their roles

- The Committee Clerk (Democratic Services Officer) records the proceedings;
- The Legal Advisor provides independent advice to the Committee Members on legal matters; and
- The Licensing Officer introduces the matter, outlines the application or review as set out in the Report, and answers any questions Members may have.

Committee Members (Councillors):

Members have a responsibility to declare interests, those who declare **Discloseable Pecuniary Interest (DPI)** as defined by The Relevant Authorities (DPI) Regulations 2012 must not take part in the hearing of the application.

If a Member declares a **Pecuniary or Non-Pecuniary Interests**, as defined by Tendring District Council's Members' Code of Conduct (paragraphs 5 and 6), they must consider the impact of that interest on participation and the public perception;

- Matters for Members to consider would cover, but not exclusively:
 - o they know the applicant or any of the objectors; or
 - o they wish either to support or oppose the granting or continuation of a licence either personally or on behalf of their constituents.
 - o whether they have expressed a view on the application site especially, if situated either in their ward or an adjacent ward;

Other Persons or Interested Parties:

This is the term given to an individual, body or business or a representative acting on their behalf-that raises an objection or make a representation to an application for a premises/personal licence. It should be noted that only the Police can make a representation against a Personal Licence application however. These other persons or interested parties are separate to Responsible Authorities, who may also be a party to the hearing.

PROCEDURE

THESE SUB-COMMITTEES MEETINGS & THE HEARING ARE HELD IN PUBLIC, UNLESS THERE IS A LEGAL REASON NOT TO DO SO, HOWEVER THESE ARE IN LIMITED CIRCUMSTANCES.

Note: if the Sub-committee does not have an elected Chairman already, the election of one Member as Chairman will be the first item of business.

HEARING

Step	By whom	
1	Chairman	<p>The Chairman will welcome everyone to the meeting then:</p> <ul style="list-style-type: none"> a. introduce themselves and the other 2 members and explain that the 4th member (substitute) will not take any part in the hearing or decision making process unless there is a valid objection to one of the other members sitting, if any interest declared debars a member or a member falls ill; b. announce the item to be considered; c. confirm that this procedure will be followed at the hearing, including any maximum periods of time for each side to put their case or objections (*); d. ask all parties, including any "Responsible Authority", to introduce themselves indicating whether or not they are represented, if they are calling any witnesses and if so to identify the witnesses they will be calling. Where there are a number of objectors they will be asked to confirm who their spokesperson is if it is relevant or appropriate for them to do so. e. if a party or Responsible Authority who has made relevant representations is not present, the Sub-Committee will decide whether they consider it in the public interest to (a) continue with the hearing or (b) defer it to enable the party or authority to attend. In reaching a decision on this point, the Sub-Committee will consider any information received from the party either directly or via the Licensing Officer or any other interested person/party where relevant or appropriate; f. remind all present that the Sub-Committee can only make its decision based on the four licensing objectives, namely: <ul style="list-style-type: none"> (1) prevention of crime and disorder, (2) public safety, (3) prevention of public nuisance and (4) protection of children from harm.

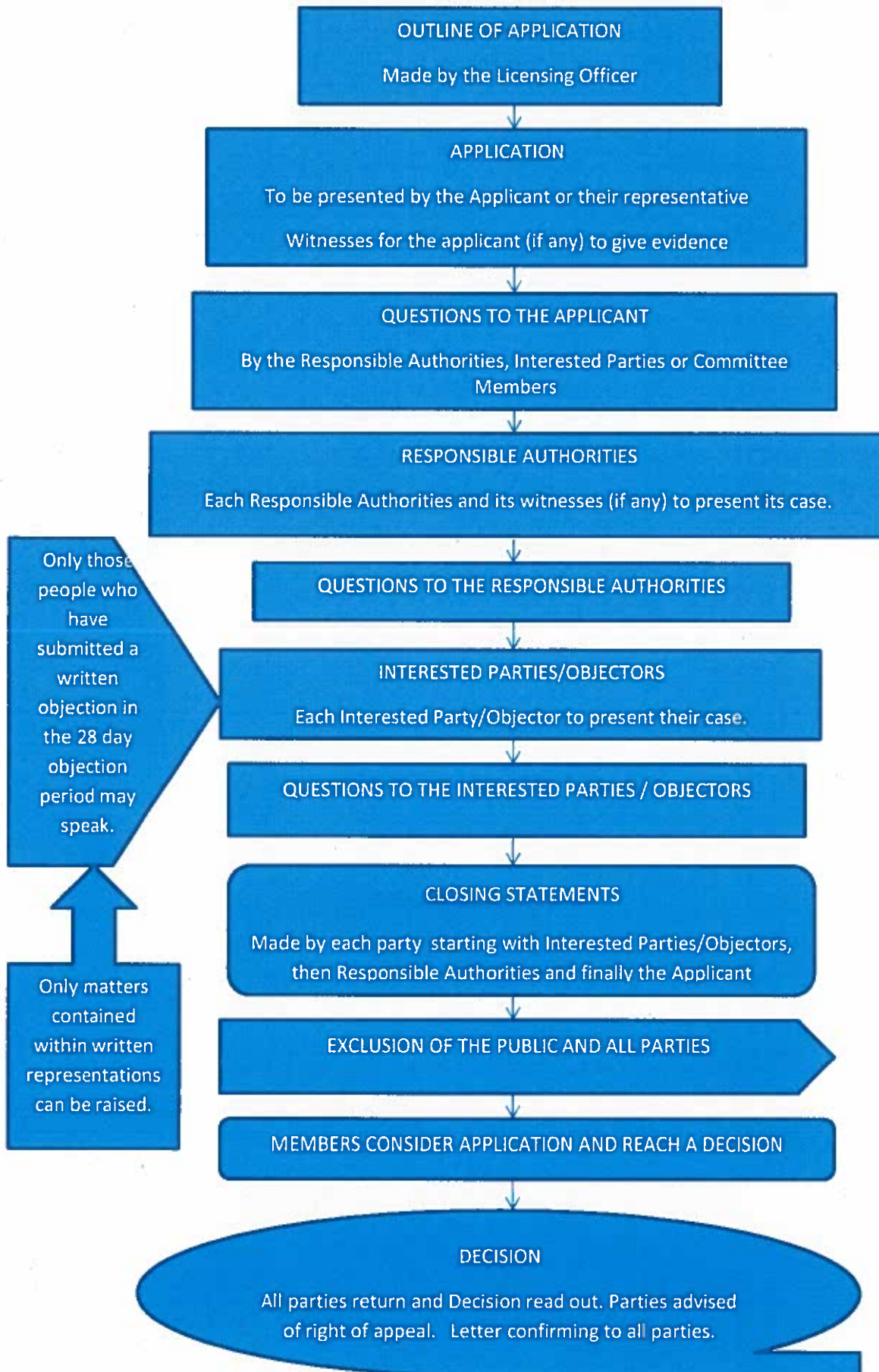
2	Licensing Officer	Will introduce the application or review, highlighting areas of contention or dispute.
3	Committee members	May ask questions of the Licensing Officer.
<p>The Applicant's case</p> <p>(If a person or party requests a review of an existing licence, they would in effect be the Applicant for the review. In those circumstances they would present their case following the summary given by the Licensing Officer)</p>		
4	Applicant or their representative	Will present their case and call witnesses.
5	Responsible authorities or Interested Parties	Each, in turn, may ask questions of the Applicant by way of clarification.
6	Committee members	In turn, each may ask questions of the Applicant.
7	Applicant	May ask any further questions of any witnesses to clear up any points raised in the earlier questioning.
<p>The Responsible Authorities and/or Interested Parties</p>		
8	Responsible Authorities	Will make their representations to the Sub-Committee.
9	Applicant or their representative	May ask questions of the Responsible Authorities by way of clarification.
10	Other persons	May ask questions of the Responsible Authorities or Licensing Officer by way of clarification. Note: this is not the time for other persons to put their objections.
11	Committee Members	May ask questions of the Responsible Authorities by way of clarification. Committee can also ask questions of the objectors by way of clarification.
12	Interested Parties	At this point those who have objected to the application will be asked to present their objections and make observations on the application if appropriate.

13	Applicant or their representative	May ask questions of the Interested Parties /objectors by way of clarification.
14	Committee members	May ask questions of the Interested Parties /objectors.
Closing statements or summary		
15	Chairman	<p>Will ask:</p> <ul style="list-style-type: none"> a. both the Responsible Authorities and Interested Parties /objectors to comment, briefly, on the application or review and summarise their position. No new issues can be raised at this point. b. the applicant or their representative to summarise the application or review and briefly comment on the representations or objections made. c. if everyone is satisfied that they have said what they wanted to say, but making clear that no new issues can be raised at this point.
DECISION MAKING		
16	Sub-Committee	Will retire to consider the application or review and may request the Legal Advisor and/or Committee Clerk to retire with them.
RESUMING THE MEETING AND CONCLUSION		
17	Legal Advisor	If legal advice has been given to the Members whilst in retirement, this advice will be summarised and repeated in the presence of all parties.
18	Chairman	<p>Will:</p> <ul style="list-style-type: none"> a. announce the decision made by the sub-committee and the reasons for that decision; b. advise that the decision, and reasons, will be confirmed in writing to all the parties who made representations; and c. advise all parties of their rights of appeal to the Magistrates' Court.

(*) after receiving copies of this procedure, all parties are requested to give the Council's Licensing Department an indication of the time estimated to present their case. This will be taken into consideration when deciding whether maximum periods of time will be necessary.

TENDRING DISTRICT COUNCIL

THE LICENSING SUB-COMMITTEE HEARINGS PROCEDURE



PREMISES/PERSONAL LICENCES SUB-COMMITTEE

10 MARCH 2020

REPORT OF CORPORATE DIRECTOR [OPERATIONAL SERVICES]

LICENSING ACT 2003

Members are respectfully reminded that, in determining the matters listed under item A.1, they are exercising an administrative function but should determine each matter adopting the civil burden of proof, i.e. 'on the balance of probabilities'. The matters will be determined on the facts before the Sub-Committee and the rules of natural justice will apply. Each application must be considered in its own right and on its own merits.

Premises Licence Applications

The Licensing Act 2003 established a single integrated scheme for licensing premises that are used for the supply of alcohol, regulated entertainment or provision of late night refreshment. This system of licensing incorporates the sale of alcohol both on and off licensed premises; public entertainment such as music, dancing, indoor sporting events, boxing or wrestling, theatres, cinemas; and late night refreshment houses and take-aways.

The purpose of the licensing system is to positively promote the four 'licensing objectives'.

These are:

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

The options open to the Sub-Committee when considering this application are:

1. To grant the application for a premises licence subject to such conditions that are consistent with the operating schedule accompanying the application and any mandatory conditions applicable.
2. To grant the application for the premises licence subject to such conditions as are consistent with the operating schedule accompanying the application and which are modified to such an extent as the Sub Committee considers appropriate for the promotion of the licensing objectives, and any mandatory conditions applicable.
3. To grant the licence as above, but to exclude from the scope of the premises licence any of the licensable activities to which the application relates.
4. To reject the application

When determining the application with a view to promoting the licensing objectives in the overall interests of the local community the Licensing Authority in the form of the Licensing Sub-Committee must have regard and give appropriate weight to the following:

- Full Hearing Procedure for Applications for Premises Licences/Club Premises Certificates where representations have been received.
- Tendring District Council's Statement of Licensing Policy.
- The Statutory Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003.
- The steps appropriate to positively promote the four 'Licensing Objectives'.
- Representations (including supporting information) presented by all the parties.

Human Rights Implications

A Licence is to be regarded as the property of the applicant; however their right to the use of the property must be balanced against all other public interests or representations in this matter that the Premises/Personal Licences Sub-Committee may wish to consider as appropriate, reasonable and proportionate in relation to the application that has been submitted and also the representation/s that has/have been received against it.

In making their decision as to whether to grant this application, Members of the Premises/Personal Licences Sub-Committee should also take into consideration Article 1 of the First Protocol of the Human Rights Act 1998, that individuals are entitled to the peaceful enjoyment of their property, and also Article 8 that everyone has the right to respect for his private and family life and his correspondence.

Crime and Disorder Implications

Section 17 of the Crime and Disorder Act 1998 imposes a duty on local authorities when exercising any of their functions to have due regard to the likely effect of the exercise of those functions on, and the need to do all it possibly can to prevent, crime and disorder in its area.

Members are requested to consider the information shown below where the Licensing Authority has received a representation about an application which is relevant to one or more of the four licensing objectives, and which suggests that the application may have a negative impact on one or more of the licensing objectives.

A.1 LICENSING ACT 2003 – APPLICATION NO: 20/00047/PREMGR APPLICATION FOR THE GRANT OF A PREMISES LICENCE - ARDLEIGH SERVICE STATION, COLCHESTER ROAD, ARDLEIGH, ESSEX, CO7 7PA

1.0 APPLICATION DETAILS

1.1 Applicants

Tankerford Limited

1.2 Premises

Ardleigh Service Station, Colchester Road, Ardleigh, Essex, CO7 7PA

1.3 Agents

Richard Baker
RB Retail & Licensing Services Limited

1.4 Ward

Ardleigh and Little Bromley

1.5 Reason for Application

The application is made under the Licensing Act 2003 for a Premises Licence to include the sale of alcohol off the premises.

2.0 GENERAL DESCRIPTION OF PREMISES

2.1 This is an existing convenience store located on a forecourt. The store will shortly be undergoing a refurbishment. The store retail area will be approx. 440 sq ft.

2.2 Proposed Opening Hours

The applicants are proposing to open to the public are:

Mondays to Sundays

0600 to 2300

3.0 PROPOSED LICENSABLE ACTIVITIES

3.1 Sale of Alcohol off the Premises

Mondays to Sundays

0600 to 2300

4.0 STEPS THAT APPLICANTS PROPOSE TO TAKE TO PROMOTE THE LICENSING OBJECTIVES WITHIN THEIR OPERATING SCHEDULE

The applicant has stated the following steps in the application to promote the licensing objectives. These measures are reproduced as shown in the application form and are detailed below for ease of reference. These are:

4.1 Crime and Disorder

1. Spirits will be located behind the counter.
2. The premises shall have sufficient cameras located within the premises to cover all public areas including the outside of the premises covering the entrance and exit.
3. The system should be able to cope with all levels of illumination throughout the premises.
4. CCTV warning signs to be fitted in public places.
5. The CCTV system must be operating at all times whilst the premises are open for licensable activity. All equipment shall have constant and accurate time and date generation.
6. The recording system must record to evidential standard and be retained for a minimum of 28 days.
7. CCTV recording shall be made available to the Police upon reasonable request.
8. Staff shall be trained with regard to their responsibilities in the retail sale of alcohol, training records are to be available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority upon request.

4.2 Public Safety

1. The premises shall have sufficient cameras located within the premises to cover all public areas including the outside of the premises covering the entrance and exit.
2. The system should be able to cope with all levels of illumination throughout the premises.
3. CCTV warning signs to be fitted in public places.
4. The CCTV system must be operating at all times whilst the premises are open for licensable activity. All equipment shall have a constant and accurate time and date generation.
5. The recording system must record to evidential standard and be retained for a minimum of 28 days.
6. CCTV recordings shall be made available to the Police upon reasonable request.

4.3 Prevention of Public Nuisance

1. Notices shall be displayed prominently requesting customers to leave the premises quietly.
2. Sufficient litter bins will be available on site and emptied regularly.

4.4 Protection of Children from Harm

1. Staff shall be trained with regard to their responsibilities in the retail sale of alcohol. Training records are to be available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority upon request.
2. A refusals book will be operated and maintained. The book will be available for inspection upon request by a relevant officer of a responsible authority.
3. A Challenge 25 policy will be operated at the premises. Acceptable forms of identification shall be a passport, a photo driving licence and a PASS accredited identification card.
4. Challenge 25 posters shall be displayed in prominent positions at the premises.

4.5 General Information in support of the application in relation to all of the licensing objectives.

1. Spirits will be located behind the counter.
2. The premises shall have sufficient cameras located within the premises to cover all public areas including the outside of the premises covering the entrance and exit.
3. The system should be able to cope with all levels of illumination throughout the premises.
4. CCTV warning signs to be fitted in public places.
5. The CCTV system must be operating at all times whilst the premises are open for licensable activity. All equipment shall have a constant and accurate time and date generation.
6. The recording system must record to evidential standard and be retained for a minimum of 28 days.
7. CCTV recordings shall be made available to the Police upon reasonable request.
8. Staff shall be trained with regard to their responsibilities in the retail sale of alcohol, training records are to be available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority upon request.
9. A refusals book will be operated and maintained. The book will be available for inspection upon request by a relevant offer of a responsible authority.
10. A Challenge 25 policy will be operated at the premises. Acceptable forms of identification shall be a passport, a photo driving licence and a PASS accredited identification card.
11. Challenge 25 posters shall be displayed in prominent positions at the premises.
12. Notices shall be displayed prominently requesting customers to leave the premises quietly.
13. Sufficient litter bins will be available on site and emptied regularly.

5.0 RELEVANT REPRESENTATIONS

5.1 Interested Parties/Other Persons

5.2 The Police Reform and Social Responsibility Act 2011 (PRSR Act 2011) removed from the Licensing Act 2003 the specific reference for representations to be made by 'interested parties' and also removed the requirement that representations could only be accepted from persons living in the 'vicinity' of the premises concerned, or who had for example, a business in the 'vicinity' of the premises.

5.3 There was no guidance or definition of 'vicinity' within the Licensing Act 2003 which effectively had a limiting effect on those that could make relevant representations.

5.4 The PRSR Act 2011 replaced the references to 'interested parties' and 'vicinity' and substituted that representations can be made and accepted by the Licensing Authority from 'other persons' which means that those persons do not necessarily have to live or run a business for example in the proximity of the premises to be able to submit a valid and relevant representation.

5.5 The relevant extracts from the Section 182 Guidance that accompanies the Licensing Act 2003 advises the following in relation to 'other persons'. They are shown in italics for ease of reference.

8.12 As well as responsible authorities, any other person can play a role in a number of licensing processes under the 2003 Act. This includes any individual, body or business entitled to make representations to licensing authorities in relation to applications for the grant, variation, minor variation or review of premises licences and club premises certificates, regardless of their geographic proximity to the premises.

5.6 Representations can be made either against or in support of an application. The relevant extracts from the Section 182 Guidance that accompanies the Licensing Act 2003 advises the following in relation to this point.

9.3 Relevant representations can be made in opposition to, or in support of, an application and can be made by any individual, body or business that has grounds to do so.

5.7 10 letters of representations/objections has been received from residents in relation to this application.

6.0 **RESPONSIBLE AUTHORITIES**

No representations have been received from any other Responsible Authorities.

7.0 **POLICY CONSIDERATIONS**

The Licensing Authority's Statement of Licensing Policy expects applicants to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to prevent public nuisance relevant to the individual style and characteristics of their premises.

7.1 The relevant extracts from the Council's Statement of Licensing Policy in respect of Planning considerations (shown in italics) and also the 'Prevention of Public Nuisance' licensing objective are as follows:

1.20 *When the Licensing Authority is considering any application, it will avoid duplication with other regulatory regimes, so far as possible, and does not intend to use the licensing regime to achieve outcomes that can be achieved by other legislation. In particular, its licensing functions will be discharged separately from the Authority's functions as the local planning authority. **However, applications for premises licences for permanent commercial premises should normally be from businesses with planning consent for the property concerned.** (Other permissions may be applicable to licensed premises and applicants are expected to ensure that such permissions are obtained where necessary.)*

5.0 PREVENTION OF PUBLIC NUISANCE

- 5.1 Licensed premises have a significant potential to impact adversely on communities through public nuisances that arise from their operation. The Licensing Authority wishes to maintain and protect the amenity of residents and other businesses from the consequence of the operation of licensed premises whilst recognising the valuable cultural, social and business importance that such premises provide.
- 5.2 The Licensing Authority intends to interpret “public nuisance” in its widest sense, and takes it to include such issues as noise, light, odour, litter and anti-social behaviour, where these matters impact on those living, working or otherwise engaged in normal activity in an area.
- 5.3 Applicants need to be clear that the Licensing Authority will normally apply stricter conditions, including controls on licensing hours, where licensed premises are in residential areas and where relevant representations have been received. Conversely, premises for which it can be demonstrated have effective measures planned to prevent public nuisance, may be suitable for 24-hour opening.
- 5.4 In the case of shops, stores and supermarkets selling alcohol, the Licensing Authority will normally permit the hours during which alcohol is sold to match the normal trading hours during which other sales take place, unless there are exceptional reasons relating to disturbance or disorder.
- 5.5 Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to prevent public nuisance, relevant to the individual style and characteristics of their premises and events.

8.0 RELEVANT SECTION 182 GUIDANCE – PREVENTION OF PUBLIC NUISANCE

- 8.1 The following sections shown below in italics are taken from the Home Office Section 182 Guidance that accompanies the Licensing Act 2003 and are included for the assistance of the Licensing Sub Committee, the applicant, responsible authorities, residents and any other interested parties to this hearing. They do not however form the totality of the guidance in relation to this licensing objective which should also be considered in its entirety. These are:
- 2.18 *The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.*
- 2.19 *Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It is important to remember that the prevention of public nuisance could therefore include low-level nuisance, perhaps affecting a few people living locally, as well as major disturbance affecting the whole community. It may also include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.*

9.0 RELEVANT SECTION 182 GUIDANCE - PREVENTION OF CRIME AND DISORDER

9.1 The following section shown below in italics is taken from the Home Office Section 182 Guidance that accompanies the Licensing Act 2003 and is included for the assistance of the Licensing Sub Committee, the applicant, responsible authorities, residents and any other interested parties to this hearing. They do not however form the totality of the guidance in relation to this licensing objective which should also be considered in its entirety. This is:

2.1 Licensing Authorities should look to the police as the main source of advice on crime and disorder.

10.0 RELEVANT SECTION 182 GUIDANCE – PLANNING AND BUILDING CONTROL

10.1 The following section shown below in italics is taken from the Home Office Section 182 Guidance that accompanies the Licensing Act 2003 and is included for the assistance of the Licensing Sub Committee, the applicant, responsible authorities, residents and any other interested parties to this hearing.

13.56 The statement of licensing policy should indicate that planning permission, building control approval and licensing regimes will be properly separated to avoid duplication and inefficiency. The planning and licensing regimes involve consideration of different (albeit related) matters. Licensing committees are not bound by decisions made by a planning committee, and vice versa.

13.57 There are circumstances when as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law.

11.0 ASSOCIATED PAPERS

The following papers are attached as part of this agenda for Members of this Sub-Committee only:-

- (i) Application form and any supporting documentation.
- (ii) Location Plan.
- (iii) Representation/objection letters

Copies of all documentation concerning this application are also available from Licensing Section upon request.

12.0 DECISION

12.1 Each application must be considered in its own right and on its own merits only as to how it might impact on the four licensing objectives which are the Prevention of Crime and Disorder, the Prevention of Public Nuisance, Public Safety and the Protection of Children from Harm.

12.2 The Licensing Sub Committee is therefore asked to determine this application taking into consideration the application in its own right and on its own merits and also all of the relevant information that has been submitted as part of this report and at the hearing itself.

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Receipt NO: 00091

Application Received
24.1.2020.

Paid Cheque £190.00 27/01/2020.
Post

THE LICENSING TEAM, TENDRING DISTRICT COUNCIL, 88-90
PIER AVENUE, CLACTON ON SEA, ESSEX, CO15 1TN.

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

20/00047/PREM

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

GR.

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.

We TANKERFORD 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

ARDLEIGH SERVICE STATION
COLCHESTER ROAD
ARDLEIGH

Post town	COLCHESTER	Postcode	CO7 7PA

Telephone number at premises (if any)

Non-domestic rateable value of premises £ 9900

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 please complete section (B)
 - ii. as a partnership 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)

Expire
21/2/2020

- 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:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or X

I am making the application pursuant to a
 statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

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		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name TANKERFORD LIMITED
Address EASHING BP SERVICE STATION LOWER EASHING GODALMING SURREY GU7 2QG
Registered number (where applicable) 05912098
Description of applicant (for example, partnership, company, unincorporated association etc.) LIMITED 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
2	2	0 2 2 0 2 0

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)

THIS IS AN EXISTING CONVENIENCE STORE LOCATED ON A FORECOURT. THE STORE WILL SHORTLY BE UNDERGOING A REFURBISHMENT. THE STORE RETAIL AREA WILL BE APPROX 440 SQ FT.

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

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

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

Provision of regulated entertainment

Please tick any 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)

X

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			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 (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish				
Mon			<u>Please give further details here</u> (please read guidance note 3)			
Tue						
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)			
Thur						
Fri			<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 5)			
Sat						
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
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 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish				
Mon			<u>Please give further details here</u> (please read guidance note 3)			
Tue						
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)			
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 5)			
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur					
Fri					
Sat			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 (please read guidance note 5)		
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur					
Fri			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 (please read guidance note 5)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	
			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 3)	
Mon				
Tue				
Wed				
			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)	
Thur				
			<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 5)	
Fri				
Sat				
Sun				

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p>Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p>Please give further details here (please read guidance note 3)</p>		
Wed					
Thur					
Fri			<p>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)</p>		
Sat					
Sun					
			<p>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)</p>		

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	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 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption -- please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	X
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	06.00	23.00			
Tue	06.00	23.00			
Wed	06.00	23.00			
Thur	06.00	23.00			
Fri	06.00	23.00			
Sat	06.00	23.00			
Sun	06.00	23.00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left. please list (please read guidance note 6)		

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 SIMON MATTHEW STANCEVIC

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 8).

NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	06.00	23.00	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)</p>
Tue	06.00	23.00	
Wed	06.00	23.00	
Thur	06.00	23.00	
Fri	06.00	23.00	
Sat	06.00	23.00	
Sun	06.00	23.00	

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 9)

1. Spirits will be located behind the counter.
2. The premises shall have sufficient cameras located within the premises to cover all public areas including the outside of the premises covering the entrance and exit.
3. The system should be able to cope with all levels of illumination throughout the premises.
4. CCTV warning signs to be fitted in public places
5. The CCTV system must be operating at all times whilst the premises are open for licensable activity. All equipment shall have a constant and accurate time and date generation.
6. The recording system must record to evidential standard and be retained for a minimum of 28 days.
7. CCTV recordings shall be made available to the Police upon reasonable request.
8. Staff shall be trained with regard to their responsibilities in the retail sale of alcohol, Training records are to be available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority upon request.
9. A refusals book will be operated and maintained. The book will be available for inspection upon request by a relevant officer of a responsible authority.
10. A Challenge 25 policy will be operated at the premises. Acceptable forms of identification shall be a passport, a photo driving licence and a PASS accredited identification card.
11. Challenge 25 posters shall be displayed in prominent positions at the premises.
12. Notices shall be displayed prominently requesting customers to leave the premises quietly.
13. Sufficient litter bins will be available on site and emptied regularly.

b) The prevention of crime and disorder

1. Spirits will be located behind the counter.
2. The premises shall have sufficient cameras located within the premises to cover all public areas including the outside of the premises covering the entrance and exit.
3. The system should be able to cope with all levels of illumination throughout the premises.
4. CCTV warning signs to be fitted in public places
5. The CCTV system must be operating at all times whilst the premises are open for licensable activity. All equipment shall have a constant and accurate time and date generation.
6. The recording system must record to evidential standard and be retained for a minimum of 28 days.
7. CCTV recordings shall be made available to the Police upon reasonable request.
8. Staff shall be trained with regard to their responsibilities in the retail sale of alcohol, Training records are to be available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority upon request.

c) Public safety

1. The premises shall have sufficient cameras located within the premises to cover all public areas including the outside of the premises covering the entrance and exit.
2. The system should be able to cope with all levels of illumination throughout the premises.
3. CCTV warning signs to be fitted in public places.
4. The CCTV system must be operating at all times whilst the premises are open for licensable activity. All equipment shall have a constant and accurate time and date generation.
5. The recording system must record to evidential standard and be retained for a minimum of 28 days.
6. CCTV recordings shall be made available to the Police upon reasonable request.

d) The prevention of public nuisance

1. Notices shall be displayed prominently requesting customers to leave the premises quietly.
2. Sufficient litter bins will be available on site and emptied regularly.

e) The protection of children from harm

1. Staff shall be trained with regard to their responsibilities in the retail sale of alcohol. Training records are to be available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority upon request.
2. A refusals book will be operated and maintained. The book will be available for inspection upon request by a relevant officer of a responsible authority.
3. A Challenge 25 policy will be operated at the premises. Acceptable forms of identification shall be a passport, a photo driving licence and a PASS accredited identification card.
4. Challenge 25 posters shall be displayed in prominent positions at the premises.

Checklist:

Please tick to indicate agreement

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

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

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a
--------------------	--

	licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	23 RD JANUARY 2020
Capacity	AGENT

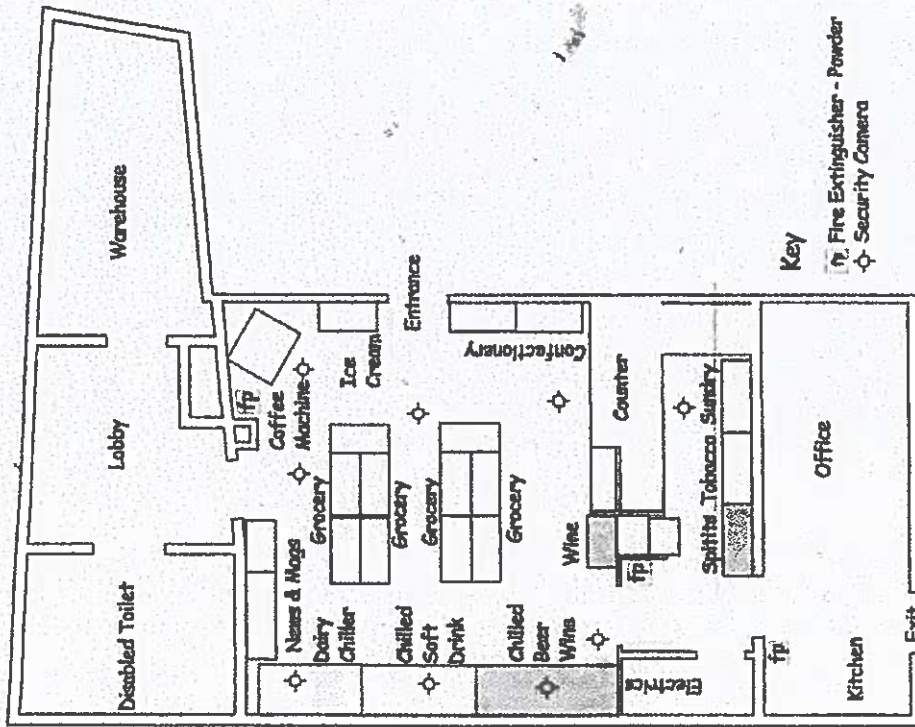
For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
RICHARD BAKER RB RETAIL & LICENSING SERVICES LIMITED 23 MAGISTER DRIVE LEE ON THE SOLENT			
Post town	PORTSMOUTH	Postcode	PO13 8GE
Telephone number (if any)	07771 540066		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) INFO@RBRLS.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
2. consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
3. 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.



Key
 □ Fire Extinguisher - Powder
 ◊ Security Camera

All retail selling areas to be licensed for alcohol display. Copyright - RB Retail & Licensing Services Limited, 23 Magister Drive, Lee on the Solent, Portsmouth PO123 8GE, Site dimensions to be used at all times

Ardleigh Service Station
 Colchester Road
 Ardleigh
 Colchester
 CO7 7PA
 Scale- 1:100
 Drawing Reference: RB/1334
 Drawn by: R Baker RB Retail & Licensing Services Limited
 27th November 2019

**PUBLIC NOTICE OF AN APPLICATION FOR A PREMISES LICENCE
UNDER SECTION 17 OF THE
LICENSING ACT 2003**

Notice is hereby given that an application was made to **TENDRING DISTRICT COUNCIL** for a premises licence under the above Act on **25th JANUARY 2020.**

Applicant: **TANKERFORD LIMITED**

Address of premises: **ARDLEIGH SERVICE STATION
COLCHESTER ROAD
ARDLEIGH
COLCHESTER
CO7 7PA.**

Proposed licensable activities:

- **SALE OF ALCOHOL FOR CONSUMPTION OFF THE PREMISES.**

Proposed days and hours of licensable activity:

EVERYDAY

ALCOHOL SALES - 06.00 TO 23.00 HOURS

The postal address of the Licensing Authority where the register is kept and the application may be inspected is:

*** THE LICENSING TEAM, TENDRING DISTRICT COUNCIL, 88-90 PIER AVENUE, CLACTON ON SEA, ESSEX, CO15 1TN.**

Any person wishing to make representations on this matter shall give notice, in writing, stating the nature and grounds for making such representations to The Licensing Officer at the above address* within 28 days of the date of this notice – by the **21st FEBRUARY 2020.** Further information is available on the web site www.tendringdc.gov.uk by following the links.

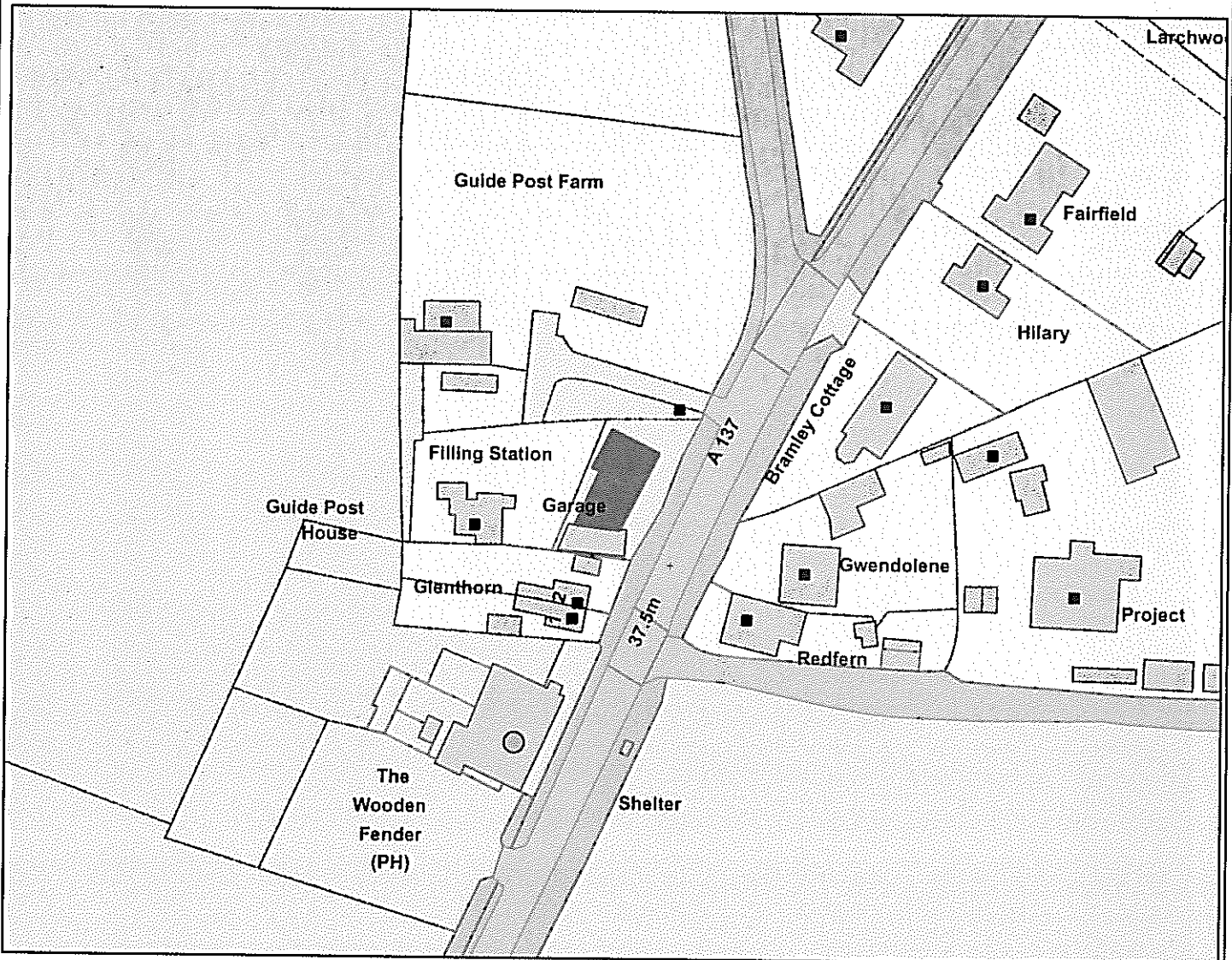
It is an offence, under section 158 of the Licensing Act 2003, to knowingly or recklessly make a false statement in or in connection with an application and the maximum fine on summary conviction of such an offence is £5000.

**JB RETAIL & LICENSING SERVICES LIMITED –
Solely Authorised Agent**

Ardleigh Service Station

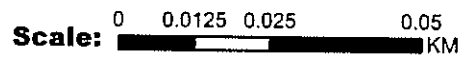


Colchester Road, Ardleigh



Legend

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Organisation	Tendring District Council
Department	Licensing Section
Comments	20/00047/PREMGR
Date	26/02/2020
MSA Number	100018684

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Emma King

From: Planning Services
Sent: 12 February 2020 14:58
To: Licensing Section
Subject: Comments for Licensing Application 20/00047/PREMGR

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 2:57 PM on 12 Feb 2020 from Ms Clerk to Ardleigh Parish Council.

Application Summary

Address: Ardleigh Service Station Colchester Road Ardleigh
Colchester Essex CO7 7PA
Proposal: Premises Licence Grant
Case Officer: Miss Lisa Tappenden
[Click for further information](#)

Customer Details

Name: Ms Clerk to Ardleigh Parish Council
Email: ardleighpc@gmail.com
Address: Ardleigh Parish Council, PO Box 12865, Great Bromley
Colchester, Colchester CO7 7EZ

Comments Details

Commenter Type: Parish or Town Council
Stance: Customer objects to the Licensing Application
Reasons for comment:

- Crime and Disorder and Public Nuisance
- Noise Disturbance
- Opening Hours
- Parking
- Protection of Children from Harm
- Public Safety and Public Nuisance
- Safety of Premises
- Traffic

Comments: 2:57 PM on 12 Feb 2020 The Parish Council considered this at their meeting on 10 February and were made aware of a number of concerns and objections by our residents. The council would be concerned about all of the areas listed above including the additional traffic and dangerous driving/ parking, risk of crime including drink driving, littering and making the site vulnerable to theft (we believe it was previously 'ram raided'). We also note that many residents in the immediate area were unaware, indeed the Parish Council was not alerted directly. We trust that all these matters will be considered at a full hearing.

Emma King

From: Licensing Section
Sent: 19 February 2020 15:39
To: Emma King
Cc: Karen Townshend
Subject: FW: 20/00047/PREMGR | Premises Licence Grant (OBJECTION)

From:
Sent: 19 February 2020 15:36
To: Licensing Section <licensingsection@tendringdc.gov.uk>
Subject: 20/00047/PREMGR | Premises Licence Grant (OBJECTION)

Hi Lisa as I've mentioned in our call earlier I wasn't able to put a objection through due to system error and have emailed it as you said.

The application number is:
20/00047/PREMGR | Premises Licence Grant

Address:

Ardleigh Service Station Colchester Road Ardleigh
Colchester Essex CO7 7PA

My comment/objection

HI I HIGHLY SUGGEST THIS APPLICATION IS CONSIDERED AS DANGER TO PUBLIC AND THE HIGHWAY LET ALONE ALL THE NUISANCE IT WILL CAUSE THE RESIDENTS WHO LIVE IN THE VILLAGE.
THE AMOUNT OF DANGER IT WILL CAUSE TRAFFIC IS ANOTHER CONCERN.

#PREVENTATION OF CRIME AND DISORDER

Their will be a high number of drink drivers who will be using the Petrol Garage to purchase alcohol as it will be the only premises who will sell alcohol at that time (11pm)
The crime comes in when they actually go to buy the alcohol most people buy before hand and will be drink driving in order to buy alcohol from the garage and it is not in a location were people will walk to, they will have to drive their while under the influence of alcohol,
Not only people from the village may drive their the biggest danger is the surrounding villages driving here.

#PROMOTION OF PUBLIC SAFETY

Their will be danger to the public who use the garage,
as if it starts selling alcohol the size of the forecourt won't allow enough space for people to use the garage, it only has 4 pumps, if pumps are kept busy while customers are shopping the rest of the customers will have to queue up on a 40MPH road which is also on a dangerous bend.
I've experienced this many times for the past 5 years,
soon as theirs a couple customers keeping the pumps busy everyone else has no choice but to wait on the main colchester road, This then has made my self go on towards on coming traffic to avoid a collision.

#PREVENTATION OF PUBLIC NUISANCE

Again it will only encourage people to be drunk at late night and hang around the village, mainly on wick lane (reservoir) as it already has problems with people drinking late night and keeping their car music loud and causing nuisance to the residents.

#PROTECTION OF CHILDREN FROM HARM

Due to drink driving and only being less than half a mile away from a PRIMARY SCHOOL children will be in danger, also my main concern is the new upcoming teenagers who have just started driving has increased in the area over the last year they will attempt to buy and consume while driving.

Huseyin dogus

Resident

19/02/2020

Emma King

From: Licensing Section
Sent: 10 February 2020 08:31
To: Karen Townshend; Emma King
Subject: FW: Comments for Licensing Application 20/00047/PREMGR

I will add this to the list

From: Planning Services
Sent: 08 February 2020 22:48
To: Licensing Section
Subject: Comments for Licensing Application 20/00047/PREMGR

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 10:47 PM on 08 Feb 2020 from Mrs Jill Hamblin.

Application Summary

Address: Ardleigh Service Station Colchester Road Ardleigh
Colchester Essex CO7 7PA
Proposal: Premises Licence Grant
Case Officer: Miss Lisa Tappenden
[Click for further information](#)

Customer Details

Name: Mrs Jill Hamblin
Email:
Address:

Comments Details

Commenter Type: Member of the Public
Stance: Customer objects to the Licensing Application
Reasons for comment:
- Crime and Disorder
- Crime and Disorder and Public Nuisance
- Protection of Children from Harm
- Public Nuisance
- Public Safety
- Public Safety and Public Nuisance
Comments: 10:47 PM on 08 Feb 2020 1. Drinking and driving do not mix: a place where drivers go to buy fuel should not sell alcohol.
2. This garage is right next to a flourishing public house, The Wooden Fender; there is no need for alcohol to be stocked in the service station.
3. Within the village, the Post Office and the Village shop/newsagents already sell alcohol. Both these establishments are run by people who keep a very close

eye on their customers. They are small businesses which rely on this good management for their continued success. The garage will rely on hired staff who, however good they are at their jobs, will not have the same commitment or knowledge of their customers. There would therefore be a very real danger of public nuisance and disorder.

4 I fear that the premises would pose an easy target for raiders. The neighbours need to live free from this fear.

5. The village values its Post Office and Village shop. Too many other villages have lost their facilities; Ardleigh wants to keep them and we villagers want to protect them from undue competition. There is simply no need for another outlet selling alcohol.

Emma King

From: Planning Services
Sent: 17 February 2020 08:47
To: Licensing Section
Cc: DC Admin Planning
Subject: FW: Premises Licence Grant 20/00047/PREMGR

-----Original Message-----

From: jayne marshall <marshalljb1@btinternet.com>
Sent: 16 February 2020 18:55
To: Planning Services <planningservices@tendringdc.gov.uk>
Subject: Premises Licence Grant 20/00047/PREMGR

Dear Sir/Madam,

re: Premises Licence Grant 20/00047/PREMGR

I wish to object to the above application, for reasons as follows:-

. Alcohol should NOT be sold at a fuel station!

. Ardleigh Service Station is situated in a semi - rural location, where at night time, the street lights are switched off - and rightly so!

Local residents would be subjected to unnecessary extended light pollution, as the proposal suggests it would be operational 24hrs a day!

Noise pollution would undoubtedly accompany the latter also!

. Without prejudice, an off licence at this location could invite anti-social behaviour and given that Ardleigh Service Station has already been targeted by raiders (on more than one occasion) in the past and is positioned where a quick escape route to the A12 is just a few minutes away, is quite concerning!

. The A137 approach road to the site is busy! Any extra traffic this application could generate, may well create additional parking issues!

. Ardleigh Village already has two businesses with off licence facilities - in addition to it's resident Public House! This would therefore suggest that there is no further need for an additional one!

I would be most grateful for acknowledgement of this email.

Yours faithfully,

Jayne Marshall

Emma King

From: Licensing Section
Sent: 14 February 2020 08:23
To: Emma King
Subject: FW: Comments for Licensing Application 20/00047/PREMGR

From: Planning Services
Sent: 13 February 2020 19:30
To: Licensing Section
Subject: Comments for Licensing Application 20/00047/PREMGR

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 7:30 PM on 13 Feb 2020 from Mrs Carolyn Mason.

Application Summary

Address: Ardleigh Service Station Colchester Road Ardleigh
Colchester Essex CO7 7PA
Proposal: Premises Licence Grant
Case Officer: Miss Lisa Tappenden
[Click for further information](#)

Customer Details

Name: Mrs Carolyn Mason
Email: [REDACTED]
Address: [REDACTED]

Comments Details

Commenter Type: Member of the Public
Stance: Customer objects to the Licensing Application
Reasons for comment:
- Noise Disturbance
- Opening Hours
- Parking
- Protection of Children from Harm
- Public Safety
- Traffic
Comments: 7:30 PM on 13 Feb 2020 The application may lead to an increase in traffic on a dangerous road junction where there is only a short distance from a junction. There is little room on the garage forecourt for additional vehicles, other than those buying fuel and can sometimes cause vehicles to queue onto the main road, presenting a dangerous situation. If the increase in products sold at the garage leads to extended opening hours this could cause a nuisance and noise disturbance

to those who live near by and the nearby village. I am also concerned that underage sales may occur as staff may not be fully aware of the age of the purchaser. There could be an increase in littering in and around the village. There are well controlled sales of alcohol in the nearby village sufficient for the needs of the local population and an increase in the opportunity to purchase alcohol is unnecessary.

Emma King

From: Planning Services
Sent: 06 February 2020 15:43
To: Licensing Section
Subject: Comments for Licensing Application 20/00047/PREMGR

Categories: Emma, Karen

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 3:42 PM on 06 Feb 2020 from Ms Vicky Price.

Application Summary

Address: Ardleigh Service Station Colchester Road Ardleigh
Colchester Essex CO7 7PA

Proposal: Premises Licence Grant

Case Officer: Miss Lisa Tappenden

[Click for further information](#)

Customer Details

Name: Ms Vicky Price

Email:

Address:

Comments Details

Commenter Type: Member of the Public

Stance: Customer objects to the Licensing Application

Reasons for comment:

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

Comments: 3:42 PM on 06 Feb 2020 I am a resident of Ardleigh and have been for 13 yrs. since the new owners of the shop on The Ardleigh crossroads has reopened 5 years ago it has been a godsend as the last shop was useless!!!! The fact that it serves alcohol is not a problem as closes at 9, this is excellent. I do not want local children from the village or for that matter people driving through to be able to purchase alcohol until 11 at night. We are a small village and do not require this here. We have 2 pubs for people of legal drinking age to be able to purchase alcohol should their wish. If this garage if allowed to sell alcohol it may also jeopardise our local convenience store and the owner livelihood. I say again the shop is all we need, the garage should

stick to selling petrol/Diesel.

If you asked residents in the village I think you will find that they would rather the local shop than the garage.

Emma King

From: Licensing Section
Sent: 24 February 2020 08:51
To: Emma King
Subject: FW: Objecting against the Premises License application ref :20/00047/PREMGR

From: Sue Sahir
Sent: 21 February 2020 17:01
To: Licensing Section <licensingsection@tendringdc.gov.uk>
Subject: Objecting against the Premises License application ref :20/00047/PREMGR

Dear Miss Lisa Tappenden,

I highly recommend for this objection to be considered as concerns for public safety and the prevention of public nuisance under the licensing objectives.

Public safety will be a big concern for myself and most residents in the village, as at the moment the garage is already busy enough that it causes most of us to queue up on Colchester road, which at most times it's a very busy road and also has a 40MPH speed limit. Every time I've had to wait for an available petrol pump to be available, I've had so many cars swerve round the cars waiting to go in the garage and if another car was coming in the opposite direction at high speed the only choice is to drive into the ditch or a head on collision. If customers took longer to purchase anything other than primarily fuel this makes it longer for us to queue on Colchester road.

Another concern of public safety as danger, is how could alcohol and driving be mixed together? Most people who want to purchase alcohol at the Service Station will have to drive there and most people arrange before hand to drink at night so if they do drive to the service station they will be under the influence of alcohol..

My second concern is public nuisance and anti social behaviour, as the location is already off to very small side roads that are already very busy, it will cause even more traffic and potential accidents as the road signs are not accurate and there are no traffic lights in the village at all for the control of traffic.

Also being just off the reservoir their will be even more anti social behaviour as there is already young teens hanging around and if the garage was licensed to sell alcohol until 11pm that's a major concern and will bring even more anti social behaviour into the village.

Also the service station opens at 7am, the Premises License application doesn't match up with the current opening time?The proposed license from 6am, with the noise from vehicles stopping there to purchase alcohol could cause a nuisance and disturbance to the local neighbours.

Yours sincerely,

Mrs S Sahin

Sent from my iPhone

Emma King

From: Planning Services
Sent: 06 February 2020 16:17
To: Licensing Section
Subject: Comments for Licensing Application 20/00047/PREMGR

Categories: Emma, Karen

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 4:16 PM on 06 Feb 2020 from Mr Clive Salmon.

Application Summary

Address: Ardleigh Service Station Colchester Road Ardleigh
Colchester Essex CO7 7PA

Proposal: Premises Licence Grant

Case Officer: Miss Lisa Tappenden

[Click for further information](#)

Customer Details

Name: Mr Clive Salmon

Email:

Address:

Comments Details

Commenter Type: Member of the Public

Stance: Customer objects to the Licensing Application

Reasons for comment:

- Crime and Disorder and Public Nuisance
- General no evidence
- Noise Disturbance
- Opening Hours
- Public Safety and Public Nuisance
- Traffic

Comments: 4:16 PM on 06 Feb 2020 I firmly object to this application.
There is already an off-license in Ardleigh village that is well managed/controlled w.r.t to youngsters trying to purchase alcohol and only is open at appropriate times.

Allowing an isolated garage to sell alcohol is crazy, will cause public and noise nuisance at all ends of the day/night and almost certainly encourage crime.

The existing off license is more than adequate for this village hence I cannot see any benefit or evidence that a new one is needed.

Emma King

From: Planning Services
Sent: 05 February 2020 22:47
To: Licensing Section
Subject: Comments for Licensing Application 20/00047/PREMGR
Categories: Karen, Emma

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 10:47 PM on 05 Feb 2020 from Mr Nathan Victorio.

Application Summary

Address: Ardleigh Service Station Colchester Road Ardleigh
Colchester Essex CO7 7PA
Proposal: Premises Licence Grant
Case Officer: Miss Lisa Tappenden
[Click for further information](#)

Customer Details

Name: Mr Nathan Victorio
Email:
Address:

Comments Details

Commenter Type: Member of the Public
Stance: Customer objects to the Licensing Application
Reasons for comment:

- Breach of one or more Licensing Objs
- Crime and Disorder
- Crime and Disorder and Public Nuisance
- Noise Disturbance
- Opening Hours
- Parking
- Traffic

Comments: 10:47 PM on 05 Feb 2020 Due to the village already having two existing licensed shops selling alcohol is there really a need for a further one? The location right next to a public house selling alcohol to me makes no sense and would increase the chances of drink driving and issues with anti social behaviour. The change of use to a chained outlet such as one stop or happy shopper is taking away what village stores and life is all about. I have spoken to many people about this that can't operate computers due to age or not having one so how do they go about signing??

Emma King

From: Planning Services
Sent: 06 February 2020 19:31
To: Licensing Section
Subject: Comments for Licensing Application 20/00047/PREMGR

Categories: Karen, Emma

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 7:30 PM on 06 Feb 2020 from Mrs Chantelle Weaver.

Application Summary

Address: Ardleigh Service Station Colchester Road Ardleigh
Colchester Essex CO7 7PA

Proposal: Premises Licence Grant

Case Officer: Miss Lisa Tappenden

[Click for further information](#)

Customer Details

Name: Mrs Chantelle Weaver

Email:

Address:

Comments Details

Commenter Type: Member of the Public

Stance: Customer objects to the Licensing Application

Reasons for comment:

- Crime and Disorder and Public Nuisance
- Noise Disturbance
- Public Safety and Public Nuisance

Comments: 7:30 PM on 06 Feb 2020 Strongly object.

We already have a pub, convenience store and restaurant in the village selling alcohol responsibly.

There is no need for a petrol station to sell alcohol also.

This could increase the chances of drink driving, anti social behaviour and noise.

TENDRING DISTRICT COUNCIL

Procedure for hearings – Premises/Personal Licences Sub-Committee

Licensing Act 2003 and Hearing Regulations 2005

The Licensing Committee officers and their roles

- The Committee Clerk (Democratic Services Officer) records the proceedings;
- The Legal Advisor provides independent advice to the Committee Members on legal matters; and
- The Licensing Officer introduces the matter, outlines the application or review as set out in the Report, and answers any questions Members may have.

Committee Members (Councillors):

Members have a responsibility to declare interests, those who declare **Discloseable Pecuniary Interest (DPI)** as defined by The Relevant Authorities (DPI) Regulations 2012 must not take part in the hearing of the application.

If a Member declares a **Pecuniary or Non-Pecuniary Interests**, as defined by Tendring District Council's Members' Code of Conduct (paragraphs 5 and 6), they must consider the impact of that interest on participation and the public perception;

- Matters for Members to consider would cover, but not exclusively:
 - o they know the applicant or any of the objectors; or
 - o they wish either to support or oppose the granting or continuation of a licence either personally or on behalf of their constituents.
 - o whether they have expressed a view on the application site especially, if situated either in their ward or an adjacent ward;

Other Persons or Interested Parties:

This is the term given to an individual, body or business or a representative acting on their behalf-that raises an objection or make a representation to an application for a premises/personal licence. It should be noted that only the Police can make a representation against a Personal Licence application however. These other persons or interested parties are separate to Responsible Authorities, who may also be a party to the hearing.

PROCEDURE

THESE SUB-COMMITTEES MEETINGS & THE HEARING ARE HELD IN PUBLIC, UNLESS THERE IS A LEGAL REASON NOT TO DO SO, HOWEVER THESE ARE IN LIMITED CIRCUMSTANCES.

Note: if the Sub-committee does not have an elected Chairman already, the election of one Member as Chairman will be the first item of business.

HEARING

Step	By whom	
1	Chairman	<p>The Chairman will welcome everyone to the meeting then:</p> <ul style="list-style-type: none"> a. introduce themselves and the other 2 members and explain that the 4th member (substitute) will not take any part in the hearing or decision making process unless there is a valid objection to one of the other members sitting, if any interest declared debars a member or a member falls ill; b. announce the item to be considered; c. confirm that this procedure will be followed at the hearing, including any maximum periods of time for each side to put their case or objections (*); d. ask all parties, including any "Responsible Authority", to introduce themselves indicating whether or not they are represented, if they are calling any witnesses and if so to identify the witnesses they will be calling. Where there are a number of objectors they will be asked to confirm who their spokesperson is if it is relevant or appropriate for them to do so. e. if a party or Responsible Authority who has made relevant representations is not present, the Sub-Committee will decide whether they consider it in the public interest to (a) continue with the hearing or (b) defer it to enable the party or authority to attend. In reaching a decision on this point, the Sub-Committee will consider any information received from the party either directly or via the Licensing Officer or any other interested person/party where relevant or appropriate; f. remind all present that the Sub-Committee can only make its decision based on the four licensing objectives, namely: <ul style="list-style-type: none"> (1) prevention of crime and disorder, (2) public safety, (3) prevention of public nuisance and (4) protection of children from harm.

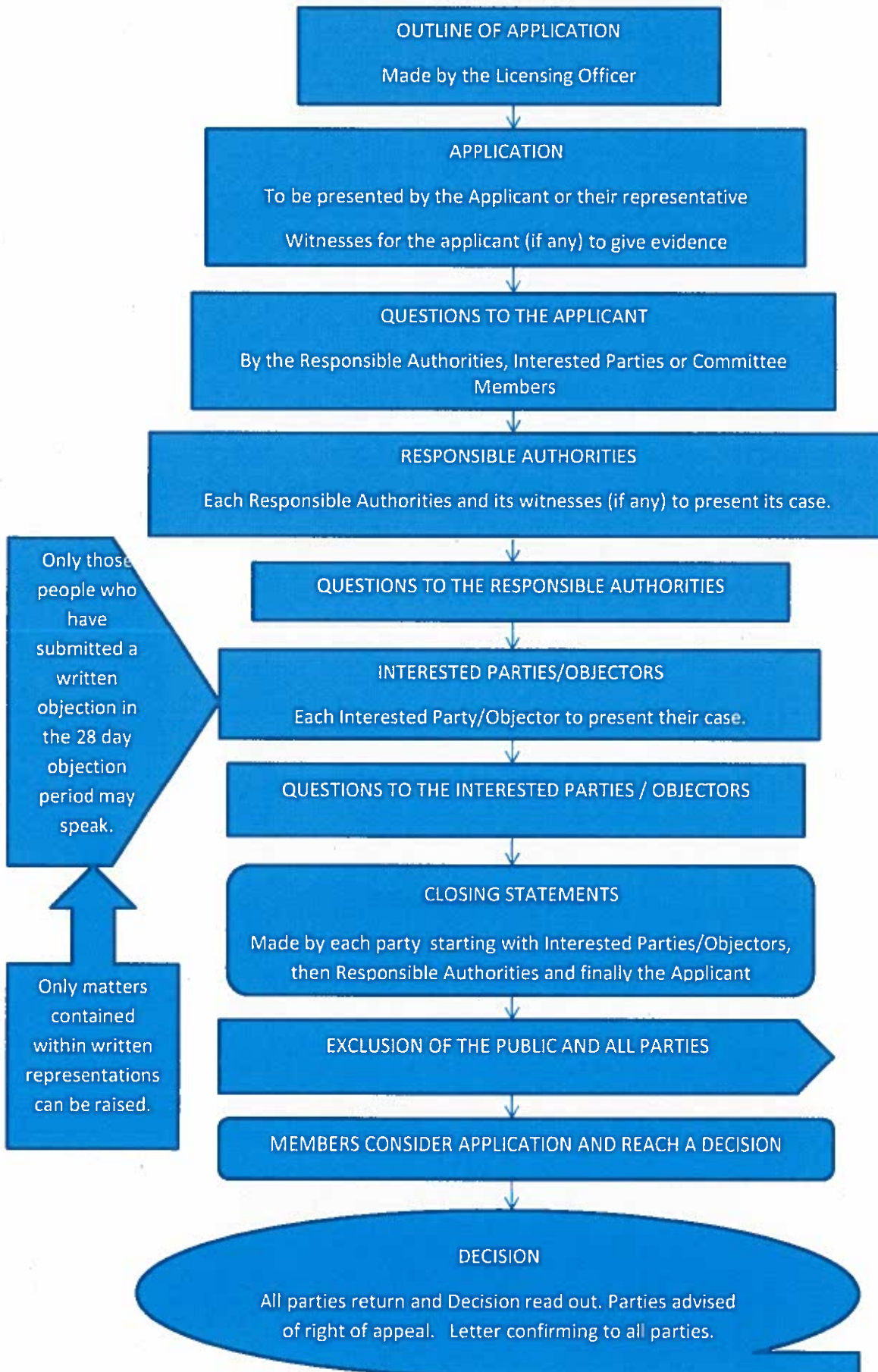
2	Licensing Officer	Will introduce the application or review, highlighting areas of contention or dispute.
3	Committee members	May ask questions of the Licensing Officer.
<p>The Applicant's case</p> <p>(If a person or party requests a review of an existing licence, they would in effect be the Applicant for the review. In those circumstances they would present their case following the summary given by the Licensing Officer)</p>		
4	Applicant or their representative	Will present their case and call witnesses.
5	Responsible authorities or Interested Parties	Each, in turn, may ask questions of the Applicant by way of clarification.
6	Committee members	In turn, each may ask questions of the Applicant.
7	Applicant	May ask any further questions of any witnesses to clear up any points raised in the earlier questioning.
<p>The Responsible Authorities and/or Interested Parties</p>		
8	Responsible Authorities	Will make their representations to the Sub-Committee.
9	Applicant or their representative	May ask questions of the Responsible Authorities by way of clarification.
10	Other persons	May ask questions of the Responsible Authorities or Licensing Officer by way of clarification. Note: this is not the time for other persons to put their objections.
11	Committee Members	May ask questions of the Responsible Authorities by way of clarification. Committee can also ask questions of the objectors by way of clarification.
12	Interested Parties	At this point those who have objected to the application will be asked to present their objections and make observations on the application if appropriate.

13	Applicant or their representative	May ask questions of the Interested Parties /objectors by way of clarification.
14	Committee members	May ask questions of the Interested Parties /objectors.
Closing statements or summary		
15	Chairman	<p>Will ask:</p> <ul style="list-style-type: none"> a. both the Responsible Authorities and Interested Parties /objectors to comment, briefly, on the application or review and summarise their position. No new issues can be raised at this point. b. the applicant or their representative to summarise the application or review and briefly comment on the representations or objections made. c. if everyone is satisfied that they have said what they wanted to say, but making clear that no new issues can be raised at this point.
DECISION MAKING		
16	Sub-Committee	Will retire to consider the application or review and may request the Legal Advisor and/or Committee Clerk to retire with them.
RESUMING THE MEETING AND CONCLUSION		
17	Legal Advisor	If legal advice has been given to the Members whilst in retirement, this advice will be summarised and repeated in the presence of all parties.
18	Chairman	<p>Will:</p> <ul style="list-style-type: none"> a. announce the decision made by the sub-committee and the reasons for that decision; b. advise that the decision, and reasons, will be confirmed in writing to all the parties who made representations; and c. advise all parties of their rights of appeal to the Magistrates' Court.

(*) after receiving copies of this procedure, all parties are requested to give the Council's Licensing Department an indication of the time estimated to present their case. This will be taken into consideration when deciding whether maximum periods of time will be necessary.

TENDRING DISTRICT COUNCIL

THE LICENSING SUB-COMMITTEE HEARINGS PROCEDURE



PREMISES/PERSONAL LICENCES SUB-COMMITTEE

10 MARCH 2020

REPORT OF CORPORATE DIRECTOR [OPERATIONAL SERVICES]

LICENSING ACT 2003

Members are respectfully reminded that, in determining the matters listed under item A.1, they are exercising an administrative function but should determine each matter adopting the civil burden of proof, i.e. 'on the balance of probabilities'. The matters will be determined on the facts before the Sub-Committee and the rules of natural justice will apply. Each application must be considered in its own right and on its own merits.

Premises Licence Applications

The Licensing Act 2003 established a single integrated scheme for licensing premises that are used for the supply of alcohol, regulated entertainment or provision of late night refreshment. This system of licensing incorporates the sale of alcohol both on and off licensed premises; public entertainment such as music, dancing, indoor sporting events, boxing or wrestling, theatres, cinemas; and late night refreshment houses and take-aways.

The purpose of the licensing system is to positively promote the four 'licensing objectives'.

These are:

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

The options open to the Sub-Committee when considering this application are:

1. To grant the application for a premises licence subject to such conditions that are consistent with the operating schedule accompanying the application and any mandatory conditions applicable.
2. To grant the application for the premises licence subject to such conditions as are consistent with the operating schedule accompanying the application and which are modified to such an extent as the Sub Committee considers appropriate for the promotion of the licensing objectives, and any mandatory conditions applicable.
3. To grant the licence as above, but to exclude from the scope of the premises licence any of the licensable activities to which the application relates.
4. To reject the application

When determining the application with a view to promoting the licensing objectives in the overall interests of the local community the Licensing Authority in the form of the Licensing Sub-Committee must have regard and give appropriate weight to the following:

- Full Hearing Procedure for Applications for Premises Licences/Club Premises Certificates where representations have been received.
- Tendring District Council's Statement of Licensing Policy.
- The Statutory Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003.
- The steps appropriate to positively promote the four 'Licensing Objectives'.
- Representations (including supporting information) presented by all the parties.

Human Rights Implications

A Licence is to be regarded as the property of the applicant; however their right to the use of the property must be balanced against all other public interests or representations in this matter that the Premises/Personal Licences Sub-Committee may wish to consider as appropriate, reasonable and proportionate in relation to the application that has been submitted and also the representation/s that has/have been received against it.

In making their decision as to whether to grant this application, Members of the Premises/Personal Licences Sub-Committee should also take into consideration Article 1 of the First Protocol of the Human Rights Act 1998, that individuals are entitled to the peaceful enjoyment of their property, and also Article 8 that everyone has the right to respect for his private and family life and his correspondence.

Crime and Disorder Implications

Section 17 of the Crime and Disorder Act 1998 imposes a duty on local authorities when exercising any of their functions to have due regard to the likely effect of the exercise of those functions on, and the need to do all it possibly can to prevent, crime and disorder in its area.

Members are requested to consider the information shown below where the Licensing Authority has received a representation about an application which is relevant to one or more of the four licensing objectives, and which suggests that the application may have a negative impact on one or more of the licensing objectives.

A.2 LICENSING ACT 2003 – APPLICATION NO: 20/00046/PREMGR APPLICATION FOR THE GRANT OF A PREMISES LICENCE - ARDLEIGH SOUTH SERVICE STATION, COLCHESTER ROAD, ARDLEIGH, ESSEX, CO7 7NS

1.0 APPLICATION DETAILS

1.1 Applicants

Tankerford Limited

1.2 Premises

Ardleigh South Service Station, Colchester Road, Ardleigh, Essex, CO7 7NS

1.3 Agents

Richard Baker
RB Retail & Licensing Services Limited

1.4 Ward

Ardleigh and Little Bromley

1.5 Reason for Application

The application is made under the Licensing Act 2003 for a Premises Licence to include the sale of alcohol off the premises and Late Night Refreshment.

2.0 GENERAL DESCRIPTION OF PREMISES

2.1 This is an existing convenience store located on a forecourt. The store will shortly be undergoing a refurbishment. The store retail area will be approx. 950 sq ft.

2.2 Proposed Opening Hours

The applicants are proposing to open to the public are:

Mondays to Sundays

0000 to 0000

3.0 PROPOSED LICENSABLE ACTIVITIES

3.1 Late Night Refreshment

Mondays to Sundays 2300 to 0500

3.2 Sale of Alcohol off the Premises

Mondays to Sundays 0000 to 0000

4.0 STEPS THAT APPLICANTS PROPOSE TO TAKE TO PROMOTE THE LICENSING OBJECTIVES WITHIN THEIR OPERATING SCHEDULE

The applicant has stated the following steps in the application to promote the licensing objectives. These measures are reproduced as shown in the application form and are detailed below for ease of reference. These are:

4.1 Crime and Disorder

1. Spirits will be located behind the counter.
2. The premises shall have sufficient cameras located within the premises to cover all public areas including the outside of the premises covering the entrance and exit.
3. The system should be able to cope with all levels of illumination throughout the premises.
4. CCTV warning signs to be fitted in public places.
5. The CCTV system must be operating at all times whilst the premises are open for licensable activity. All equipment shall have constant and accurate time and date generation.
6. The recording system must record to evidential standard and be retained for a minimum of 28 days.
7. CCTV recording shall be made available to the Police upon reasonable request.
8. Staff shall be trained with regard to their responsibilities in the retail sale of alcohol, training records are to be available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority upon request.

4.2 Public Safety

1. The premises shall have sufficient cameras located within the premises to cover all public areas including the outside of the premises covering the entrance and exit.
2. The system should be able to cope with all levels of illumination throughout the premises.
3. CCTV warning signs to be fitted in public places.
4. The CCTV system must be operating at all times whilst the premises are open for licensable activity. All equipment shall have a constant and accurate time and date generation.
5. The recording system must record to evidential standard and be retained for a minimum of 28 days.
6. CCTV recordings shall be made available to the Police upon reasonable request.

4.3 Prevention of Public Nuisance

1. Sufficient litter bins will be available on site and emptied regularly.

4.4 Protection of Children from Harm

1. Staff shall be trained with regard to their responsibilities in the retail sale of alcohol. Training records are to be available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority upon request.
2. A refusals book will be operated and maintained. The book will be available for inspection upon request by a relevant officer of a responsible authority.
3. A Challenge 25 policy will be operated at the premises. Acceptable forms of identification shall be a passport, a photo driving licence and a PASS accredited identification card.
4. Challenge 25 posters shall be displayed in prominent positions at the premises.

4.5 General Information in support of the application in relation to all of the licensing objectives.

1. Spirits will be located behind the counter.
2. The premises shall have sufficient cameras located within the premises to cover all public areas including the outside of the premises covering the entrance and exit.
3. The system should be able to cope with all levels of illumination throughout the premises.
4. CCTV warning signs to be fitted in public places.
5. The CCTV system must be operating at all times whilst the premises are open for licensable activity. All equipment shall have a constant and accurate time and date generation.
6. The recording system must record to evidential standard and be retained for a minimum of 28 days.
7. CCTV recordings shall be made available to the Police upon reasonable request.
8. Staff shall be trained with regard to their responsibilities in the retail sale of alcohol, training records are to be available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority upon request.
9. A refusals book will be operated and maintained. The book will be available for inspection upon request by a relevant offer of a responsible authority.
10. A Challenge 25 policy will be operated at the premises. Acceptable forms of identification shall be a passport, a photo driving licence and a PASS accredited identification card.
11. Challenge 25 posters shall be displayed in prominent positions at the premises.
12. Sufficient litter bins will be available on site and emptied regularly.

5.0 RELEVANT REPRESENTATIONS

5.1 Interested Parties/Other Persons

5.2 The Police Reform and Social Responsibility Act 2011 (PRSR Act 2011) removed from the Licensing Act 2003 the specific reference for representations to be made by 'interested parties' and also removed the requirement that representations could only be accepted from persons living in the 'vicinity' of the premises concerned, or who had for example, a business in the 'vicinity' of the premises.

5.3 There was no guidance or definition of 'vicinity' within the Licensing Act 2003 which effectively had a limiting effect on those that could make relevant representations.

5.4 The PRSR Act 2011 replaced the references to 'interested parties' and 'vicinity' and substituted that representations can be made and accepted by the Licensing Authority from 'other persons' which means that those persons do not necessarily have to live or run a business for example in the proximity of the premises to be able to submit a valid and relevant representation.

5.5 The relevant extracts from the Section 182 Guidance that accompanies the Licensing Act 2003 advises the following in relation to 'other persons'. They are shown in italics for ease of reference.

8.12 As well as responsible authorities, any other person can play a role in a number of licensing processes under the 2003 Act. This includes any individual, body or business entitled to make representations to licensing authorities in relation to applications for the grant, variation, minor variation or review of premises licences and club premises certificates, regardless of their geographic proximity to the premises.

- 5.6** Representations can be made either against or in support of an application. The relevant extracts from the Section 182 Guidance that accompanies the Licensing Act 2003 advises the following in relation to this point.

9.3 Relevant representations can be made in opposition to, or in support of, an application and can be made by any individual, body or business that has grounds to do so.

- 5.7** 1 letters of representation/objection has been received from residents in relation to this application.

6.0 **RESPONSIBLE AUTHORITIES**

No representations have been received from any other Responsible Authorities.

7.0 **POLICY CONSIDERATIONS**

The Licensing Authority's Statement of Licensing Policy expects applicants to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to prevent public nuisance relevant to the individual style and characteristics of their premises.

- 7.1** The relevant extracts from the Council's Statement of Licensing Policy in respect of Planning considerations (shown in italics) and also the 'Prevention of Public Nuisance' licensing objective are as follows:

- 1.20 When the Licensing Authority is considering any application, it will avoid duplication with other regulatory regimes, so far as possible, and does not intend to use the licensing regime to achieve outcomes that can be achieved by other legislation. In particular, its licensing functions will be discharged separately from the Authority's functions as the local planning authority. **However, applications for premises licences for permanent commercial premises should normally be from businesses with planning consent for the property concerned.** (Other permissions may be applicable to licensed premises and applicants are expected to ensure that such permissions are obtained where necessary.)*

5.0 PREVENTION OF PUBLIC NUISANCE

- 5.1 Licensed premises have a significant potential to impact adversely on communities through public nuisances that arise from their operation. The Licensing Authority wishes to maintain and protect the amenity of residents and other businesses from the consequence of the operation of licensed premises whilst recognising the valuable cultural, social and business importance that such premises provide.
- 5.2 The Licensing Authority intends to interpret “public nuisance” in its widest sense, and takes it to include such issues as noise, light, odour, litter and anti-social behaviour, where these matters impact on those living, working or otherwise engaged in normal activity in an area.
- 5.3 Applicants need to be clear that the Licensing Authority will normally apply stricter conditions, including controls on licensing hours, where licensed premises are in residential areas and where relevant representations have been received. Conversely, premises for which it can be demonstrated have effective measures planned to prevent public nuisance, may be suitable for 24-hour opening.
- 5.4 In the case of shops, stores and supermarkets selling alcohol, the Licensing Authority will normally permit the hours during which alcohol is sold to match the normal trading hours during which other sales take place, unless there are exceptional reasons relating to disturbance or disorder.
- 5.5 Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to prevent public nuisance, relevant to the individual style and characteristics of their premises and events.

8.0 RELEVANT SECTION 182 GUIDANCE – PREVENTION OF PUBLIC NUISANCE

- 8.1 The following sections shown below in italics are taken from the Home Office Section 182 Guidance that accompanies the Licensing Act 2003 and are included for the assistance of the Licensing Sub Committee, the applicant, responsible authorities, residents and any other interested parties to this hearing. They do not however form the totality of the guidance in relation to this licensing objective which should also be considered in its entirety. These are:
- 2.18 *The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.*
- 2.19 *Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It is important to remember that the prevention of public nuisance could therefore include low-level nuisance, perhaps affecting a few people living locally, as well as major disturbance affecting the whole community. It may also include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.*

9.0 RELEVANT SECTION 182 GUIDANCE - PREVENTION OF CRIME AND DISORDER

9.1 The following section shown below in italics is taken from the Home Office Section 182 Guidance that accompanies the Licensing Act 2003 and is included for the assistance of the Licensing Sub Committee, the applicant, responsible authorities, residents and any other interested parties to this hearing. They do not however form the totality of the guidance in relation to this licensing objective which should also be considered in its entirety. This is:

2.1 Licensing Authorities should look to the police as the main source of advice on crime and disorder.

10.0 RELEVANT SECTION 182 GUIDANCE – PLANNING AND BUILDING CONTROL

10.1 The following section shown below in italics is taken from the Home Office Section 182 Guidance that accompanies the Licensing Act 2003 and is included for the assistance of the Licensing Sub Committee, the applicant, responsible authorities, residents and any other interested parties to this hearing.

13.56 The statement of licensing policy should indicate that planning permission, building control approval and licensing regimes will be properly separated to avoid duplication and inefficiency. The planning and licensing regimes involve consideration of different (albeit related) matters. Licensing committees are not bound by decisions made by a planning committee, and vice versa.

13.57 There are circumstances when as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law.

11.0 ASSOCIATED PAPERS

The following papers are attached as part of this agenda for Members of this Sub-Committee only:-

- (i) Application form and any supporting documentation.
- (ii) Location Plan.
- (iii) Representation/objection letters

Copies of all documentation concerning this application are also available from Licensing Section upon request.

12.0 DECISION

12.1 Each application must be considered in its own right and on its own merits only as to how it might impact on the four licensing objectives which are the Prevention of Crime and Disorder, the Prevention of Public Nuisance, Public Safety and the Protection of Children from Harm.

12.2 The Licensing Sub Committee is therefore asked to determine this application taking into consideration the application in its own right and on its own merits and also all of the relevant information that has been submitted as part of this report and at the hearing itself.

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Receipt NO: 00090

20/00046/PREMGR

Paid £315.00 27/1/2020 (Post Cheque)

THE LICENSING TEAM, TENDRING DISTRICT COUNCIL, 88-90
PIER AVENUE, CLACTON ON SEA, ESSEX, CO15 1TN.

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Expire
21/2/2020

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.

We TANKERFORD 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

ARDLEIGH SOUTH SERVICE STATION
COLCHESTER ROAD
ARDLEIGH

Post town	COLCHESTER	Postcode	CO7 7NS

Telephone number at premises (if any)

Non-domestic rateable value of premises £ 38000

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 please complete section (B)
 - ii. as a partnership 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:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

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		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name TANKERFORD LIMITED
Address EASHING BP SERVICE STATION LOWER EASHING GODALMING SURREY GU7 2QG
Registered number (where applicable) 05912098
Description of applicant (for example, partnership, company, unincorporated association etc.) LIMITED 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
2	2	02 20 20

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)

THIS IS AN EXISTING CONVENIENCE STORE LOCATED ON A FORECOURT. THE STORE WILL SHORTLY BE UNDERGOING A REFURBISHMENT. THE STORE RETAIL AREA WILL BE APPROX 950 SQ FT.

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

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

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

Provision of regulated entertainment

Please tick any 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)

X

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

X

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			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 (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed					
			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur			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 (please read guidance note 5)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)	
Day	Start	Finish		
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)	
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 5)
Fri				
Sat				
Sun				

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
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 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon					
Tue			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
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 5)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon					
Tue			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Wed					
Thur			<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 5)		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
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 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	X
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	23.00	05.00	Please give further details here (please read guidance note 3) THE PROVISION OF HOT PIES, SAVOURIES, SOUP, HOTDRINKS ETC CONSISTENT WITH A TAKEOUT SERVICE FOR CONSUMPTION ON OR OFF THE PREMISES		
Tue	23.00	05.00			
Wed	23.00	05.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	23.00	05.00			
Fri	23.00	05.00	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 5)		
Sat	23.00	05.00			
Sun	23.00	05.00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	X
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
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			

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 SIMON MATTHEW STANCEVIC

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 8).

NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	00.00	24.00	
Tue	00.00	24.00	
Wed	00.00	24.00	
Thur	00.00	24.00	<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 5)
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 9)

1. Spirits will be located behind the counter.
2. The premises shall have sufficient cameras located within the premises to cover all public areas including the outside of the premises covering the entrance and exit.
3. The system should be able to cope with all levels of illumination throughout the premises.
4. CCTV warning signs to be fitted in public places
5. The CCTV system must be operating at all times whilst the premises are open for licensable activity. All equipment shall have a constant and accurate time and date generation.
6. The recording system must record to evidential standard and be retained for a minimum of 28 days.
7. CCTV recordings shall be made available to the Police upon reasonable request.
8. Staff shall be trained with regard to their responsibilities in the retail sale of alcohol, Training records are to be available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority upon request.
9. A refusals book will be operated and maintained. The book will be available for inspection upon request by a relevant officer of a responsible authority.
10. A Challenge 25 policy will be operated at the premises. Acceptable forms of identification shall be a passport, a photo driving licence and a PASS accredited identification card.
11. Challenge 25 posters shall be displayed in prominent positions at the premises.
12. Sufficient litter bins will be available on site and emptied regularly.

b) The prevention of crime and disorder

1. Spirits will be located behind the counter.
2. The premises shall have sufficient cameras located within the premises to cover all public areas including the outside of the premises covering the entrance and exit.
3. The system should be able to cope with all levels of illumination throughout the premises.
4. CCTV warning signs to be fitted in public places
5. The CCTV system must be operating at all times whilst the premises are open for licensable activity. All equipment shall have a constant and accurate time and date generation.
6. The recording system must record to evidential standard and be retained for a minimum of 28 days.
7. CCTV recordings shall be made available to the Police upon reasonable request.
8. Staff shall be trained with regard to their responsibilities in the retail sale of alcohol, Training records are to be available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority upon request.

c) Public safety

1. The premises shall have sufficient cameras located within the premises to cover all public areas including the outside of the premises covering the entrance and exit.
2. The system should be able to cope with all levels of illumination throughout the premises.
3. CCTV warning signs to be fitted in public places.
4. The CCTV system must be operating at all times whilst the premises are open for licensable activity. All equipment shall have a constant and accurate time and date generation.
5. The recording system must record to evidential standard and be retained for a minimum of 28 days.
6. CCTV recordings shall be made available to the Police upon reasonable request.

d) The prevention of public nuisance

1. Sufficient litter bins will be available on site and emptied regularly.

e) The protection of children from harm

1. Staff shall be trained with regard to their responsibilities in the retail sale of alcohol. Training records are to be available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority upon request.
2. A refusals book will be operated and maintained. The book will be available for inspection upon request by a relevant officer of a responsible authority.
3. A Challenge 25 policy will be operated at the premises. Acceptable forms of identification shall be a passport, a photo driving licence and a PASS accredited identification card.
4. Challenge 25 posters shall be displayed in prominent positions at the premises.

Checklist:

Please tick to indicate agreement

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

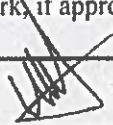
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

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
--------------------	--

	licenable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	23 RD JANUARY 2020
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	

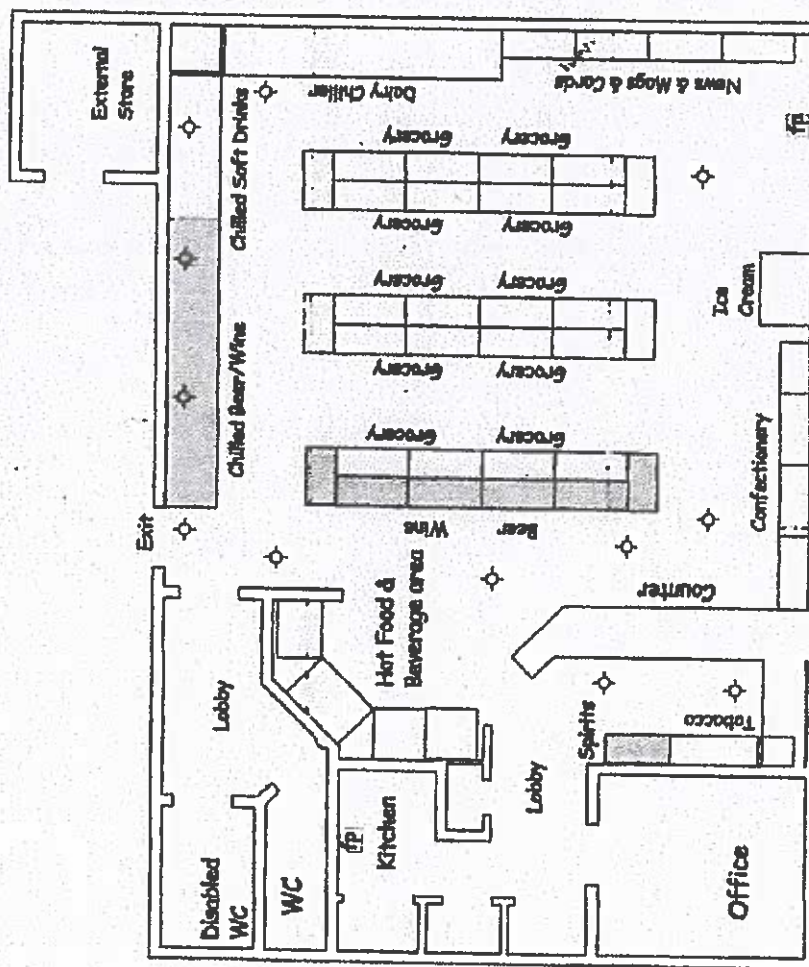
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
RICHARD BAKER RB RETAIL & LICENSING SERVICES LIMITED 23 MAGISTER DRIVE LEE ON THE SOLENT			
Post town	PORTSMOUTH	Postcode	PO13 8GE
Telephone number (if any)	07771 540066		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) INFO@RBRLS.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
 2. consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
 3. 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.



RB Retail & Licensing
Services Limited



Key
 ◊ Fire Extinguisher - Powder
 ◊ Security Camera

Ardleigh South Service Station
 Calchester Road
 Ardleigh
 Colchester
 CO7 7NS
 Scale- 1:100
 Drawing Reference; RB/1333
 Drawn by: R Baker RB Retail & Licensing Services Limited
 26th November 2019

All retail selling areas to be licensed for alcohol display. Copyright - RB Retail & Licensing Services Limited, 23 Magister Drive, Lee on the Solent, Portsmouth PO123 8GE. Site dimensions to be used at all times

**PUBLIC NOTICE OF AN APPLICATION FOR A PREMISES LICENCE
UNDER SECTION 17 OF THE
LICENSING ACT 2003**

Notice is hereby given that an application was made to **TENDRING DISTRICT COUNCIL** for a premises licence under the above Act on **25th JANUARY 2020.**

Applicant: **TANKERFORD LIMITED**

Address of premises: **ARDLEIGH SOUTH SERVICE STATION
COLCHESTER ROAD
ARDLEIGH
COLCHESTER
CO7 7NS.**

Proposed licensable activities:

- **SALE OF ALCOHOL FOR CONSUMPTION OFF THE PREMISES.**
- **PROVISION OF LATE NIGHT REFRESHMENT (LNR)**

Proposed days and hours of licensable activity:

EVERYDAY

**ALCOHOL SALES - 00.00 TO 24.00 HOURS
LNR - 23.00 TO 05.00 HOURS**

The postal address of the Licensing Authority where the register is kept and the application may be inspected is:

- * **THE LICENSING TEAM, TENDRING DISTRICT COUNCIL, 88-90 PIER AVENUE, CLACTON ON SEA, ESSEX, CO15 1TN.**

Any person wishing to make representations on this matter shall give notice, in writing, stating the nature and grounds for making such representations to The Licensing Officer at the above address* within 28 days of the date of this notice – by the **21st FEBRUARY 2020.**

Further information is available on the web site www.tendringdc.gov.uk by following the links.

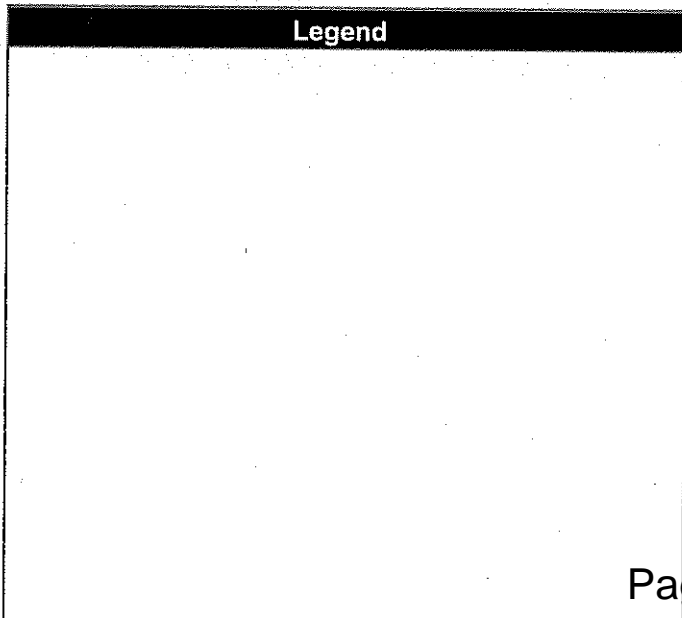
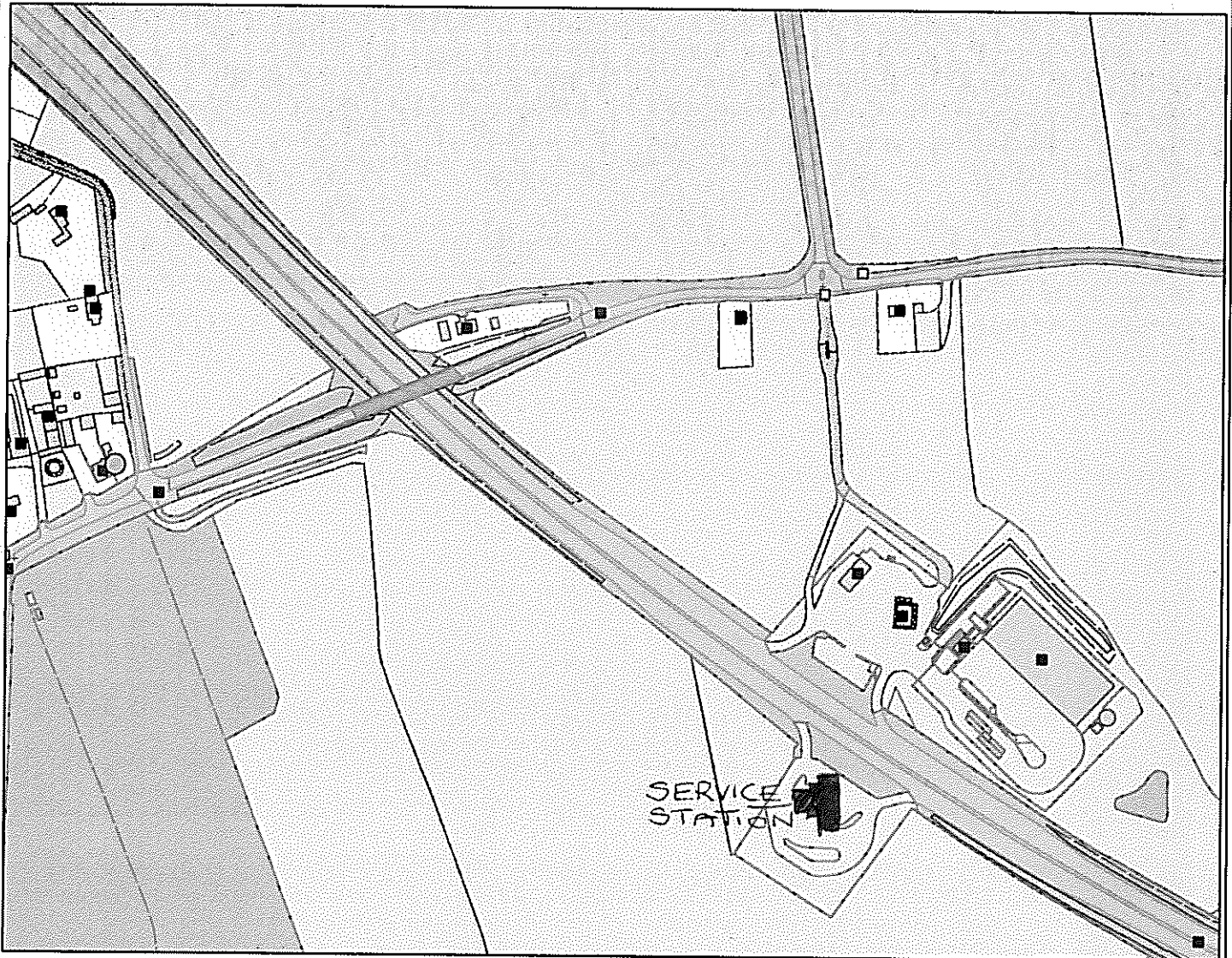
It is an offence, under section 158 of the Licensing Act 2003, to knowingly or recklessly make a false statement in or in connection with an application and the maximum fine on summary conviction of such an offence is £5000.

**RB RETAIL & LICENSING SERVICES LIMITED –
DULY AUTHORISED AGENT**

Ardleigh South Service Station



20/00046/PREMGR



Scale: 0 0.045 0.09 0.18 KM

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Organisation	Tendring District Council
Department	Licensing Section
Comments	Not Set
Date	27/02/2020
MSA Number	100018684

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Debbie Bunce

From: Planning Services
Sent: 12 February 2020 14:55
To: Licensing Section
Subject: Comments for Licensing Application 20/00046/PREMGR

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 2:55 PM on 12 Feb 2020 from Ms Clerk to Ardleigh Parish Council.

Application Summary

Address: Ardleigh South Service Station Colchester Road Ardleigh
Colchester CO7 7NS

Proposal: Premises Licence Grant

Case Officer: Miss Lisa Tappenden

[Click for further information](#)

Customer Details

Name: Ms Clerk to Ardleigh Parish Council

Email: ardleighpc@gmail.com

Address: Ardleigh Parish Council, PO Box 12865, Great Bromley
Colchester, Colchester CO7 7EZ

Comments Details

Commenter Type: Parish or Town Council

Stance: Customer objects to the Licensing Application

Reasons for comment:

- Crime and Disorder
- Crime and Disorder and Public Nuisance
- Noise Disturbance
- Opening Hours
- Parking
- Protection of Children from Harm
- Public Safety and Public Nuisance
- Traffic

Comments: 2:55 PM on 12 Feb 2020 The Parish Council considered this at their meeting on 10 February and were made aware of a number of concerns and objections by our residents. The council would be concerned about all of the areas listed above including the additional traffic and dangerous driving/ parking, risk of crime including drink driving, littering and making the site vulnerable to theft (we believe it was previously 'ram raided'. We also note that many residents in the immediate area were unaware, indeed the Parish Council was not alerted directly. We trust that all these matters will be considered at a full hearing.

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