

8 May 2014

Dear Councillor

LICENSING AND ENVIRONMENTAL HEALTH COMMITTEE

An extraordinary meeting of the Licensing and Environmental Health Committee will be held in the Committee Room, Saffron Walden Town Hall, Market Square, Saffron Walden on Tuesday 20 May 2014 at 2pm. Please note the change of venue.

Yours faithfully

JOHN MITCHELL

Chief Executive

A G E N D A P A R T I

1	Apologies for absence and declarations of interest.	
2	Application to vary a Premises Licence – Stansted Service Station, 1 Cambridge Road, Stansted Mountfitchet	3

To: Councillors D Perry (Chairman), H Asker, **J Davey**, **J Freeman**, **E Hicks**, J Loughlin, M Lemon, D Morson, V Ranger, **J Salmon** and A Walters.

Only those councillors whose names are shown in bold are required to attend.

Lead Officer: Catherine Nicholson (01799) 510420
Democratic Services Officer: Adam Rees (01799) 510548

MEETINGS AND THE PUBLIC

Members of the public are welcome to attend any of the Council's Cabinet or Committee meetings and listen to the debate. All agendas, reports and minutes can be viewed on the Council's website www.uttlesford.gov.uk.

Members of the public and representatives of parish and town councils are now permitted to speak or ask questions at any of these meetings. You will need to register with the Democratic Services Officer by midday two working days before the meeting. An explanatory leaflet has been prepared which details the procedure and is available from the Council offices at Saffron Walden.

A different scheme is applicable to meetings of the Planning Committee and you should refer to the relevant information for further details.

Please note that meetings of working groups and task groups are not held in public and the access to information rules do not apply to these meetings.

The agenda is split into two parts. Most of the business is dealt with in Part 1 which is open to the public. Part II includes items which may be discussed in the absence of the press or public, as they deal with information which is personal or sensitive for some other reason. You will be asked to leave the meeting before Part II items are discussed.

You are entitled to see any of the background papers that are listed at the end of each report.

If you want to inspect background papers or speak before a meeting please contact either Peter Snow on 01799 510430, Maggie Cox on 01799 510433 or Rebecca Dobson on 01799 510433, or by fax on 01799 510550.

Agenda and Minutes are available in alternative formats and/or languages. For more information please call 01799 510510.

FACILITIES FOR PEOPLE WITH DISABILITIES

The Council Offices has facilities for wheelchair users, including lifts and toilets. The Council Chamber has an induction loop so that those who have hearing difficulties can hear the debate. If you are deaf or have impaired hearing and would like a signer available at a meeting, please contact Peter Snow on 01799 510430 or email psnow@uttlesford.gov.uk as soon as possible prior to the meeting.

FIRE/EMERGENCY EVACUATION PROCEDURE

If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest designated fire exit. You will be directed to the nearest exit by a designated officer. It is vital you follow their instructions.

- You should proceed calmly, do not run and do not use the lifts.
- Do not stop to collect personal belongings.
- Once you are outside, please make your way to the flagpole near the visitor car park. Do not wait immediately next to the building.
- Do not re-enter the building until told to do so.

Committee: Licensing Committee

Agenda Item

Date: 20 May 2014

2

Title: Application to vary a Premises Licence –
Stansted Service Station, 1 Cambridge
Road, Stansted Mountfitchet

Author: Murray Hardy, Licensing Officer

Item for decision

Summary

1. This report sets out an application for the variation of a Premises Licence in respect of the above. Representations have been made to this application so therefore this matter has been referred to the Committee for deliberation.

Recommendations

2. The application is determined.
In the event of an appeal against the decision of the Licensing Authority, then a member is nominated to represent the Authority at Court.

Background Papers

3. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

Operating Schedule
Current Premises Licence
Plan of premises
Location of premises
Representations from interested party
Agreed condition between the applicant and Essex Police

Impact

- 4.

Communication/Consultation	Details of the application was conveyed to Members of Uttlesford District Council, The Parish Council, and adjoining residents
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	Under Article 1 First Protocol to the European peaceful enjoyment of their possessions which includes property. This right may be interfered with if necessary to

	control the use of property in accordance with the general interest. The imposition of conditions under the Licensing Act 2003 is a legitimate interference with this right in this context. In the event that an applicant, responsible authority or interested party is dissatisfied with the decision of the committee there is a right of appeal to the Magistrates Court.
Sustainability	None
Ward-specific impacts	Stansted North being the ward within which the premises are situated
Workforce/Workplace	None

Situation

5. Stansted Service Station is situated in the centre of the village on Cambridge Road close to the junctions of Chapel Hill and Bentfield Road.
6. A premises licence was first issued for these premises under the Licensing Act 2003 following an application to convert their existing Justices Licence on 24th October 2005.
7. The current premises licence permits the following licensable activity
 - (a) Late Night Refreshment (Indoors and Outdoors)
Monday to Sunday 11pm to 12 midnight
 - (b) The sale of alcohol by retail for consumption off the premises only
Monday to Sunday 6.00am to 12 midnight
 - (b) The opening hours of the premises
Monday to Sunday 6am to 12 midnight
8. Listed at Annexe 1 are the current mandatory conditions attached to this licence.
9. The holder of the premises licence are Rontec Watford Ltd who are seeking a variation to the current licence by increasing the licensable activities in respect of late night refreshment and the sale of alcohol by retail.
10. In accordance with the Licensing Act 2003 where an applicant submits documentation for the variation of a premises licence then included must be an operating schedule. This demonstrates how the licensing objectives will be met and also seeks to outline what licensable activities are sought.

11. The licensable activities now being sought are listed below
- | | | |
|-----|---|---------------------------------------|
| (a) | Late Night Refreshment
Monday to Sunday | (Indoors and Outdoors)
11pm to 5am |
| (b) | The sale of alcohol by retail for consumption off the premises only
Monday to Sunday | 12 midnight to 12 midnight |
| (c) | The opening hours of the premises
Monday to Sunday | 12 midnight to 12 midnight |
12. The operating schedule indicates no further risks have been identified which need to be addressed however the following condition has been agreed with Essex Police in order to promote the licensing objective regarding the prevention of crime and disorder:-
- The entrance door to the shop will be closed to customers between the hours of 2400 and 0500. Any sales between these hours will be made through the night pay window.
13. The operating schedule indicates no further risks have been identified which need to be addressed in order to promote the licensing objective regarding public safety.
14. The operating schedule indicates no further risks have been identified which need to be addressed in order to promote the licensing objective regarding the prevention of public nuisance.
15. The operating schedule indicates no further risks have been identified which need to be addressed in order to promote the licensing objective regarding the protection of children from harm.
16. Copies of this application have been served on all of the statutory bodies which have attracted no representations other than the additional condition agreed by the applicant and Essex Police.
17. Representations have been received from interested party based on the licensing objectives that relates to the prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm. It is feared that with the proposed increase in licensable activities then this could lead to public disorder situations developing at night and the sale of alcohol being made to persons under the age of 18 years. Furthermore it is believed that there would be a significant increase in anti- social behaviour in neighbourhood resulting in an increase of noise and nuisance to residents.
18. In carrying out the statutory function, the Licensing Authority must promote the licensing objectives as defined in the Licensing Act 2003:-
- The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance

- The protection of children from harm

19 The decision that the Committee can make for this application is to

- Grant the application
- Modify the application by inserting conditions
- Reject the whole or part of the application

20 When determining an application due regard should be given to the Council's licensing policy and the Secretary of State's Guidance issued in accordance of the Act.

21 The relevant sections of the Council's licensing policy are;-

3.1 The Licensing Authority is committed to further improve the quality of life for the people of the District of Uttlesford by continuing to reduce crime and the fear of crime.

3.3 The promotion of the licensing objective, to prevent crime and disorder places a responsibility on licence holders to become key partners in achieving this objective. If representations are made to the Licensing Authority 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 reduce or prevent crime and disorder on and in the vicinity of their premises, relevant to the individual style and characteristics of their premises and events.

3.5 The following examples of control measures are given to assist applicants who may need to take account of them in their operating schedule in the event that representations are received, having regard to their particular type of premises and/or activities:

- Effective and responsible management of premises
- Training and supervision of staff
- Adoption of best practice guidance (eg Safer Clubbing, the National Harm Reduction Strategy Toolkit and other voluntary codes of practice, including those relating to drinks promotions eg The Point of Sale Promotions published by BBPA, Security in design published by BBPA and Drugs and Pubs published by BBPA)
- Acceptance of accredited "proof of age" cards eg PASS, locally approved "proof of age" cards eg "Prove It" and/or "new type" driving licences with photographs or adoption of industry best practice eg (Challenge 21 policy)
- Provision of effective CCTV and mirrors in and around the premises
- Employment of Security Industry Authority licensed doorstaff
- Provision of toughened or plastic drinking vessels
- Provision of secure deposit boxes for confiscated items (sin bins)
- Provision of litterbins and other security measurers, such as lighting outside the premises
- Membership of local "Pubwatch" schemes or similar organisations

3.7 Whilst the Licensing Act 2003 requires each sale of alcohol (other than in certain community premises) to be made or authorised by a personal licence holder there is no requirement for every sale to be made by a personal licence holder or for them to be personally present at every transaction. In determining whether the real authorisation was given, the Guidance issued by the Secretary of State encourages the practice of a written authorisation to make supplies of alcohol being given by personal licence holders to persons not holding a personal licence.

5.1 Licensed premises have a significant potential to adversely impact on communities through public nuisances that arise from their operation. The Licensing Authority wishes to proactively maintain and protect the amenity of residents and other businesses from the potential consequences 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 may apply stricter conditions, including controls on licensing hours where licensed premises are in or near residential areas and where relevant representations have been received. Conversely premises which can demonstrate that they 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 representations are made and there are exceptional reasons relating to disturbance or disorder.

5.6 If representations are made 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.

6.1 The protection of children from harm is a most important issue. While it is hoped that family friendly premises will thrive, the risk of harm to children remains a paramount consideration when determining applications.

6.5 If representations are made 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 protect children from harm, relevant to the individual style and characteristics of their premises and events.

6.7 The following examples of control measures are given to assist applicants and are considered to be amongst the most essential that applicants should take account of in their operating schedule, in the event that representations are received, having regard to their particular type of premises and/or activities. These examples can be adopted in any combination:-

- Effective and responsible management of premises
- Provision of a sufficient number of people employed or engaged to secure the protection of children from harm
- Appropriate instruction, training and supervision of those employed or engaged to secure the protection of children from harm
- Adoption of best practice guidance (Public Places Charter, The Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks)
- Limitations on the hours when children may be present, in all or parts of the premises
- Limitations or exclusions by age when certain activities are taking place
- Imposition of requirements for children to be accompanied by an adult
- Measures to ensure children do not purchase, acquire or consume alcohol
- Measures to ensure children are not exposed to incidences of violence or disorder on the hours

22 The relevant sections of the guidance issued by the Secretary of State are:-

2.7 It will normally be the responsibility of the premises licence holder as an employee, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. However, licensing authorities must ensure that they do not stray outside their powers and duties under the 2003 Act. This is important to ensure the portability of the personal licence and the offences set out in the 2003 Act and to ensure, for example, that the prevention of disorder is in sharp focus for all managers, licence holders and clubs.

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.:

2.20 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from the premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or more sophisticated measures like the installation of acoustic curtains or rubber speaker mounts.

Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of specific premises. Licensing authorities should be aware of the need to avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden on smaller venues.

2.22 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, music noise from premises usually occurs from mid-evening until either late-evening or early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. In certain circumstances, conditions relating to noise immediately surrounding the premises may also prove appropriate to address and disturbance anticipated as customers enter and leave.

2.24 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area and to respect the rights of people living nearby to a peaceful night.

- 23 If the Committee in their discretion wishes to impose conditions, the only conditions that can be imposed are those that are appropriate and proportionate to promote the licensing objective relative to the presentations received. Equally, the Committee cannot impose conditions that duplicate the effect of existing legislation.

Risk Analysis

24

Risk	Likelihood	Impact	Mitigating actions
1 Either no conditions are attached to the licence on variation or the conditions do not satisfactorily achieve the licensing objectives the prevention of crime and disorder, the	2 There is a possibility that local residents will suffer from crime and disorder and public nuisance even if what appears to be appropriate conditions are	2 Due to the availability of the review procedure any inconvenience which may be suffered by local residents would be relatively short lived.	In the event of complaints of crime and disorder or noise nuisance being received after the variation takes effect then Essex Police and/or Environmental Health Officers monitor the situation and apply for a review of the licence if it is

prevention of public nuisance, and the protection of children from harm.	imposed.		considered necessary.
--	----------	--	-----------------------

- 1 = Little or no risk or impact
- 2 = Some risk or impact – action may be necessary.
- 3 = Significant risk or impact – action required
- 4 = Near certainty of risk occurring, catastrophic effect or failure of project.

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Rontec Watford Limited

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number 59

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Stansted Service Station 1 Cambridge Road			
Post town	Stansted	Postcode	CM24 8BX

Telephone number at premises (if any)	01279 812935
Non-domestic rateable value of premises	£56,000

Part 2 – Applicant details

Daytime contact telephone number	01923 694038		
E-mail address (optional)			
Current postal address if different from premises address	13-14 Esplanade St Helier All correspondence to: Winckworth Sherwood LLP (Ref: EMF/32991/181/RPB) Minerva House 5 Montague Close London SE1 9BB		
Post town	Jersey	Postcode	JE1 1BD

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

Yes

No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

A petrol forecourt store selling a broad range of groceries, household products and alcohol.

Situated at 1 Cambridge Road, Stansted, CM24 8BX to be varied as follows:

1. Extension of the hours for the sale of alcohol to 24 hours daily.
2. Extension of the hours for the provision of late night refreshment to between the hours of 2300 and 0500 daily.
3. To amend the opening hours of the premises to 24 hours daily.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick all that apply

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

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

Sale by retail of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 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"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 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"/>
				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 exhibition of films</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 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			<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)
Thur			
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"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
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			State any seasonal variations for the performance of live music (please read guidance note 4)		
Wed					
Thur			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)		
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			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Wed					
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><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>		
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	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon	0000	0500						
	2300	2400						
Tue	0000	0500						
	2300	2400						
Wed	0000	0500				State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
	2300	2400						
Thur	0000	0500						
	2300	2400						
Fri	0000	0500				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)		
	2300	2400						
Sat	0000	0500						
	2300	2400						
Sun	0000	0500						
	2300	2400						

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)					
Mon	0000	2400						
Tue	0000	2400						
Wed	0000	2400						
Thur	0000	2400				Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	0000	2400						
Sat	0000	2400						
Sun	0000	2400						

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).

The premises sell alcohol and other age restricted products.

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	0000	2400	<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)
Tue	0000	2400	
Wed	0000	2400	
Thur	0000	2400	
Fri	0000	2400	
Sat	0000	2400	
Sun	0000	2400	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

1. The hours for the sale of alcohol are currently restricted to between 0600 and 2400 hours daily.
2. The hours for the provision of late night refreshment are currently restricted to between 2300 and 2400 hours daily.

The above restrictions would be removed as a consequence of the proposed variation.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

The existing conditions on the premises licence to remain unchanged.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

--

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

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

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

Signature	[Redacted Signature]
Date	25 March 2014
Capacity	Solicitors duly authorised on behalf of the Applicant

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

(Ref: EMF/32991/181/RPB)

Winckworth Sherwood LLP

Minerva House

5 Montague Close

Post town	London	Post code	SE1 9BB
------------------	--------	------------------	---------

Telephone number (if any)	020 7593 5155
----------------------------------	---------------

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

efinlay@wslaw.co.uk

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

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

LOCAL AUTHORITY



Licensing Section
Uttlesford District Council
Council Offices
London Road
SAFFRON WALDEN
ESSEX
CB11 4ER

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

STANSTED SERVICE STATION

1 CAMBRIDGE ROAD, STANSTED, ESSEX, CM24 8BX.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- provision of late night refreshment
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
L. Late night refreshment (Indoors & Outdoors)	Monday to Sunday	11:00pm	Midnight
M. The sale by retail of alcohol for consumption OFF the premises only	Monday to Sunday	6:00am	Midnight

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	6:00am	Midnight

WHERE THE LICENCE AUTHORIZES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption OFF the premises only

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

RONTEC WATFORD LTD

13-14 ESPLANADE, ST HELIER, JERSEY, JE1 1BD.



REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

RONTEC WATFORD LTD

108486

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

MYLVAGANAM UTHAYSHANGER

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. 22

Issued by Three Rivers



ANNEXES**Annexe 1 - Mandatory Conditions**

Mandatory conditions - supply of alcohol

- 1) No supply of alcohol may be made under the premises licence
 - at a time when there is no designated premises supervisor in respect of the premises licence or
 - at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
- 2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 3 (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

Annexe 2 - Conditions Consistent with Operating Schedule

- 1 A CCTV system to be installed and maintained (or any existing system maintained) and to be fully operational throughout the hours that the premises are open for any licensable activity.
- 2 The CCTV system shall be capable of producing immediate copies of recordings on site. Copies of recordings will be capable of being recorded digitally on to CD/DVD or other equivalent medium.
- 3 Any recording shall be retained and stored in a suitable and secure manner for a minimum of 28 days and shall be made available to the police for inspection on request.
- 4 The CCTV system to incorporate a camera covering the entrance door and the alcohol display areas and will be capable of providing an image which is regarded as identification standard. The precise positions of the cameras may be agreed with the police from time to time.
- 5 The system will display, on any recording, the correct time and date of the recording.
- 6 A system to be in place to maintain the quality of the recorded image.
- 7 The premises licence holder will at all times maintain adequate levels of staff. Such staff levels will be disclosed, on request, to the licensing authority and police.
- 8 Adequate waste receptacles, for use by customers, shall be provided in and immediately outside the premises.

Annexe 3 - Conditions Imposed Following a Hearing

None.

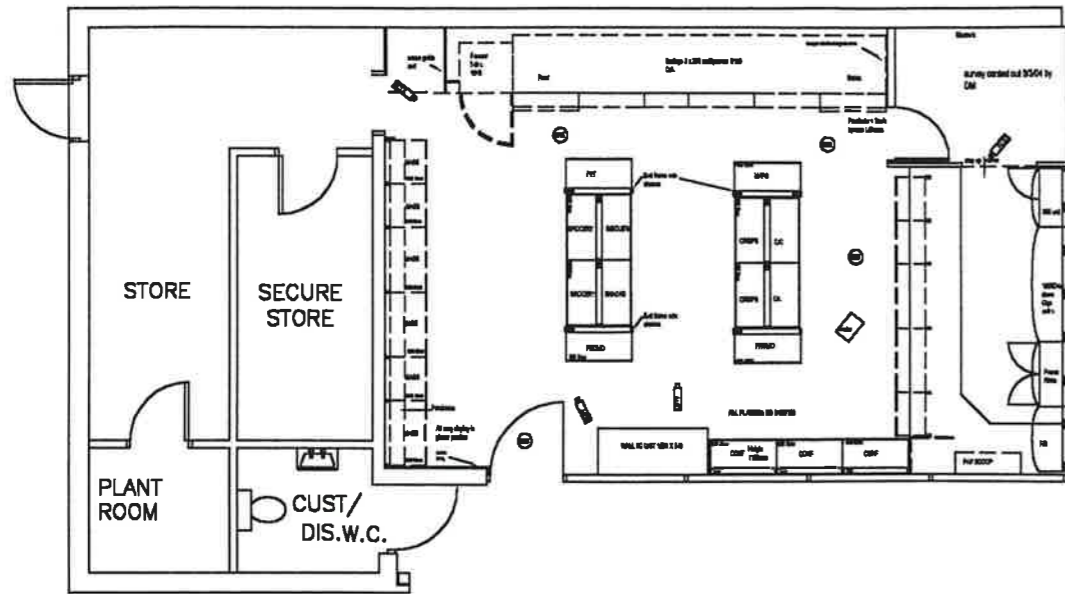
Annexe 4 - Plan of Premises

See attached.

↳ Assistant Chief Executive



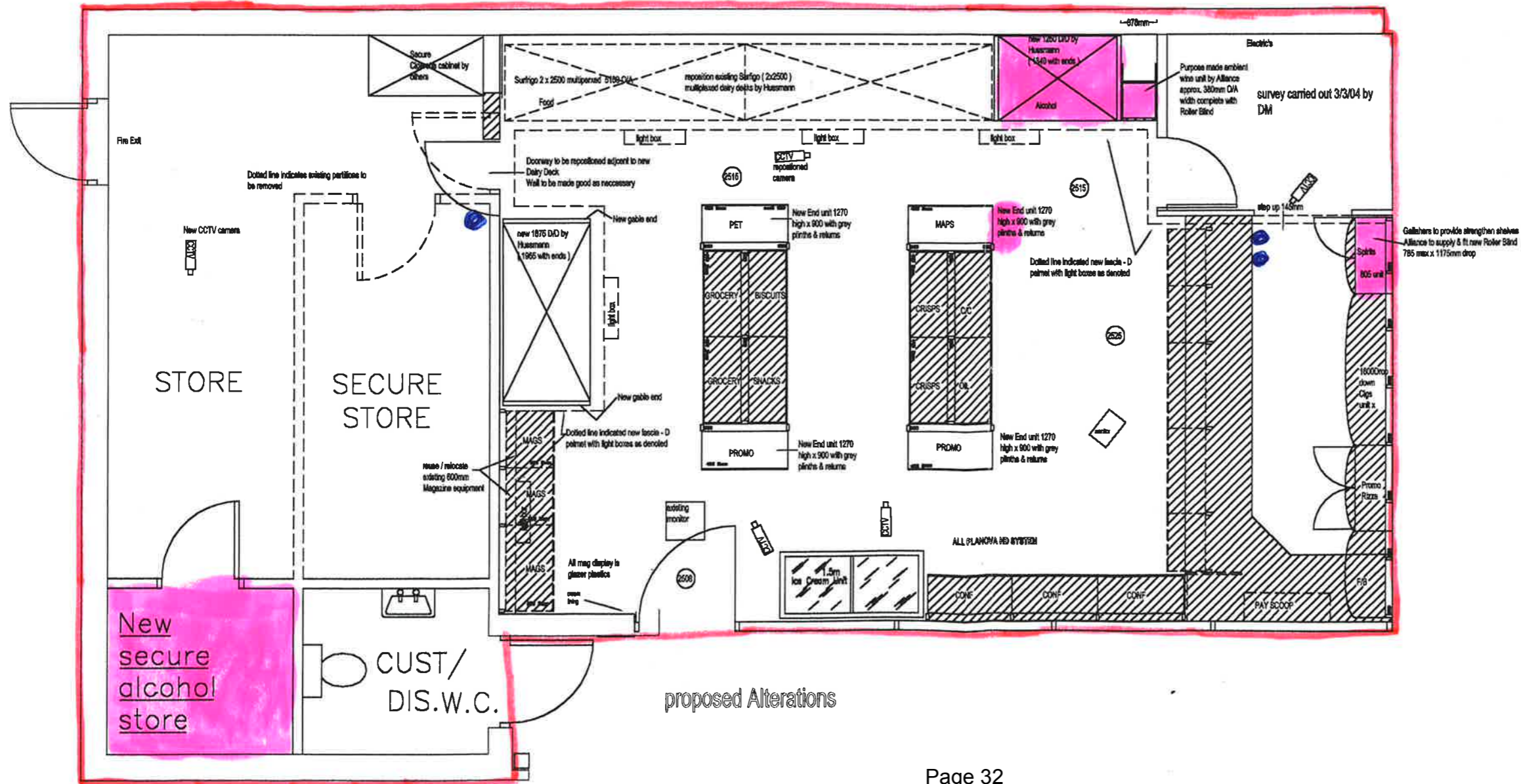
Existing layout



FIRE FIGHTING EQUIPMENT

- 2 CO₂ Extinguishers (Counter)
- 1 Dry Powder (Store)

licensable activity sales of alcohol for consumption off the premises.



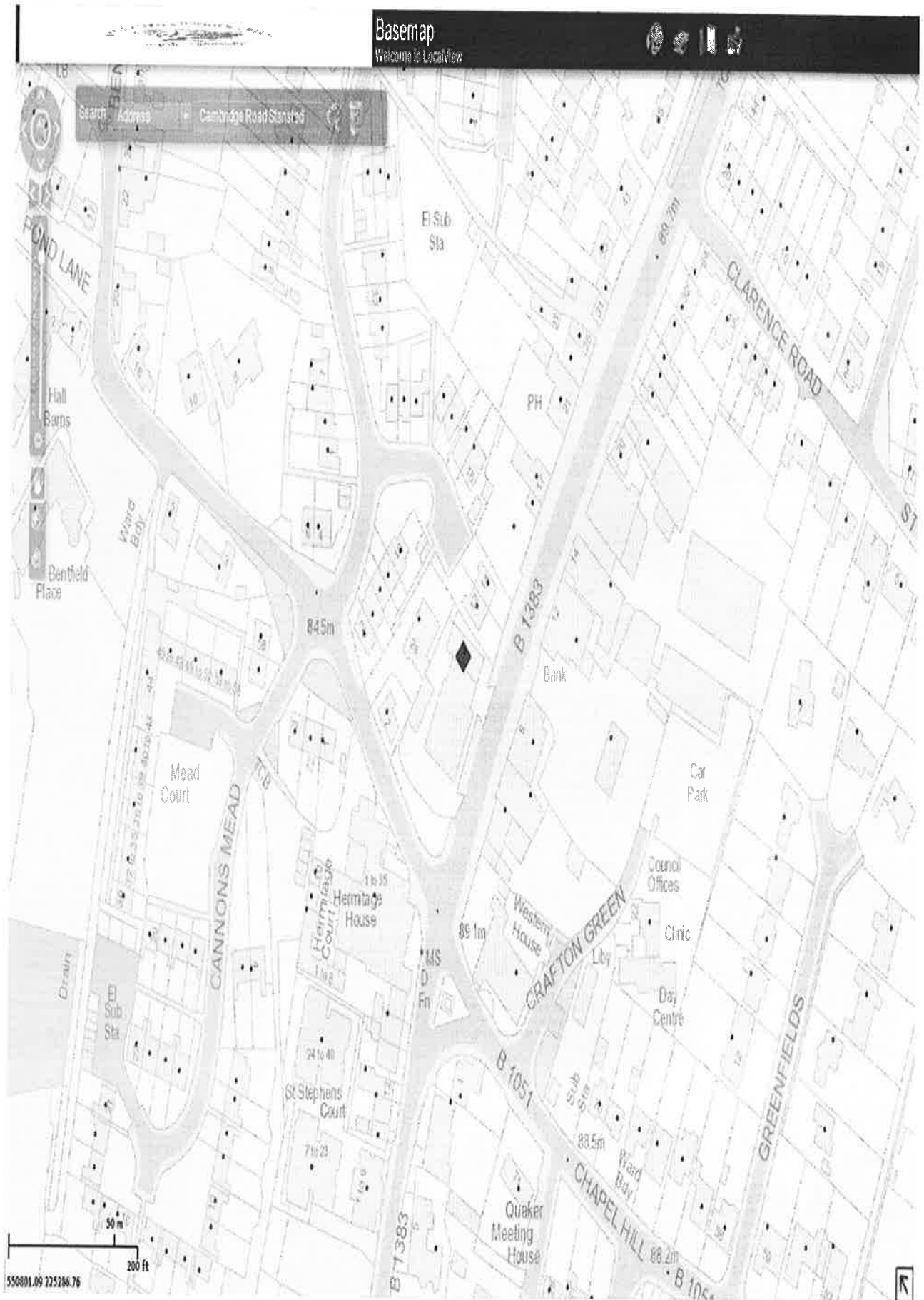
REV	DATE	INITIALS	DETAILS

DWG APPROVED BY & DATE

SURVEY BY & DATE

CLIENT TOTAL
 SITE Cambrige Rd Stansted Proposed Alterations
 DATE 1/4/04 *Scale 1:100*
 DRAWN SRS
 SCALE *1:100*
 DRG. No. 17841.00 *JS*

THIS DRAWING REMAINS THE PROPERTY OF ALLIANCE SHOPFITTERS LTD. AND CANNOT BE COPIED, COMMUNICATED OR LOANED TO A THIRD PARTY WITHOUT WRITTEN CONSENT



Joanne Jones

From: Simon Mercer >
Sent: 23 April 2014 18:55
To: Licensing
Subject: Objection to extension of alcohol license - Esso Garage, Cambridge Road, Stansted Mountfitchet

Dear Sirs

Please take this email as my formal objection to the application to extend the alcohol license to allow sale of alcohol, by the above premises, 24 hours per day.

My objections are as follows: -

Prevention of Public Nuisance – I believe that by allowing the site to retail alcohol from Midnight onwards, it will be attracting additional traffic to the site. This traffic will, by its nature, cause additional nuisance such as car doors opening and closing, potential rowdy behaviour by customers and those travelling within the vehicles. There is also the potential to encourage those leaving the pubs of Stansted to congregate around the garage area, after purchasing alcohol, to consume it. This will lead to raised voices, potential fights and potential noise from bottles etc being broken.

This noise nuisance is likely to be increased as we come into summer when the nights are warmer, encouraging more people to congregate around the garage and in the open spaces around Bentfield Gardens, consuming alcohol. This noise and potential nuisance will be heightened because, as the weather improves, more people, in what is a residential area, will be likely to have windows open.

Prevention of Crime & Disorder – The Garage is on the edge of residential areas both sides of Cambridge Road. The majority of the streets do not have lighting after midnight. By selling alcohol after this time, people will be encouraged to purchase and congregate in the open areas, such as in Bentfield Gardens, The Recreation Ground etc. With a lack of street lighting, such groups, fuelled by alcohol, will inevitably be tempted into acts of vandalism on property and vehicles and potentially assaults and violence on individuals walking through these areas. This is not a problem at the moment because there is no reason for groups to congregate late into the night because there is nowhere for them to purchase alcohol etc.

Prevention of Children from harm – without an established Police presence in the village, there is nothing to stop underage children obtaining alcohol late at night by persuading older, legal individuals, to purchase it. Can a petrol station and the staff be responsible enough to police this activity, highly unlikely.

There is no need to offer additional opportunity to purchase alcohol in the village after 11.00 pm. There are already numerous outlets that sell alcohol up to this time. By allowing the Garage to sell alcohol, it will not be for the benefit of the local community, it will only serve to attract those from further afield, with the potential for additional noise, violence and crime.

Please also take this as my objection to the application to offer additional services between the hours of 12.00 midnight and 05.00am. The garage backs onto residential properties in Bentfield Gardens. Since the extension of opening hours, the garage has already caused additional nuisance by the floodlights (on throughout the night) shining into rear bedrooms potentially affecting those individuals residing in them. Furthermore, there has been additional noise nuisance, due to customers using Jet wash and hovering facilities throughout the night and the uplift in general noise from car doors slamming, engines being rev'd and customers shouting etc. By allowing the garage, which is effectively surrounded by residential properties, to offer additional services, this will only serve to attract more customers to visit the site, during the night, who will, cause more noise nuisance as indicated.

It should be noted that I am currently in the process of complaining about the increased light and noise pollution the extended opening hours has caused to Environmental

Yours sincerely

Simon Mercer



This email (including attachments) is confidential. If you have received this email in error please notify the sender immediately and delete this email from your system without copying or disseminating it or placing any reliance upon its contents. We cannot accept liability for any breaches of confidence arising through use of email. Employees of Cemer Associates are expressly required not to make any defamatory statements and not to infringe or authorise any infringement of copyright or any other legal right by Email communications. Any such communication is contrary to company policy and outside the scope of the employment of the individual concerned. Cemer Associates will not accept any liability in respect of such a communication, and the employee responsible will be personally liable for any damages or other liability arising.

If you are the intended recipient of this email please ensure that neither the email nor any attachments are copied to 3rd parties outside your organisation or saved without the express permission of the sender.

WARNING: Computer viruses can be transmitted by Email. The recipient should check this Email and any attachments for the presence of viruses. Cemer Associates accepts no liability for any damage caused by any virus transmitted by this Email. This Email and any attachments may not be copied or forwarded without our express written permission. In the event of any unauthorised copying or forwarding, recipient will be required to indemnify Cemer Associates against any claim for loss or damage caused by any viruses or otherwise.

Murray Hardy

From: Stephen Sparrow <Stephen.Sparrow@essex.pnn.police.uk>
Sent: 28 March 2014 14:01
To: Murray Hardy; efinlay@wslaw.co.uk
Subject: RE: Stansted Service Station, 1 Cambridge Road, Stansted, CM24 8BX (32991/181)
[NOT PROTECTIVELY MARKED]

I can now confirm that we have no objections to this application based on the amendments as agreed and noted by the Licensing Authority.

Licensing Officer 6895 Stephen Sparrow
Braintree & Uttlesford District Policing Area
Internal Ext: 400175
Direct Dial:
Calls from within Essex: 101 Ext 400175
Calls from outside Essex: 0300 333 4444 Ext 400175
Fax No: 01376 556216
Email: stephen.sparrow@essex.pnn.police.uk
Website: www.essex.police.uk
Braintree Police Station, Blyths Meadow, Braintree CM7 3DJ

To find out what is happening in your neighbourhood and all about your neighbourhood policing team visit http://www.essex.police.uk/my_neighbourhood.aspx and enter your postcode.

From: Murray Hardy [<mailto:mhardy@uttlesford.gov.uk>]
Sent: 28 March 2014 13:57
To: 'efinlay@wslaw.co.uk'
Cc: Stephen Sparrow
Subject: FW: Stansted Service Station, 1 Cambridge Road, Stansted, CM24 8BX (32991/181)

Elaine I acknowledge receipt of the amendment regards Murray Hardy Licensing Officer

From: Murray Hardy **On Behalf Of** Licensing
Sent: 28 March 2014 13:18
To: Michael Perry
Subject: FW: Stansted Service Station, 1 Cambridge Road, Stansted, CM24 8BX (32991/181)

Michael FYI Murray

From: Elaine Finlay [<mailto:efinlay@wslaw.co.uk>]
Sent: 28 March 2014 12:48
To: Licensing
Cc: 'Stephen Sparrow'; Robert Botkai
Subject: Stansted Service Station, 1 Cambridge Road, Stansted, CM24 8BX (32991/181)

Good Afternoon

I refer to the variation application served on 25 March to extend the hours for licensable activities at the above premises and, following a request from the police, Rontec have agreed to amend the application to include the following condition:

'The entrance door to the shop will be closed to customers between the hours of 2400 and 0500. Any sales between these hours will be made through the night pay window.'

Please confirm that the variation application will be amended to include the above condition.

Thank you

Elaine Finlay

Elaine Finlay
Legal Assistant

Winckworth
Sherwood

+44 (0) 207 593 5155

+44 (0) 207 593 5069

finlay@wslaw.co.uk

www.wslaw.co.uk

Winckworth Sherwood

Minerva House | 5 Montague Close | London | SE1 9BB | DX 156810 London Bridge 6

T 020 7593 5000 | F 020 7593 5099

This email and any attachments are confidential and may be the subject of legal privilege. Any use, copying or disclosure other than by the intended recipient is unauthorised. If you have received this message in error, please notify the sender immediately via 020 7593 5000 and delete this message from your computer and network.

Winckworth Sherwood is a business name of Winckworth Sherwood LLP, a limited liability partnership registered in England and Wales with the registered number OC334359. Winckworth Sherwood is authorised and regulated in the United Kingdom by the Solicitors Regulation Authority and has offices in London, Oxford and Manchester. A list of the members (who we may refer to as "partners") and their professional qualifications may be inspected at the registered office, Minerva House, 5 Montague Close, London, SE1 9BB. For further information about the firm please visit www.wslaw.co.uk.



Please consider the environment and do not print this e-mail unless you really need to.
