



# Licensing of Alcohol and Gambling Sub- Committee

**WEDNESDAY 1 NOVEMBER 2023 AT 10.00 AM**

## **Council Chamber**

The Councillors listed below are requested to attend the above meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

### Membership

Councillor Deacon  
Councillor Link (Vice-Chairman)

Councillor Williams

### **Substitute Members:** Councillors

For further information, please contact Corporate and Democratic Support or 01442 228209

## **AGENDA**

1. **MINUTES** (Pages 2 - 10)  
To confirm the minutes of the previous meeting
2. **APOLOGIES FOR ABSENCE**  
To receive any apologies for absence
3. **DECLARATIONS OF INTEREST**  
To receive any declarations of interest
4. **PROCEDURE OF THE HEARING** (Pages 11 - 12)
5. **PREMISES LICENCE APPLICATION UNDER THE LICENSING ACT 2003 SELLA SUPERMARKET** (Pages 13 - 43)

# Agenda Item 1

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## DACORUM BOROUGH COUNCIL

### LICENSING OF ALCOHOL AND GAMBLING SUB-COMMITTEE

19 SEPTEMBER 2023

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- ATTENDEES:** Lara Pringle (Cllr)  
Andrew Williams (Cllr)  
Nigel Durrant (Cllr)
- OFFICERS:** Legal Adviser (Nargis Sultan)  
Sally Mcdonald (Licensing Manager)  
Kim Knight (Licensing Compliance/Technical Officer)
- APPLICANT:** Stephen Bailey (Applicant)  
Chris Juraszek (proposed Designated Premises Supervisor)
- OTHER:** Jason Turner (Objector)  
James Cheshire (Objector)

#### 1. Minutes

The minutes of the previous meeting were formally approved.

#### 2. Apologies

None.

#### 3. Declarations of Interest

None.

#### 4. Hearing - Tring Tornadoes Alcohol Licence

The Chair set out the hearing, noting that individuals who wished to speak on the issue would have five minutes to do so.

S Mcdonald set out the case. The application was for the grant of a new premises licence for Tornadoes Sports Education and Leisure, Miswell Lane Sports Pavilion, Miswell Lane, Tring, Hertfordshire, which sought authorisation to sell alcohol for consumption both on and off the premises. The applicant and those persons who made representations had been invited to attend the meeting to address the Committee and it was noted that details of those speaking had been forwarded to members ahead of the meeting. The Committee was informed that the options available were set out in the introductory section of the report and the Committee was reminded that any steps taken must be considered appropriate in order to promote one or more of the licensing objectives and that full and clear reasons should be given on how their decision was reached.

S Bailey, the Applicant, advised that Tornadoes Sports Education and Leisure was an incorporated charity established around two years ago to move Tring Tornadoes Junior Sports Club to an incorporated charity, and that a benefit was

that the charitable operations around sports and activity could be expanded. Over the last two years, membership of around 500 children playing football and 100 playing netball had increased to nearly 800 members. Operations had been expanded into Berkhamsted and the charity also owned Phoenix Berkhamsted netball club. The charity had now taken over Tring Corinthians as well as adding a veterans team to the portfolio based out of Miswell Lane. Miswell Lane has been a recreation ground for around 60 years with a clubhouse and changing room block, which is a Dacorum Borough Council asset. The lease was taken on in March 2023. The hub is important for the charity to run its operations and it is also a central part of the charity's developing social community across its membership.

S Bailey confirmed that the first application is for 11am-11pm, Monday to Sunday, and that this was primarily driven by advice given that the application should take into account what could be required during the organisation's occupancy. The expectation is to not be open for the hours stated in the application, though there will be a demand that evolves over time. It was noted that Tring Athletic and Tring Rugby Club have facilities open at the weekends and have the ability to be open during the week, though this is driven by usage and member demand. It was stated that the expectation over time was to evolve club operations based on membership demand but with sensitivity to the proximity of the neighbours.

S Bailey advised that the current operations were training on Saturday mornings from 9am to 12pm for 3 age groups, men's senior football on a Saturday once a month, 2 U15 teams on Sunday mornings and girls' football training on Monday evenings. S Bailey commented that available playing space for all sports across Dacorum was an ongoing challenge and therefore having the facilities at Miswell Lane was a step change in how club operations and activities could be run.

The Chair noted that the club was predominantly for junior sports and asked what role the licence would play in creating a facility for members and raising funds. S Bailey explained that the playing membership was significantly youth players, though there was also a senior men's team and that they also own Tring Corinthians, which was a senior club. It was also noted that there are around 1,500 parents in the membership as well as 125 coaching volunteers, and that the licence was required to hold any significant events. S Bailey advised that the licence would allow the club to generate revenue, though the primary motivation was to help create a social community hub for a significant membership.

The Chair noted that the club was situated in a densely residential area and asked how far the clubhouse was from the rear of those properties. S Bailey advised that the fences of the objectors were around 20 feet or 3 metres from the clubhouse and that most of the other properties were around half a football pitch away.

The Chair asked the Applicant if he would accept that visitors taking their drinks outside the clubhouse may be talking loudly and could be heard at the rear of the surrounding houses. S Bailey agreed that this was possible and that his expectation was that during winter most visitors would remain indoors and that the intention was not to sell people alcohol that they could take away. S Bailey added that they were looking to work with their neighbours and that he was prepared to put in conditions to stop people taking drinks outside from a certain point in the evening. S Bailey referred to other similar facilities in the borough, stating that whilst there may be occasional evenings that were busy due to a significant event, it is primarily a social space for players and was not intended for people to spend all evening in.

The Chair noted that no glass would be taken outside and asked what provisions were in place to avoid littering. S Bailey advised that they would take a similar approach as they do for junior training where coaches were given a black bag and all parents on-site were encouraged to not leave anything behind. If drinks or snacks were taken outside, the expectation is for all litter to be disposed of. S Bailey commented that the Tornadoes membership was around 10% of the town's population and that they were therefore in their home environment.

The Chair asked how many visitors the Applicant would envisage attending an event at the club. S Bailey advised that this would depend on the nature of the event, noting that it may be a parents and players evening and whilst the maximum occupancy had been set at 150, he did not expect to have this many visitors for anything other than a significant international football match screening. S Bailey noted that there were 130 girls in the netball section and that there was the potential for a larger volume, but there would be a limited number of people drinking alcohol.

The Chair referred to an objection raised by a member of the public that states that they don't believe there is enough toilet provision, which would lead to people urinating around the grounds. The Chair noted that there was only one female toilet on site and asked how this would be managed with the girls' netball team. S Bailey confirmed that there was a unisex toilet in each dressing room and there was also a female and disabled toilet. The remaining toilet provision was subject to discussion with the Council regarding a longer lease and future plans on how to improve facilities. S Bailey stated that he believed there were enough toilet facilities though they are not yet as good as they would like them to be.

The Chair asked if the changing rooms would be open to people during events. S Bailey confirmed that they would, noting that this would also allow players to leave their kit in the changing rooms post-matches rather than bringing them into the clubhouse.

The Chair asked how safeguarding would be managed if changing rooms were open for people to go into when the bar was open. S Bailey stated that young people would be with their parents or coaches and that all Tornadoes coaches were DBS checked and have all undergone safeguarding and first aid training. The Chair responded that it would still create the opportunity for young people to be in an enclosed space on their own with other people if they go to the toilet. S Bailey agreed.

The Chair referred to photos provided by objectors regarding accessibility and asked if lighting would be provided to prevent injury. S Bailey advised that this would be a decision for Dacorum Borough Council as the public space belonged to them. S Bailey confirmed that they had put solar lighting outside the building and that Highways were responsible for lighting in the park and suggested that the path down to Goldfield School was not a public footpath.

The Chair noted that young people would be attending the club and may not be with parents so would currently need to use their own personal torch to leave safely. S Bailey stated that parents would need to collect young people from the door.

The Chair commented that there would not be paid staff. S Bailey responded that this would depend on the operating model and that they could have paid staff for busy events. The Chair noted that the current premises would have a volunteer rota and asked what training they have. S Bailey explained that Tornadoes was an entirely voluntary organisation and that C Juraszek, the proposed Designated Premises Supervisor, would ensure there was a cohort of people who were trained to run the bar. S Bailey reminded the Committee that the intention was not to be open for the hours applied for and to instead be able to put events on when required without having to submit temporary event licences.

The Chair suggested that no volunteers had yet been trained and asked if there were a minimum number of people that would be on duty at any time. S Bailey recommended that they have a minimum of 2 members of staff at any time and that the number of people would depend on the nature of the event. If Giants Netball Club put on an event then there would be premises operation bar management, which C Juraszek would be responsible for, and the Giants would also need to ensure they had enough parent provision and coaches to meet safeguarding requirements.

The Chair noted an objection regarding the alcohol on site and asked how the Applicant would ensure its security. S Bailey advised that they were looking to install CCTV and were looking at a multisite solution so all locations could be monitored. The clubhouse was a Dacorum Borough Council asset and S Bailey stated that, as part of the full repairing lease, they had changed several doors and added locks to make it more secure and that there were further actions they would like to take but that this would need to be presented to the Council. S Bailey added that all alcohol was removed at the end of events and taken back to Tring Corinthians. The onsite chiller was lockable if it was left on site and a brewery had provided the means to refit the cellar space so it could be a lockable space.

The Chair asked if an alarm would be fitted to the clubhouse. S Bailey confirmed that the building currently has fire alarms fitted and that they would look to have connected intruder alarms.

The Chair stated that one option would be for a licence to be granted for a more limited time and asked how this would affect operations. S Bailey stated that they would not know the effect until they knew the demand for operations and that the challenge was understanding which evenings there would be more demand.

The Chair advised that a licence could be granted that restricted later sales for special occasions. N Sultan interjected that the Licensing Committee could add additional conditions if it was felt necessary and asked the Applicant if the sale of alcohol could be restricted to match days or special events only or if hours for taking alcohol outside could be restricted. S Bailey responded that only a limited number of people would want to be outside during winter and stated that he was open to restrictions but that the challenge was not knowing what the demand would be.

The Chair asked if members have been consulted to understand what demand would be. S Bailey stated that whilst they are taking ideas from members these would depend on the licensing terms granted.

Cllr Williams clarified that the clubhouse was in a dark field and asked how training was conducted during winter. S Bailey confirmed that training takes place before it becomes dark.

Cllr Williams noted the maximum occupancy of 150 and asked if access would be restricted to membership. S Bailey confirmed that they were a membership organisation and anyone who uses the facility would be a playing, family, social, community or guest member so would not be open to the general public.

NSultan asked if incident logs would be kept. S Bailey stated that he would expect they would.

N Sultan asked for more information on how much CCTV would be installed. S Bailey confirmed that this was currently unknown and that the expectation was to have internal CCTV as well as outside.

N Sultan asked if there would be a training log for volunteers and if this would be reviewed. S Bailey confirmed that there would and that there was a Head of People for Tornadoes. This would be part of the membership system and show that they had the qualifications to be part of the premises or bar team.

N Sultan asked if extra volunteers will be brought in for special events and match days. S Bailey suggested that this would not be necessary for match days as they typically only have around 20 spectators, though more would be brought in for special events.

N Sultan asked if there was a log of members and if members could be banned if a particular incident took place. S Bailey confirmed that they use LoveAdmin that showed playing members and parent details and new categories can be added. Membership cards can also be issued in future.

N Sultan asked how long CCTV footage will be kept and if it would be made available to any responsible authorities, including the Council. S Bailey confirmed that he would be guided by the law and the CCTV operating model.

The Chair asked how an incident would be investigated and whether there would a signing-in mechanism. S Bailey stated that this could be implemented for a specific event where it was felt necessary but that he would like to introduce a scheme where the membership card acted as the payment method, which would provide transaction data. S Bailey noted that it would be possible to have a system to allow members to tap in and out of the building and suggested that they would learn during the first year of operation about what was required. S Bailey advised that the greatest challenge would be if the U14 group wanted to put on an event as they had around 16 coaches, 80-90 children and around 200 parents and the space would not be able to accommodate everybody, but that the size constraints of the site should mean that they never have an unmanageable amount of people.

The Chair commented that it was predominantly a youth club and that there would be unaccompanied teenagers in the same area as people unrelated to them taking alcohol, which is a safeguarding risk. S Bailey confirmed that there would be indoor CCTV in the clubhouse. It was confirmed that there would not be CCTV in the dressing rooms or toilets.

The Chair asked the Applicant what experience he had of running events and venues. S Bailey stated that he had no experience of running a licensed premises, which was why they had appointed someone with over 40 years of experience. S Bailey confirmed that he had been the Chairman of Tornadoes for 7 years and that he had been in the club since 2012 when he started as an U8 coach. S Bailey advised that he had been part of the management

committee throughout his time at the club, that he organised the annual family fun day, the club's presence at the winter and summer carnivals in Tring, and bespoke and one-off events. S Bailey confirmed that he was the lead person at managing the car park at Chilfest, which used the Cow Lane site. S Bailey advised that his professional background was outsourcing technology and support services and that he had worked in leadership, management, transformation and change. S Bailey confirmed that he also had a Level 1 qualification in grounds maintenance, which he achieved as part of the club getting a Football Foundation grant to take on a new tractor, and that he would ensure that everything that happened within the clubhouse was in accordance with the standards, conducts and behaviours of the club.

The Chair asked the Applicant if he had experience in handling conflict management, particularly whilst inebriated or aggressive. S Bailey referred to his work at Chilfest and handling drunk people leaving the site whilst managing cars moving out of the car park. S Bailey stated that if people were unwilling to engage then this was what police were onsite for, noting that his tactic would be to focus on de-escalating matters calmly rather than becoming combative.

J Cheshire commented that he had met with S Bailey previously and noted that he had said if a member wanted to use the space for a personal event then this may be permitted. J Cheshire asked if this was still being considered and if it would therefore be plausible that non-members would be attending the venue. S Bailey advised that members were already requesting to use the venue and that the organiser would have to have a clear understanding of their responsibilities, pre, during and post-event. S Bailey stated that he does not want the club to have a poor reputation and whilst he wouldn't rule out hiring out the venue, he would be happy to explore restrictions around such events.

The Chair suggested that there was a level of disagreement regarding the level of community engagement that has so far taken place and that there would be a possible condition that would require S Bailey to meet with the local community regularly to resolve any issues. The Chair asked what level of community engagement had taken place so far. S Bailey advised that the club has been active in speaking to those using the park and noting the improvements already made. A WhatsApp group had been established for people in the area and a rolling database was being built with plans for more substantive communications to put across social media and through letterboxes to inform residents of contact details to raise any issues.

The Chair noted a raised concern of there being a cluster of houses close to one of the routes out where particularly vulnerable people live who may not visit the park or be part of a WhatsApp group. The Chair suggested that noise made late at night may be particularly difficult for these residents. S Bailey advised that the club has a responsibility for anyone leaving the premises to not cause any disruption and any issues would be handled. S Bailey added that people could move freely through the park at any time regardless of their involvement with the Tornados and that any members causing issues would be identified.

J Cheshire, an Objector, stated that residents want to work with Tornados and that they acknowledge the provision that the club offers to those wishing to play sport in the community. J Cheshire stated that the main concerns for residents were the possible uses for the premises licence, which may include drinking alcohol, broadcasting live sports matches, serving alcohol whilst hosting coaching courses or other indoor events, and the possibility of parties. J Cheshire advised that residents wanted to know more about intentions and that it is concerning that there is no plan as part of the application. J Cheshire raised the concern of drinks being offered at discounted rates.

On preventing crime and disorder, J Cheshire commented that there was a history of break-ins and criminal damage to the clubhouse, including swastikas being drawn on the roof, and that it was burnt down in the past. J Cheshire stated that the application suggested members will have a responsibility to take care of the premises but that this was not realistic when alcohol is being served and that CCTV was unlikely to act as a deterrent. J Cheshire suggested that police and fire services would need to be put on high alert if the premises became an alcohol store in the park. J Cheshire noted that his property backed onto a narrow alleyway, which would be the access most used for the premises. This alleyway was narrow and unlit and residents already experienced issues with people urinating, defecating and littering the alleyway, as well as issues with cannabis smoking, graffiti, damage to fences. Seven police crime references were then referred to. It was noted that a police presence did not act as a deterrent and if youths learned there was alcohol on the premises then there were concerns about an uplift in crime.

Looking at public safety, J Cheshire suggested that if Tornadoes members were not part of the groups that caused issues, then 2 groups would be brought together in the public space which could be intimidating for others. It was also noted that there was a risk of alcohol littering the park and this posed a risk to public safety. J Cheshire stated that whilst noise from match days was welcomed by residents the noise would become a public nuisance if the premises were used 7 days a week, and he noted the risk to his family's mental health if the premises were to be used more regularly by members. J Cheshire advised that it was a predominantly youth and junior club and that he felt having alcohol at the premises would put children in the way of harm rather than protecting them.

J Cheshire closed by stating that it was inappropriate to run a sports bar or pub in a park, which is what the application appeared to be as there was no current plan. The Tornadoes were an incorporated charity and provided a strong service to the community and J Cheshire stated that the application was for alcohol to be served 7 days a week in a public park with insufficient access and no parking. J Cheshire stated that a premises licence granted on the basis of the application would provide more detriment to the local community than any benefits and he asked that members reject the application.

J Turner, an Objector, stated that he lived with his family directly behind the pavilion. He stated that he supported the club but did not agree with an alcohol licence being granted. J Turner noted the comparison to other clubs in the area and advised that these were on private land with no residents nearby. J Turner advised that there were very few open spaces in Tring for children to play and that Miswell Lane was used extensively when the alcohol licence would be in use. The park connected to a primary school and hosted a playground, basketball court and was full of children at weekends and after school. J Turner stated that, having spoken to other residents, the previous licence held caused alcohol to go into the park on a regular basis and altered the nature of the surrounding area, thereby affecting resident's ability to enjoy the space.

J Turner referred to the associated behaviour with the consumption of alcohol and suggested that it would turn the public park into a large pub garden, which could create an intimidating and potentially dangerous environment for children. J Turner stated that whilst he supported Tornadoes as a sports club, he struggled to support such an open licence as it would encourage drinking. He stated that the consumption of alcohol also increased the likelihood of crime and disorder and that the space was challenging to police. The efforts taken by the club were acknowledged and it was stated that signage, training of staff and CCTV would not affect the issues as they would take place away from the club and in the public space once the club was shut. J Turner advised that issues will likely result in the use of police and council time in trying to resolve them.

J Turner commented that the sale of alcohol was in contrast of the intended use of the area and that the park was an important space for people's mental health. J Turner challenged the claim that all surrounding residents were members, noting that he had spoken to a number of residents and none were members. It was also noted that the building was close to neighbouring properties and that any noise from the pavilion echoed across the space. Noise pollution was damaging to mental health and it was suggested that this noise would affect the wellbeing of many people. J Turner also noted that there were no suitable exits to the venue as they were far away from the street, were unlit with uneven ground, and most people leaving the premises would use the two narrow pathways that go alongside neighbouring houses and the primary school. J Turner stated that it was impossible for the licence holder to make a provision for safe entry and exits into the building and that public injury would therefore be likely.

J Turner stated that he felt a licence of 11am-11pm from Monday to Sunday is too broad and would have too much of an impact on the area as it would cause a nuisance to the public and put the public at risk. Other venues in the surrounding area were noted and that social events should be held in these venues instead. J Turner noted the positive impact that Tornadoes had had on the surrounding area and he commented on the pride that had been taken in the building.

The Chair thanked J Cheshire and J Turner for their representations.

The Chair asked the objectors to explain the proximity of their homes with the clubhouse and it was noted that some residents would be closer to the clubhouse than the two objectors. It was noted that there were a mixture of residents in terms of age and that a number of more vulnerable and elderly residents had been unable to engage in respect of the application.

The Chair noted that the objector disagreed with the extent of the licence being 11am to 11pm every day and asked if there were any restrictions that would not be objected to. J Turner suggested that this was hard to answer without a plan for the intended use of the building and that the issue is more about limiting the intended use of the building rather than the times it is open. J Turner advised that he would like to collaborate with the club and suggested that there should be no off licence, that the hours should be limited, and that no alcohol should be served after dusk, also that there should be no private hires of the premises and there should be no showing of live sports or music.

The Chair asked J Cheshire if he agreed with J Turner's comments. J Cheshire stated that the darkness and noise resulting from events were the greatest issue, adding that he had concerns about alcohol being stored in the park.

S McDonald raised a point of clarification and advised that events regarding live music had not been applied for on the application, and that music and dancing up to 11pm was exempt from licensing if it met certain criteria. If the site had on sales of alcohol and less than 500 people in it then it would meet the criteria. The Chair advised that this would therefore be exempt from the Committee's consideration as it can't be restricted. S McDonald clarified that live music and dancing had not been applied for and was not restricted between 08.00 and 23.00 in line with the criteria mentioned earlier under the exemptions brought about by the Live Music Act. If a nuisance was caused then it would need to be dealt with by statutory noise nuisance laws.

S Bailey clarified that the intention was not to sell alcohol for people to take away and was for consumption outside the front door, which is why off-premise had had to be applied for, and that it was driven by the nature of the building.

The Chair asked if a building with a clearly defined outside area was considered to be off premises. S McDonald confirmed that it would depend on if this was included in the licensing plan at the outset. For the clubhouse, the only area in the licensing plan was the building itself and it would be difficult to put an area specifically for the club on any proposed plan as the outside area belonged to the Council as open recreational ground. On sales would be people consuming alcohol in the marked area within the plan and any off-sales would allow alcohol to be taken outside of the marked area and off-sale conditions would apply.

The Chair suggested that if someone took a drink outside to watch the football then they would be in breach if there wasn't an off-sales licence. S McDonald confirmed this.

J Turner noted that a building was rented by the club and there was a public park that contained a section of pitch rented by the club. J Turner advised that you were in a public park as soon as you stepped out of the building and that the venue therefore wasn't suitable for what was being asked for in the application.

S Bailey advised that the clubhouse had been operational for 40-50 years and that Tring Athletic installed a bar when they renovated the building and that what mattered were the rules that were in place. S Bailey stated that they wanted the flexibility to establish an operating model and that he would be comfortable with an initial 1-year licence with a mandatory requirement to renew thereafter. The application was required to allow the club to establish what would work without upsetting their neighbours.

The Chair noted that off-sales could be restricted and asked how this would work. S Bailey advised that he was looking to have the flexibility to allow people to buy alcohol and watch a match outside or to stand outside the premises in summer, which requires an off-premise licence. S Bailey stated that he did not see a reason for people to stand outside drinking after a game, particularly in winter, noting that they would discourage people from smoking outside the building.

The Chair asked how people would be discouraged from smoking outside. S Bailey suggested that this is not the dynamic of the objection and stated that he was prepared to put restrictions on people being able to take alcohol outside after a certain time, which may vary at certain points of the year.

S McDonald referred to comments on the duration of the licence, noting that once a licence is granted, it will run in perpetuity until it is either revoked, surrendered or the licence holder dies or goes into insolvency, so a trial licence could not be granted. S McDonald advised that the licence could be varied accordingly. S Bailey confirmed that they



would reach an established pattern to take neighbouring residents into account, adding that he did not envisage them being open 7 days a week during their 5-year lease on the building.

J Turner asked if a licence could be provided on the basis of the licence holder waiting to find out how often the premises would be open. J Turner noted his alarm as a neighbour and suggested there should be a clearer description of what was allowed and why.

J Cheshire noted his confusion at granting a licence from 11am to 11pm and working backwards and suggested that this was not a reasonable way to proceed. S Bailey clarified that he had no choice but to put in what they may possibly want in the entirety of the licence and that it can't be incremented up. S McDonald clarified that standard practice is to advise any applicant to apply for what they need in line with their business model.

The Chair stated that if the licence was granted with restrictions then they could not stop different terms being requested after a period of time. S McDonald explained that an applicant could put in an application for what they want to apply for and that if a licence caused issues after it had been granted then there was a review process and it would come back to the Committee. S McDonald explained that an applicant could also vary a licence and any variation would be subject to public consultation.

The Chair suggested that a restricted licence could be granted and the applicant could refine their business model and apply for a variation at a later date. S McDonald advised that the Committee must look at the impact that the sale of alcohol will have and ensure that the licence being granted promotes the 4 licensing objectives.

N Sultan noted that once members step out into the park then there was no control as it was a public space. S Bailey noted the recreation ground and the rest of the park and explained that the lease for the clubhouse was the building alone. The pitch was managed by Clean Safe and Green, though the perimeter of the pitch and everything between the pitch and the pavilion was the responsibility of the park's officer as a public space.

J Turner clarified that 1cm outside the pavilion door was a public park that was controlled by the park's officer and that the pitch was separate.

The Chair noted that the lighting is the responsibility of Highways or the Council and can't be influenced by the club.

The Chair confirmed that the meeting would adjourn so that the Committee could deliberate. N Sultan advised that a decision may not be made that day and confirmed that written decision notices would also be sent out within 5 working days.

The meeting was adjourned for the Committee to consider the application.

## **Decision**

Sale by retail of alcohol  
consumption on the premises only

Friday to Saturday 11:00 until 23:00  
Sunday 11:00 until 21:00  
New Year's Eve 11:00 until 23:00

Hours premises open to the public:

Monday – Sunday 07:00 to 23:00

The additional conditions are as follows:

1. Staff and volunteers are required to be trained, particularly in the safeguarding of children
2. The Applicant is required to keep all CCTV recordings for 31 days

3. An incident log must be kept for inspection by the Responsible Authorities including the Licensing Authority
4. The Applicant is required to devise a method of enrolment of membership
5. There is to be a register which members are required to sign in upon entry into the club
6. The Applicant must ensure there are no unaccompanied children after 9pm
7. Additional door staff/volunteers may be employed at the weekends and bank holidays, and for large organised events

## LICENSING OF ALCOHOL AND GAMBLING SUB-COMMITTEE PROCEDURE

The procedure of the Sub-Committee will be as follows:

1. The Chair will open the meeting by:
  - (a) Introducing the Members of the Sub-Committee (at the same time indicating any change in membership), and the Officers present, to the parties and any other person in attendance, including any representative of the press;
  - (b) stating the nature of the matter to be considered, (including a reference to the name of the premises or place concerned) and
  - (c) explaining the procedure to be followed.
2. The Chair will ask those present to introduce themselves and:
  - (a) if any party, without prior notice, fails to attend or to be represented, the Sub-Committee will consider whether or not it is necessary in the public interest to adjourn the hearing to a specified date;
  - (b) if any party is unaccompanied, the Chair will clarify whether that party understood it was permissible to have a representative;
  - (c) the Chair will establish whether it is proposed anyone speak as a spokesperson;
  - (d) the Sub-Committee will consider:
    - (i) any properly made request by a party for permission for any other person, (not being a representative), to appear and
    - (ii) any request to provide late documentary or other information and will only take the same into account if the other parties consent.
3. The Chair will ask whether any Member has an interest to declare and whether any Member has visited the premises or place the subject of the application.
4. The Chair will establish whether all Members of the Sub-Committee have read the papers before them, and then announce the order of speakers.
5. The Chair will ask the Officers present to confirm whether there has been compliance with all relevant requirements and to summarise any relevant information, as necessary.
6. Members may ask any relevant question of any Officer.
7. The Chair will ask each person who is to speak at the meeting for an indication of how much time he or she reasonably estimates is required to make relevant points concisely, and without undue repetition, and will consider a maximum period of time to be applied equally in the case of all the parties.
8. The Sub-Committee will hear from the Applicant (or representative, if applicable), any other party who has made relevant representations (in that order).
9. In every case at a suitable point, Members of the Sub-Committee may ask relevant questions of each party.

10. The Sub-Committee will consider any party's request to question/cross-examine another party and will not permit cross-examination unless it is of the view that it is required in order for Members to consider the representations, application or notice as the case may be.
11. The Chair will invite any person who has addressed the Sub-Committee, or those representing them, to summarise their points if they wish.
12. The Chair will seek confirmation from all parties that they are satisfied they have made all the pertinent points which they wished to make.
13. Members of the Sub-Committee will discuss what has been said and written on the matter before them and make their decision. The Chair may request that the applicant or licence holder, other persons, representatives (if any) and any Officer present (with the exception of the Legal Officer and Corporate and Democratic Services Officer) withdraw during this process – if any further clarification or information is required from any person, all parties will be recalled.
14. The Chair will confirm the decision, the reasons for the decision, and any condition placed upon the licence (if granted).
15. The Sub-Committee's decision will be confirmed in writing by the Assistant Director (Corporate and Contracted Services).

Please Note:

- All properly made applications, notices and representations received from absent parties will be considered.
- An Applicant has a right to appeal, details of which can be obtained via the Licensing Officer.
- The Authority has the right to require any person who, in its opinion, is behaving in a disruptive manner, to leave the hearing and may preclude, or impose conditions in relation to, that person's return.

## **EXCLUSION OF THE PUBLIC**

To consider passing a resolution in the following terms:

That, under s.100A (4) of the Local Government Act 1972 Schedule 12A Part 1 as amended by the Local Government (Access to Information) (Variation) Order 2006 the public be excluded during the item in Part II of the Agenda for this meeting, because it is likely, in view of the nature of the business to be transacted, that if members of the public were present during that item there would be disclosure to them of exempt information.



## AGENDA ITEM: 5

Report for:	Licensing of Alcohol and Gambling Sub-Committee
Date of meeting:	1 November 2023
PART:	I
If Part II, reason:	-

Title of report:	<b>Premises Licence application under the Licensing Act 2003</b>
Contact:	Kim Knight, Compliance and Technical Officer, Licensing Sally McDonald, Licensing Manager, Licensing
Purpose of report:	This report sets out details of an application in respect of a premises licence, which requires consideration and determination by the Sub-Committee in accordance with the adopted scheme of delegation.
Recommendations	That the Sub-Committee consider the contents of the report, and representations made in respect of the application, and determine the application in accordance with the options set out below.
Corporate objectives:	<p>A clean, safe and enjoyable environment</p> <ul style="list-style-type: none"> <li>• Applications are required to be considered with regard to the promotion of four licensing objectives, comprising the prevention of crime and disorder, public safety, prevention of public nuisance, and protection of children from harm.</li> </ul> <p>Ensuring efficient, effective and modern service delivery</p> <ul style="list-style-type: none"> <li>• Consideration of applications for premises licences and club premises certificates is a statutory function, with a risk of judicial proceedings and reputational damage should the authority fail to properly exercise its functions.</li> </ul>
Implications:	Applications are to be determined under existing policies. No new policy implications arise.
Consultees:	Consultation requirements are prescribed by legislation, and differ depending upon the type of application. Details of representations made by consultees are set out below.

Background papers:	Licensing Act 2003, and associated regulations <a href="#">DBC Statement of Licensing Policy 2021-2026</a> <a href="#">Guidance to Licensing Authorities under section 182 of the Licensing Act 2003</a> (Home Office, December 2022)
Glossary of acronyms and any other abbreviations used in this report:	

## 1. Background

- 1.1. The supply of alcohol, provision of regulated entertainment, and sale of late night refreshment are licensable activities under the Licensing Act 2003. Authorisation from the Council, in its role as the licensing authority, is required in order to carry on any of these activities at premises within the borough.
- 1.2. The Act provides several forms of authorisation for different scenarios. Persons or organisations wishing to carry on activities at premises on a regular basis, or at larger one-off events, will require a premises licence to authorise those activities. Members' clubs, satisfying a number of statutory criteria, may alternatively hold a club premises certificate.
- 1.3. Under the scheme of delegation adopted by the Council, the Licensing of Alcohol & Gambling Sub-Committee ("the Sub-Committee") is responsible for the exercise of many of the functions of the licensing authority, including determination of applications where representations have been received.

## 2. Applications

- 2.1. The application detailed in part 5 of this report has been made to the licensing authority and requires consideration and determination by the Sub-Committee.
- 2.2. Notice of application was given by the applicant in each case, through service of a copy of the application on specified 'responsible authorities' (this obligation is fulfilled by officers where the application was given electronically). The applicant was also required to give public notice of the application, by way of publication of details in a local newspaper, and by displaying a statutory notice at or near the premises. Failure to comply with these requirements would render an application invalid. Officers have undertaken checks to ensure that these requirements were satisfied.
- 2.3. The applicant and persons making representations have been given notice of the hearing in accordance with statutory requirements.

## 3. General principles to be followed when determining applications

- 3.1. When considering applications, the licensing authority is required to carry out its functions with a view promoting the licensing objectives, which are:

- the prevention of crime and disorder;
  - public safety;
  - the prevention of public nuisance; and
  - the protection of children from harm.
- 3.2. The licensing authority must also have regard to its Statement of Licensing Policy, and to the statutory guidance issued by the Home Office under section 182 of the Act. Attention is drawn to specific, relevant provisions from these documents, with the details of the applications in the Appendices.
  - 3.3. The Sub-Committee must ensure that all licensing decisions have a direct relationship to the promotion of one or more of the licensing objectives. Every application should be considered on its merits, and there must not be a 'blanket policy' to the extent that it is applied so rigidly that an exercise of discretion in each individual case is precluded. Applications must be considered with regard to the principles of fair process and the Human Rights Act.
  - 3.4. The Statement of Licensing Policy makes clear to applicants and persons who have made representations the considerations that will be taken into account when determining applications. It is also intended to guide the Sub-Committee when considering licensing applications; however, the Sub-Committee may depart from either the Statement of Licensing Policy or the statutory guidance where the circumstances of the application justify it and if there are good reasons for doing so. Full reasons must be given and Sub-Committees should be aware that such departures could give rise to an appeal or judicial review.
  - 3.5. The provisions of chapter 10 of the statutory guidance highlight that only precise, necessary and proportionate conditions, which promote one or more of the licensing objectives, should be attached to the licence or certificate. The Sub-Committee should only impose such conditions as are appropriate to promote the licensing objectives arising out of the consideration of the representations received, and should avoid straying into undisputed areas. Conditions duplicating other statutory provisions are not considered to be appropriate.
  - 3.6. It is considered inappropriate for officers involved in the administration of applications to make recommendations. However officers from the Responsible Authorities may request conditions be imposed on a licence and make recommendations with regard to the licensing objectives.
  - 3.7. Parties to a hearing, including the applicant and persons who made relevant representations, may have rights of appeal against any decision made by the Sub-Committee, dependent upon the nature of the decision. Appeals may be instituted by way of written notice to a Magistrates Court, within 21 days of being notified of the decision.

#### **4. Options available to the Sub-Committee**

- 4.1. When determining an application for the grant of a premises licence (under section 17 of the 2003 Act), the Sub-Committee must, having regard to relevant representations made in respect of that application, take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- (a) grant the licence subject to any applicable mandatory conditions, and conditions consistent with the operating schedule modified to such extent as the authority considers appropriate for the promotion of the licensing objectives;
- (b) exclude from the scope of the licence any of the licensable activities to which the application relates;
- (c) refuse to specify a person in the licence as the premises supervisor;
- (d) reject the application.

## 5. Details of application

5.1. The following application requires consideration and determination by the Sub-Committee. Further details on each application are contained in the indicated appendix:

Appendix	Premises name / address	Type of application
A	Sella Supermarket, Unit 2, Invicta House, 120 Marlowes, Hemel Hempstead, Hertfordshire HP1 1LN	Application for grant of premises licence (s.17 Licensing Act 2003)



## APPENDIX A

<b>Applicants name</b>	Sasisegaran Sellathurai
<b>Name and address of premises</b>	Sella Supermarket Unit 2, Invicta House, 120 Marlowes Hemel Hempstead Hertfordshire HP1 1LN
<b>Ward</b>	Hemel Hempstead Town

### 1. **Current Licence**

1.1 This is a new application for premises licence.

### 2. **Application**

2.1 An application has been made for the grant of a new premises licence, seeking authorisation for the following licensable activities:

#### **Sale by retail of alcohol for consumption off the premises**

Monday-Sunday 06:00 until 24:00

#### **Opening hours of the premises**

Monday-Sunday 06:00 until 24:00

2.2. A copy of the application is set out at Annex A.

2.3. A plan of the premises is set out at Annex B.

2.4. A map of the local area is set out at Annex C.

### 3. **Details of Representations**

3.1 The representation period ran from 7 September to 5 October 2023.

3.2 During that period 7 valid representations were received, citing concerns in respect of public nuisance, public safety and protection of children from harm.

3.3. Copies of these representations are set out at Annexes D1 – D7

3.4. Following receipt of copies of the representations, the applicant offered negotiation with all parties that had made representations. At

the time of publication of this agenda, no responses have been received from those parties.

#### **4. Responses from Responsible Authorities**

##### 4.1 Responses from the Responsible Authorities:

Police: No response

Fire Officer: No response

Planning: No response

Public Health Authority: No representations

Environmental and Community Protection: No representations

Trading Standards: No representations

Children's Board: No response

Licensing authority: No response

##### 4.2 Local Policy considerations and statutory national guidance that is relevant to this application are set out at Annex E.

#### **5. Observations**

5.1. Parking is not a relevant consideration under Licensing Act legislation, which covers licensable activity. There are no controls in the Licensing Act that enable the licensing authority to enforce in cases of parking problems in residential streets, and the licence holder cannot be held responsible for the parking of visitors to the premises, who would have personal responsibility for doing so in suitable places. This is the same for obstruction of vehicles, this would be a matter for the Police to enforce.

5.2. Proximity to other licensed premises cannot be considered relevant, as each premises must be considered on its own merits and not in comparison to other similar premises. There is no cumulative impact policy in the Town Centre at this time.

5.3. Impact on property values is not a relevant consideration of the Licensing Committee, the mixed development of residential and retail properties would have been approved at the Planning stage. Local Licensing Policy and national guidance advise that duplication of other regimes should be avoided.

# ANNEX A APPLICATION FOR GRANT OF PREMISES LICENCE



Dacorum  
Application for a premises licence  
Licensing Act 2003

For help contact  
[licensing@dacorum.gov.uk](mailto:licensing@dacorum.gov.uk)  
Telephone: 01442 228000

\* required information

## Section 1 of 21

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

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

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

Are you an agent acting on behalf of the applicant?

Yes  No

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

### Applicant Details

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

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

Is the applicant:

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

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

Continued from previous page...

**Address**

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Other telephone number

Include country code.

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

Are you:

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

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

**Agent Business**

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

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

Registration number

Business name

VAT number

Legal status

Your position in the business

Home country

If your business is registered, use its registered name.

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

The country where the headquarters of your business is located.

Continued from previous page...

**Agent Registered Address**

Address registered with Companies House.

Building number or name	G204 WESTON HOUSE, THE MALTINGS
Street	STATION ROAD
District	
City or town	SAWBRIDGEWORTH
County or administrative area	
Postcode	CM21 9FP
Country	United Kingdom

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

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

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name	SELLA SUPERMARKET, INVICTA HOUSE, 120
Street	MARLOWES
District	
City or town	HEMEL HEMPSTEAD
County or administrative area	
Postcode	HP1 1LN
Country	United Kingdom

**Further Details**

Telephone number	
Non-domestic rateable value of premises (£)	0

**Section 3 of 21****APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

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

**Confirm The Following**

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

**Section 4 of 21****INDIVIDUAL APPLICANT DETAILS****Applicant Name**

Is the name the same as (or similar to) the details given in section one?

- Yes                       No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes                       No

Continued from previous page...

### Current Residential Address

Is the address the same as (or similar to) the address given in section one?

Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text" value="50"/>
Street	<input type="text" value="THE AVENUE"/>
District	<input type="text"/>
City or town	<input type="text" value="WATFORD"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="WD17 4NX"/>
Country	<input type="text" value="United Kingdom"/>

### Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text" value="sellasupermarket@outlook.com"/>
Telephone number	<input type="text" value="07881593304"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text" value="26"/> / <input type="text" value="04"/> / <input type="text" value="1967"/> dd mm yyyy
* Nationality	<input type="text" value="BRITISH"/>
Right to work share code	<input type="text"/>

Documents that demonstrate entitlement to work in the UK  
Right to work share code if not submitting scanned documents

Add another applicant

### Section 5 of 21

#### OPERATING SCHEDULE

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of the premises

*Continued from previous page...*

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

CONVENIENCE STORE

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

**Section 6 of 21**

**PROVISION OF PLAYS**

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes  No

**Section 7 of 21**

**PROVISION OF FILMS**

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes  No

**Section 8 of 21**

**PROVISION OF INDOOR SPORTING EVENTS**

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 21**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes  No

**Section 11 of 21**

**PROVISION OF RECORDED MUSIC**

[See guidance on regulated entertainment](#)



*Continued from previous page...*

Will you be providing recorded music?

Yes  No

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**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Yes  No

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**Section 13 of 21**

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

[See guidance on regulated entertainment](#)

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

Yes  No

---

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Yes  No

---

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

Yes  No

**Standard Days And Timings**

MONDAY	Start	<input type="text" value="06:00"/>	End	<input type="text" value="24:00"/>	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.
	Start	<input type="text"/>	End	<input type="text"/>	
TUESDAY	Start	<input type="text" value="06:00"/>	End	<input type="text" value="24:00"/>	
	Start	<input type="text"/>	End	<input type="text"/>	
WEDNESDAY	Start	<input type="text" value="06:00"/>	End	<input type="text" value="24:00"/>	
	Start	<input type="text"/>	End	<input type="text"/>	
THURSDAY	Start	<input type="text" value="06:00"/>	End	<input type="text" value="24:00"/>	
	Start	<input type="text"/>	End	<input type="text"/>	

Continued from previous page...

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises     Off the premises     Both

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

State any seasonal variations

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

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

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

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

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

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

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

Reference number for consent form (if known)

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

**Section 16 of 21**

**ADULT ENTERTAINMENT**

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

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

NONE

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

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

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

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

**Section 18 of 21**

**LICENSING OBJECTIVES**

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

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

*Continued from previous page...*

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

All staff involved in the sale of alcohol shall undertake staff training. Staff training shall be recorded and updated every 6 months. Training shall cover the requirements for ID as part of age verification, and other matters regarding the Licensing Act 2003, relevant to the staff members role in the premises

Could any responsible authorities who wish to put in any objection please contact the agent first to see if any agreement can be made.

**b) The prevention of crime and disorder**

There shall be a suitable colour digital CCTV recording system installed at the premises. The system shall be capable of providing 28 days recording. The images recorded are to be retained for 28 days and made available to the police or other enforcement agencies upon reasonable request (within 48 hours) in line with data protection legislation. DVD/USB copies of relevant footage to be provided to the police or other enforcement agencies at no cost.

**c) Public safety**

There shall be regular maintenance of firefighting equipment.  
All exit routes shall be kept clear.

**d) The prevention of public nuisance**

There shall be regular maintenance of firefighting equipment.  
All exit routes shall be kept clear.

**e) The protection of children from harm**

The premises licence holder shall ensure that a 'Challenge 25' policy is adopted on the premises. Signage of the 'Challenge 25' policy shall be prominently displayed on the premises.  
Acceptable identification accepted by the premises licence holder, DPS, or other staff members shall be a passport, photo driving licence, MILITARY ID or PASS accredited identity card.  
The licence holder shall ensure that a refusals register is kept on the premises and that this shall be immediately available upon request of an authorised officer. The register shall record any refused sale of alcohol.  
Signage shall be prominently displayed warning customers of the legal penalties for purchasing alcohol for any person under the age of 18 years.

**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

*Continued from previous page...*

[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.

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.

I understand that I must now advertise my application, by arranging for a public notice to be published in a local newspaper within the next 10 working days, and by displaying notices printed on blue paper at or near the premises and conveniently readable at all times for the next 28 days.

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

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

\* Full name   
\* Capacity   
\* Date  /  /   
dd mm yyyy

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

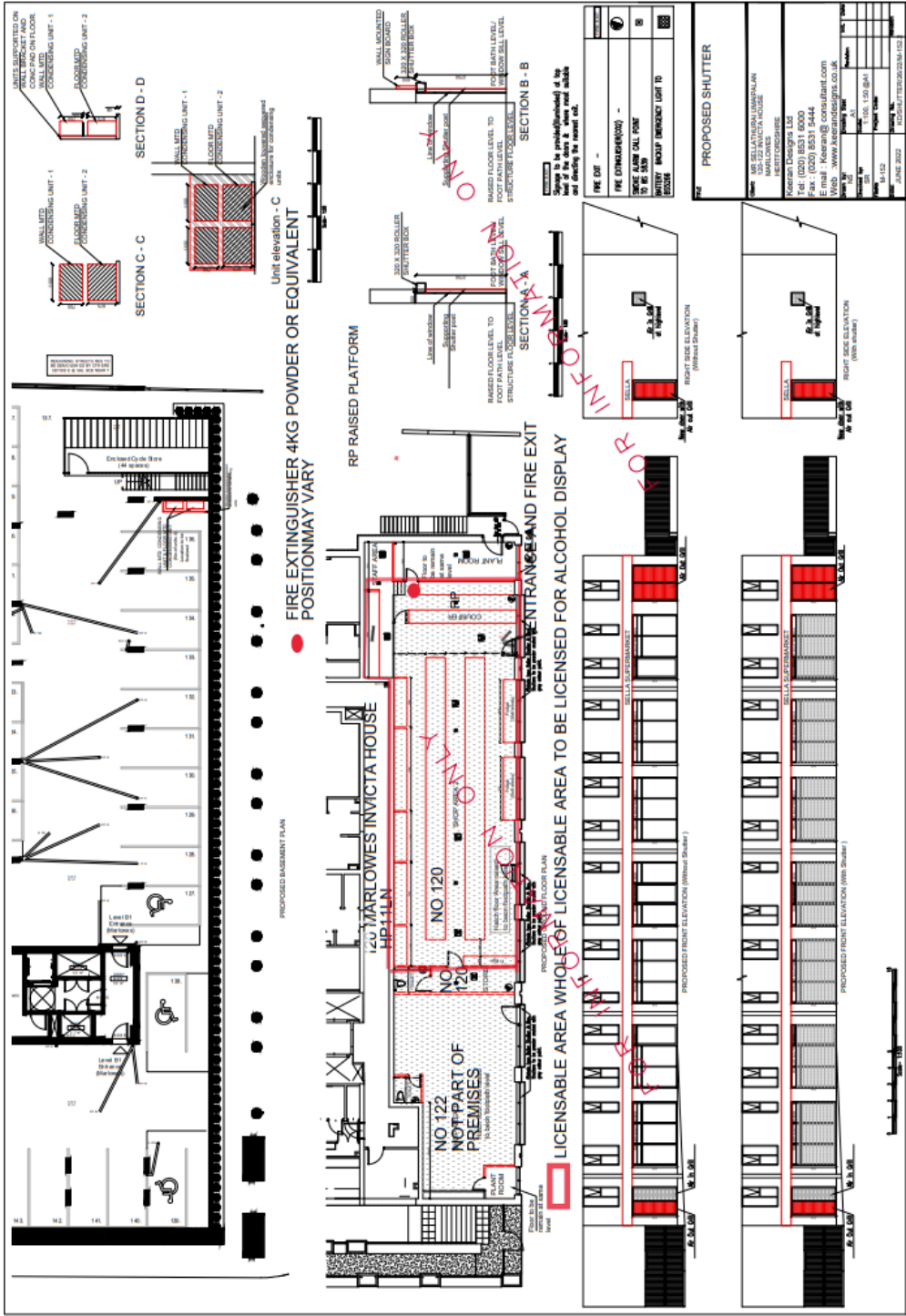
1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/dacorum/apply-1> to upload this file and continue with your application.

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

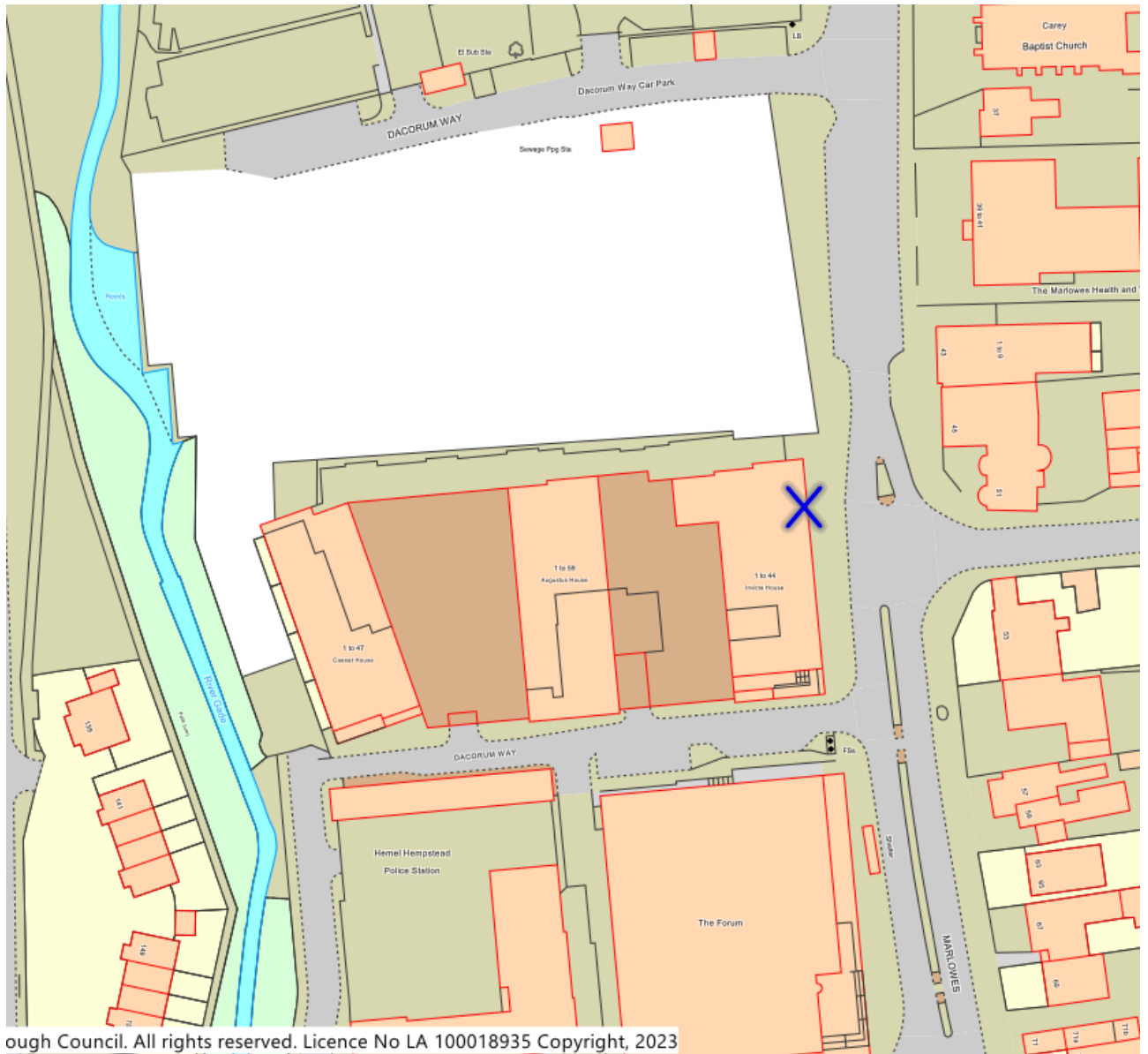
**IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

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

**ANNEX B  
PLAN OF THE PREMISES**



**ANNEX C  
MAP OF LOCAL AREA**





**ANNEX D  
REPRESENTATIONS**

**ANNEX D1**

**From:**  
**Sent:** 25 September 2023 22:39  
**To:** Licensing Mailbox <Licensing@dacorum.gov.uk>  
**Cc:** Kim Knight <Kim.Knight@dacorum.gov.uk>  
**Subject:** Re: LA2003 Premises licence - New licence application - Ref. No : M057408

Good evening Ms Mcdonald,

Thank you for your reply and apologies if my initial email has not been clear enough (this is the first representation of this nature that I'm making). I was writing mainly to express my concern about the extended hours of alcohol sales proposed by the applicant, in our residential development. The proposed hours of 6:00 to 24:00 raise significant worries regarding all Licensing objectives in my opinion:

1. **Prevention of Crime and Disorder:** Extended hours could potentially lead to an increased risk of disorderly conduct and incidents, affecting the safety of our community.
2. **Public Safety:** We are concerned about the impact of these hours on the overall safety of residents, given the potential for disturbances and related safety issues.
3. **Prevention of Public Nuisance:** The extended hours may result in public nuisance, affecting our peaceful living environment.
4. **Protection of Children from Harm:** The presence of alcohol-related activities during the proposed hours raises concerns about the safety and well-being of children in our community.

To be more precise, I don't believe that the proposed hours of 6:00 to 24:00 from Monday to Sunday would be a decent time to sell alcohol, as this will encourage noise at an unreasonable time by people congregating outside to have their drinks. We are not aware of how the merchandise/alcohol will be delivered to the premise, if it will be early in the morning, before 6:00 or later, after 24:00; as this could cause extra noise and disturbance to the residents. This will be in addition to the noise already generated by cars/motorbike on Leighton Buzzard Road and Marlowes Road.

Also, the selling of alcohol will increase the amount of discarded beer cans/ bottles that people have to wake up to on Marlowes Road.

In our opinion, all the above points will impact the Licensing objective of **Prevention of Public Nuisance**.

I kindly request that the local authority thoroughly assess the potential consequences of these extended hours on our community in light of this Licensing objective. Ensuring the safety and quality of life for residents should be a paramount consideration in the licensing decision-making process.

Kind Regards,

**From:**  
**Sent:** 26 September 2023 11:11  
**To:** Licensing Mailbox <Licensing@dacorum.gov.uk>  
**Subject:** Application ref. no: M057408

Dear Sir/Madam at Dacorum Borough Council,

I am writing to express my concerns about the recent application for a new premises licence for the Sella Supermarket located at Unit 2 Invicta House, 120 Marlowes, Hemel Hempstead, Hertfordshire, HP1 1LN (Application ref. no: M057408). While I understand the need for local businesses and the convenience they offer to residents, I believe there are several issues that need to be considered in relation to this application:

1. **Parking:** The area already suffers from limited street parking. The addition of another convenience store could exacerbate this issue, causing inconvenience to residents and potential safety hazards.
2. **Noise:** Increased foot traffic to and from the store, particularly during late hours, could lead to increased noise levels in the residential area, disturbing the peace and quiet enjoyed by residents.
3. **Proximity to Other Stores:** There are already a number of convenience stores in the vicinity. The addition of another store might lead to increased competition, potentially threatening the livelihood of existing businesses.
4. **Litter:** Increased foot traffic could lead to an increase in litter in the area, affecting the cleanliness and overall aesthetic of our community.
5. **Public Safety:** With the proposed hours of operation extending to midnight, there could be potential public safety concerns, particularly related to alcohol-related incidents.
6. **Increased Traffic:** The addition of another convenience store could lead to an increase in both pedestrian and vehicular traffic. This could potentially lead to congestion and increased risk of accidents, particularly during peak hours.
7. **Impact on Property Values:** The presence of a convenience store operating until midnight could potentially have an impact on local property values. Prospective buyers may be deterred by the potential noise and traffic issues.
8. **Potential for Anti-Social Behaviour:** Stores that are open late can sometimes become a gathering spot, leading to potential anti-social behaviour, particularly if alcohol is being sold.
9. **Impact on Local Character:** The addition of another convenience store could change the character of the area, particularly if it leads to an increase in noise, traffic, and litter.

I kindly request that these concerns be taken into consideration when reviewing the application. I believe that while supporting local businesses is important, it is equally crucial to ensure the wellbeing and quality of life of the residents.

Thank you for your attention to this matter.

Yours sincerely,

From:  
Sent: 26 September 2023 11:12  
To: Licensing Mailbox <Licensing@dacorum.gov.uk>  
Subject: Application ref. no: M057408

Dear Sir/Madam at Dacorum Borough Council,

I am writing to express my concerns about the recent application for a new premises licence for the Sella Supermarket located at Unit 2 Invicta House, 120 Marlowes, Hemel Hempstead, Hertfordshire, HP1 1LN (Application ref. no: M057408).

While I understand the need for local businesses and the convenience they offer to residents, I believe there are several issues that need to be considered in relation to this application:

**Parking:** The area already suffers from limited street parking. The addition of another convenience store could exacerbate this issue, causing inconvenience to residents and potential safety hazards.

**Noise:** Increased foot traffic to and from the store, particularly during late hours, could lead to increased noise levels in the residential area, disturbing the peace and quiet enjoyed by residents.

**Proximity to Other Stores:** There are already a number of convenience stores in the vicinity. The addition of another store might lead to increased competition, potentially threatening the livelihood of existing businesses.

**Litter:** Increased foot traffic could lead to an increase in litter in the area, affecting the cleanliness and overall aesthetic of our community.

**Public Safety:** With the proposed hours of operation extending to midnight, there could be potential public safety concerns, particularly related to alcohol-related incidents.

**Increased Traffic:** The addition of another convenience store could lead to an increase in both pedestrian and vehicular traffic. This could potentially lead to congestion and increased risk of accidents, particularly during peak hours.

**Impact on Property Values:** The presence of a convenience store operating until midnight could potentially have an impact on local property values. Prospective buyers may be deterred by the potential noise and traffic issues.

**Police service:** the Dacorum way road support the police service so this could cause time delays to the police cars come down that road on response, and seeing as people will be parking up there it'll probably cause an accident.

**Potential for Anti-Social Behaviour:** Stores that are open late can sometimes become a gathering spot, leading to potential anti-social behaviour, particularly if alcohol is being sold.

**Impact on Local Character:** The addition of another convenience store could change the character of the area, particularly if it leads to an increase in noise, traffic, and litter.

I kindly request that these concerns be taken into consideration when reviewing the application. I believe that while supporting local businesses is important, it is equally crucial to ensure the wellbeing and quality of life of the residents.

Thank you for your attention to this matter.

Yours sincerely,

**From:**

**Sent:** 26 September 2023 11:53

**To:** Licensing Mailbox <Licensing@dacorum.gov.uk>

**Subject:** new premises licence for the Sella Supermarket located at Unit 2 Invicta House, 120 Marlowes, Hemel Hempstead, Hertfordshire, HP1 1LN (Application ref. no: M057408).

Dear Sir/Madam at Dacorum Borough Council,

I am writing to express my concerns about the recent application for a new premises licence for the Sella Supermarket located at Unit 2 Invicta House, 120 Marlowes, Hemel Hempstead, Hertfordshire, HP1 1LN (Application ref. no: M057408).

While I understand the need for local businesses and the convenience they offer to residents, I believe there are several issues that need to be considered in relation to this application:

**Parking:** The area already suffers from limited street parking. The addition of another convenience store could exacerbate this issue, causing inconvenience to residents and potential safety hazards.

**Noise:** Increased foot traffic to and from the store, particularly during late hours, could lead to increased noise levels in the residential area, disturbing the peace and quiet enjoyed by residents.

**Proximity to Other Stores:** There are already a number of convenience stores in the vicinity. The addition of another store might lead to increased competition, potentially threatening the livelihood of existing businesses.

**Litter:** Increased foot traffic could lead to an increase in litter in the area, affecting the cleanliness and overall aesthetic of our community.

**Public Safety:** With the proposed hours of operation extending to midnight, there could be potential public safety concerns, particularly related to alcohol-related incidents.

**Increased Traffic:** The addition of another convenience store could lead to an increase in both pedestrian and vehicular traffic. This could potentially lead to congestion and increased risk of accidents, particularly during peak hours.

**Impact on Property Values:** The presence of a convenience store operating until midnight could potentially have an impact on local property values. Prospective buyers may be deterred by the potential noise and traffic issues.

**Potential for Anti-Social Behaviour:** Stores that are open late can sometimes become a gathering spot, leading to potential anti-social behaviour, particularly if alcohol is being sold.

**Impact on Local Character:** The addition of another convenience store could change the character of the area, particularly if it leads to an increase in noise, traffic, and litter.

I kindly request that these concerns be taken into consideration when reviewing the application. I believe that while supporting local businesses is important, it is equally crucial to ensure the wellbeing and quality of life of the residents.

Thank you for your attention to this matter.

**From:**

**Sent:** 26 September 2023 12:01

**To:** Licensing Mailbox <Licensing@dacorum.gov.uk>

**Subject:** New premises licence for the Sella Supermarket (Application ref. no: M057408)

Dear Sir/Madam at Dacorum Borough Council,

I am writing to express my concerns about the recent application for a new premises licence for the Sella Supermarket located at Unit 2 Invicta House, 120 Marlowes, Hemel Hempstead, Hertfordshire, HP1 1LN (Application ref. no: M057408).

While I understand the need for local businesses and the convenience they offer to residents, I believe there are several issues that need to be considered in relation to this application:

**Parking:** The area already suffers from limited street parking. The addition of another convenience store could exacerbate this issue, causing inconvenience to residents and potential safety hazards.

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**Proximity to Other Stores:** There are already a number of convenience stores in the vicinity. The addition of another store might lead to increased competition, potentially threatening the livelihood of existing businesses.

**Litter:** Increased foot traffic could lead to an increase in litter in the area, affecting the cleanliness and overall aesthetic of our community.

**Public Safety:** With the proposed hours of operation extending to midnight, there could be potential public safety concerns, particularly related to alcohol-related incidents.

**Increased Traffic:** The addition of another convenience store could lead to an increase in both pedestrian and vehicular traffic. This could potentially lead to congestion and increased risk of accidents, particularly during peak hours. In addition, the police cars are meant to come down that road on response, and seeing as people will be parking up there it'll probably cause an accident

**Impact on Property Values:** The presence of a convenience store operating until midnight could potentially have an impact on local property values. Prospective buyers may be deterred by the potential noise and traffic issues.

**Potential for Anti-Social Behaviour:** Stores that are open late can sometimes become a gathering spot, leading to potential anti-social behaviour, particularly if alcohol is being sold.

Impact on Local Character: The addition of another convenience store could change the character of the area, particularly if it leads to an increase in noise, traffic, and litter.

I kindly request that these concerns be taken into consideration when reviewing the application. I believe that while supporting local businesses is important, it is equally crucial to ensure the wellbeing and quality of life of the residents.

Thank you for your attention to this matter.

**From:**  
**Sent:** 26 September 2023 13:25  
**To:** Licensing Mailbox <Licensing@dacorum.gov.uk>  
**Subject:** Licensing complaint

Dear Sir/Madam at Dacorum Borough Council,

I am writing to express my concerns about the recent application for a new premises licence for the Sella Supermarket located at Unit 2 Invicta House, 120 Marlowes, Hemel Hempstead, Hertfordshire, HP1 1LN (Application ref. no: M057408).

While I understand the need for local businesses and the convenience they offer to residents, I believe there are several issues that need to be considered in relation to this application:

**Parking:** The area already suffers from limited street parking. The addition of another convenience store could exacerbate this issue, causing inconvenience to residents and potential safety hazards.

**Noise:** Increased foot traffic to and from the store, particularly during late hours, could lead to increased noise levels in the residential area, disturbing the peace and quiet enjoyed by residents.

**Proximity to Other Stores:** There are already a number of convenience stores in the vicinity. The addition of another store might lead to increased competition, potentially threatening the livelihood of existing businesses.

**Litter:** Increased foot traffic could lead to an increase in litter in the area, affecting the cleanliness and overall aesthetic of our community.

**Public Safety:** With the proposed hours of operation extending to midnight, there could be potential public safety concerns, particularly related to alcohol-related incidents.

**Increased Traffic:** The addition of another convenience store could lead to an increase in both pedestrian and vehicular traffic. This could potentially lead to congestion and increased risk of accidents, particularly during peak hours.

**Impact on Property Values:** The presence of a convenience store operating until midnight could potentially have an impact on local property values. Prospective buyers may be deterred by the potential noise and traffic issues.

**Potential for Anti-Social Behaviour:** Stores that are open late can sometimes become a gathering spot, leading to potential anti-social behaviour, particularly if alcohol is being sold.

Impact on Local Character: The addition of another convenience store could change the character of the area, particularly if it leads to an increase in noise, traffic, and litter.

I kindly request that these concerns be taken into consideration when reviewing the application. I believe that while supporting local businesses is important, it is equally crucial to ensure the wellbeing and quality of life of the residents.

Also the above may impact on deployment of Police vehicle along dacorum way due to potential obstructions.

Thank you for your attention to this matter.



From:  
Sent: 26 September 2023 19:13  
To: Licensing Mailbox <Licensing@dacorum.gov.uk>  
Subject: Objection to a premise license

Dear Sir/Madam at Dacorum Borough Council,

I am writing to express my concerns about the recent application for a new premises licence for the Sella Supermarket located at Unit 2 Invicta House, 120 Marlowes, Hemel Hempstead, Hertfordshire, HP1 1LN (Application ref. no: M057408).

While I understand the need for local businesses and the convenience they offer to residents, I believe there are several issues that need to be considered in relation to this application:

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**Proximity to Other Stores:** There are already a number of convenience stores in the vicinity. The addition of another store might lead to increased competition, potentially threatening the livelihood of existing businesses.

**Litter:** Increased foot traffic could lead to an increase in litter in the area, affecting the cleanliness and overall aesthetic of our community.

**Public Safety:** With the proposed hours of operation extending to midnight, there could be potential public safety concerns, particularly related to alcohol-related incidents.

**Increased Traffic:** The addition of another convenience store could lead to an increase in both pedestrian and vehicular traffic. This could potentially lead to congestion and increased risk of accidents, particularly during peak hours.

**Impact on Property Values:** The presence of a convenience store operating until midnight could potentially have an impact on local property values. Prospective buyers may be deterred by the potential noise and traffic issues.

**Potential for Anti-Social Behaviour:** Stores that are open late can sometimes become a gathering spot, leading to potential anti-social behaviour, particularly if alcohol is being sold.

**Impact on Local Character:** The addition of another convenience store could change the character of the area, particularly if it leads to an increase in noise, traffic, and litter.

I kindly request that these concerns be taken into consideration when reviewing the application. I believe that while supporting local businesses is important, it is equally crucial to ensure the wellbeing and quality of life of the residents.

**Emergency services:**

The road that is directly adjacent is the through road for the police cars coming out of the station. Given that this will be the only place to park for people going into the shop, this is going to cause blockages and accidents

Thank you for your attention to this matter.

Yours sincerely,

### **Local Policy Considerations**

#### **Public nuisance**

5.13. The Licensing Authority will interpret the term 'public nuisance' widely, and when considering this objective will take into account issues relating to noise, vibration, light, litter, offensive odours and anti-social behaviour arising from or in connection with the provision of licensable activities.

5.17. Nuisance may arise directly as a result of licensable activities (for example, noise from music), or indirectly (noise from customers at the premises). Applicants and licence-holders are strongly encouraged to consider all possible sources of nuisance when compiling operating schedules, and to implement appropriate measures for the promotion of this objective. For many types of nuisance, this process will begin in the initial design stages prior to the construction or redevelopment of premises.

#### **Licensing Hours**

10.7. Shops, stores and supermarkets will generally be permitted to sell alcohol for consumption off the premises throughout the normal hours they intend to open for shopping, unless there are good reasons, based on the licensing objectives, for restricting those hours; for example, a limitation may be appropriate following police representations in the case of shops known to be a focus of disorder and disturbance. Where alcohol hours are shorter than opening hours, premises should ensure that robust systems are in place to prevent the sale of alcohol before or after permitted times.

10.8. The Licensing Authority will deal with the issue of licensing hours on the individual merits of each application. However, when issuing a licence, stricter conditions are more likely to be considered appropriate for the promotion of the public nuisance objective in the case of premises that are situated in predominantly residential areas.

### **NATIONAL GUIDANCE**

#### **Each application on its own merits**

1.17 Each application must be considered on its own merits and in accordance with the licensing authority's statement of licensing policy; for example, if the application falls within the scope of a cumulative impact policy. Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case.

#### **Proportionality**

10.10 The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises

concerned. Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided.

### **Public nuisance**

2.20 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.

2.21 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 may 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.

2.24 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods.

2.26 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, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.