

Chelmsford City Council Licensing Committee

DATE: 6th June 2025

LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE: 109 RAINSFORD ROAD, CHELMSFORD. CM1 2PF

Report by: Director of Public Places

Officer Contact:

Simon Parnham, Licensing Officer, <u>Simon.Parnham@chelmsford.gov.uk</u>, 01245 606727

Purpose

The purpose of this report is for members to consider a Premises Licence Application given by Sainsbury's Supermarkets Ltd, made under section 17 of the Licensing Act 2003, for the grant of a premise licence in respect of 109 Rainsford Road, Chelmsford, CM1 2PF having regard to representations received and the requirement to promote the four licensing objectives. These are:

- a) The prevention of crime and disorder
- b) Public Safety
- c) The prevention of public nuisance
- d) The protection of children from harm

Recommendations

Members are advised that they have the following options when determining this application.

• Grant the application, on the terms and conditions applied for

- Grant the application on the terms and conditions applied for, modified to such extent as considered appropriate to promote the licensing objectives.
- Refuse the application in whole or in part.

An appeal in respect of any determination made in connection with this application may be made to the Magistrates Court, within 21 days of the notification given by the licensing committee, by the licence holder, Chief officer of police, or any other person making a relevant representation.

1. Background and Introduction

- 1.1 The premises is located along Rainsford Road and is surrounded by residential properties.
- 1.2 A map of the area is provided at **Appendix A** for reference.

2. Application

- 2.1 The application has been properly given in accordance with The Licensing Act 2003 and all procedures correctly followed. The completed application form is attached as **Appendix B**
- 2.2 The application form for the premises licence was received on the 15th April 2025, and correctly advertised by placing blue public notices at the premises, by publication in a local paper and on Chelmsford City Council's website.
- 2.3 The new premises licence application provides for the licensable activity which is the sale of alcohol. Plans have also been submitted and are attached as **Appendix C.**
- 2.4 Joanne Surguy is the proposed designated premises supervisor having obtained a personal licence from the London Borough of Bexley.
- 2.5 Members are asked to note that as this report is available in the public domain, personal details have been redacted from some documents. However, both the Authority and the applicant have received complete copies of all documents.

3. Representations

- 3.1 During the course of the application, Chelmsford City Council, in line with the Act, sent a copy of the application to all responsible authorities.
- 3.2 During the consultation period two (2) representations were received, both objecting to the application. A copy of these objections is attached as **Appendix D**

3.3 No responsible authorities made representations to this application.

4. Conclusion

- 4.1 Members are reminded that Section 13 of the Council's Statement of Licensing Policy relates to the procedures and responsibilities of the Licensing Committee. This includes the structure of sub-committees, the criteria for decision-making, the application of conditions, and the delegation of functions to officers.
 - Section 13 does not raise any procedural or policy issues that would affect the determination of this application.
- 4.2 This application has been correctly submitted and processed in line with the requirements of the Licensing Act 2003.
- 4.3 At the conclusion of this hearing, members are advised to consider the options set out in the recommendations section at the beginning of this report.

Appendices:

- Appendix A Map
- Appendix B Premises Licence Application
- Appendix C Plans
- Appendix D Representations

Background reading:

Application held by licensing authority

Corporate Implications

Legal/Constitutional: The Licensing Committee is acting in accordance with its powers under the Licensing Act 2003 and the Council's Constitution. The hearing has been convened in compliance with statutory procedures. Any party to the proceedings has the right to appeal the decision to the Magistrates' Court within 21 days of formal notification.

Financial: There are no direct financial implications arising from the determination of this application. However, the outcome may have an indirect impact on local economic activity and business rates.

Potential impact on climate change and the environment: The operation of the premises may lead to a slight increase in local traffic and waste production, though these are consistent with the commercial nature of the area.

Contribution toward achieving a net zero carbon position by 2030: The decision on this application is not expected to directly influence the Council's net zero carbon target. Sustainable operating practices by the applicant may indirectly support environmental objectives.

Personnel: There are no personnel implications associated with this report. Licensing staff have processed the application as part of their normal duties.

Risk Management: The Licensing Committee must ensure that its decision is made in accordance with the Licensing Act 2003, relevant statutory guidance, and the Council's Statement of Licensing Policy. This minimises the risk of legal challenge by way of appeal or judicial review.

Equality and Diversity: The application has been considered in line with the Council's duties under the Equality Act 2010. No equality or diversity concerns have been identified at this stage.

Health and Safety: There are no direct health and safety implications from this report. However, public safety is a core licensing objective that must be considered in determining the application.

Digital: None. **Other:** None.

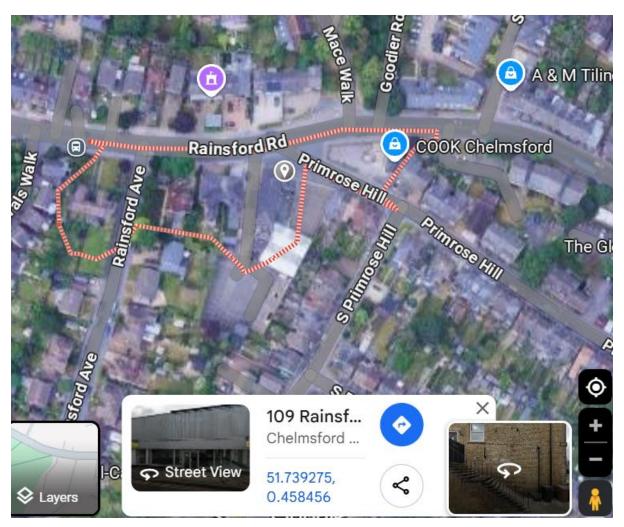
Consultees:

As required by legislation

Relevant Policies and Strategies:

Statement of licensing policy

Appendix A





APPENDIX B

please complete section (B)

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records. I/We Sainsbury's Supermarkets Ltd (Insert name(s) of applicant) apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003 Part 1 - Premises details Postal address of premises or, if none, ordnance survey map reference or description Sainsbury's 109 Rainsford Road CM1 2PF Post town Chelmsford Postcode Telephone number at premises (if any) £82,500 Non-domestic rateable value of premises Part 2 - Applicant details Please state whether you are applying for a premises licence as Please tick as appropriate a) an individual or individuals * please complete section (A) b) a person other than an individual * as a limited company/limited liability please complete section (B) partnership ii as a partnership (other than limited please complete section (B) liability) iii as an unincorporated association or please complete section (B) other (for example a statutory corporation) please complete section (B) c) a recognised club please complete section (B)

d)

a charity

e)	the proprietor of an educational establishment		please complete section (B)	
f)	a health service body		please complete section (B)	
g)	a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales		please complete section (B)	
ga)	a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England		please complete section (B)	
h)	the chief officer of police of a police force in England and Wales		please complete section (B)	
	ou are applying as a person described in (a) or (b) elow):	please	confirm (by ticking yes to one	
premi	carrying on or proposing to carry on a business where sees for licensable activities; or	nich inv	volves the use of the	\leq
I am r	naking the application pursuant to a statutory function or		Г	7
	a function discharged by virtue of Her Majesty's	s prerog	gative [_
A) IN	DIVIDUAL APPLICANTS (fill in as applicable)		
Mr	☐ Mrs ☐ Miss ☐ Ms ☐		er Title (for mple, Rev)	
Mr Surna				
Surna		exa names		
Surna Date over	ame First	exa names	mple, Rev)	
Date over Natio	of birth I am 18 years old	exa names	mple, Rev)	
Date over Natio	ame of birth I am 18 years old nality nt residential ses if different from sees address	exa names	mple, Rev)	
Date over Natio Curre addre premi	ame of birth I am 18 years old nality nt residential ses if different from sees address	exa names	Please tick yes	
Date over Natio Curre addre premi Post t Dayti	ame of birth I am 18 years old nality nt residential ss if different from ses address own ime contact telephone number il address	exa names	Please tick yes	
Date over Natio Curre addre premi Post t Dayti E-ma (optio	ame of birth I am 18 years old nality nt residential ss if different from ses address own ime contact telephone number il address	exa names	Please tick yes	

Surname	First names	
Date of birth over	I am 18 years old or	Please tick yes
Nationality		
Current postal address if different from premises address		
Post town	Postco	ode
Daytime contact telephone num	ıber	
E-mail address (optional)		

(B) OTHER APPLICANTS

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

Name
Sainsbury's Supermarkets Ltd
Address
33 Holborn
London
EC1N 2HT
Registered number (where applicable) 03261722
Description of applicant (for example, partnership, company, unincorporated association etc.) Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

Who	en do you want the premises licence to start?	DD 1	MM YYYY 0 5 2 0 2 5
	ou wish the licence to be valid only for a limited period, en do you want it to end?	DD I	MM YYYY
	ase give a general description of the premises (please read guidan onvenience store located at 109 Rainsford Road, Chelmsford, Cl		,
	000 or more people are expected to attend the premises at any time, please state the number expected to attend.		
What	licensable activities do you intend to carry on from the premises	s?	
(pleas	se see sections 1 and 14 and Schedules 1 and 2 to the Licensing	Act 2003	3)
Pro	vision of regulated entertainment (please read guidance note 2)		Please tick all that apply
a)	plays (if ticking yes, fill in box A)		
b)	films (if ticking yes, fill in box B)		
c)	indoor sporting events (if ticking yes, fill in box C)		
d)	boxing or wrestling entertainment (if ticking yes, fill in box D))	
e)	live music (if ticking yes, fill in box E)		
f)	recorded music (if ticking yes, fill in box F)		
g)	performances of dance (if ticking yes, fill in box G)		
h)	anything of a similar description to that falling within (e), (f) o (if ticking yes, fill in box H)	r (g)	
<u>Pro</u>	vision of late night refreshment (if ticking yes, fill in box I)		
Sup	oply of alcohol (if ticking yes, fill in box J)		

In all cases complete boxes $K,\,L$ and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
			(4	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read gui	dance note 4)	
Tue					
Wed			State any seasonal variations for performing p guidance note 5)	lays (please re	ad
Thur					
Fri			Non standard timings. Where you intend to use for the performance of plays at different times the column on the left, please list (please read g	to those listed	l in
Sat					
Sun					

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

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

Boxing or wrestling entertainments Standard days and timings (please read		nd	Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
timings (please read guidance note 7)				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read gui	dance note 4)	
Tue					
Wed			State any seasonal variations for boxing or wroentertainment (please read guidance note 5)	estling	
Thur					
Fri			Non standard timings. Where you intend to use for boxing or wrestling entertainment at differ listed in the column on the left, please list (please)	ent times to tl	iose
Sat			note 6)		
Sun					

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

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

Performances of dance Standard days and timings (please read guidance note 7)		nd read	Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read gui	dance note 4)	
Tue					
Wed			State any seasonal variations for the performa (please read guidance note 5)	nce of dance	
Thur					
Fri			Non standard timings. Where you intend to use for the performance of dance at different time the column on the left, please list (please read g	s to those liste	d in
Sat					
Sun					

descri falling (g) Standa timing	ing of a sption to to within (ord days as (please pose note 7)	hat e), (f) or and read	Please give a description of the type of entertainm providing	nent you will be	е
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read	Indoors	
Mon			guidance note 3)	Outdoors	
				Both	
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for entertainment description to that falling within (e), (f) or (g) guidance note 5)		
Fri					
Sat			Non standard timings. Where you intend to use for the entertainment of a similar description to within (e), (f) or (g) at different times to those column on the left, please list (please read guidants).	to that falling listed in the	<u>s</u>
Sun					

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

Supply of alcohol Standard days and timings (please read			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	
guidance note 7)			guidance note of	Off the premises	\boxtimes
Day	Start	Finish		Both	
Mon	07:00	23:00	State any seasonal variations for the supply of read guidance note 5)	alcohol (please	e
Tue	07:00	23:00			
Wed	07:00	23:00			
Thur	07:00	23:00	Non standard timings. Where you intend to use for the supply of alcohol at different times to the column on the left, please list (please read guidants).	hose listed in t	
Fri	07:00	23:00			
Sat	07:00	23:00			
Sun	07:00	23:00			

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

Name				
Date of birth				
Postcode				
Personal licence number (if known)				
Issuing licensing authority (if				
known)				

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

L

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10) b) The prevention of crime and disorder 1. The licence holder will ensure that the premises benefit from a CCTV system that operates at all times when licensable activities are taking place. 2. The system will incorporate a camera covering each of the entrance doors and the main alcohol display area and will be capable of providing an image which is regarded as identification standard. The precise positions of the cameras may be agreed, subject to compliance with Data Protection legislation, with the police from time to time 3. The system will incorporate a recording facility and any recording will be retained and stored in a suitable and secure manner for a minimum of 30 days and will be made available, subject to compliance with Data Protection legislation, to the police for inspection on request. 4. The system must be able to export recorded images to a removable means e.g. CD/DVD and have its own software enabled to allow playback/review. 5. A member of staff trained in the use of the CCTV system must be available at the premises at all times that the premises are open to the public. 6. The system will display, on any recording, the correct time and date of the recording. c) Public safety The applicant will at all times maintain adequate levels of staff and security. Such staff and security levels will be disclosed, on request, to the licensing authority and police. d) The prevention of public nuisance Signage will be displayed at the exit of the premises requesting customers leaving the premises late at night to do so quietly and with consideration so as not to disturb nearby residents. e) The protection of children from harm The premises licence holder will ensure that an age verification policy will apply to the premises whereby all cashiers will be trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form or method of identification that complies with any

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

mandatory condition that may apply to this licence.

Checklist:

Please tick to indicate agreement

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

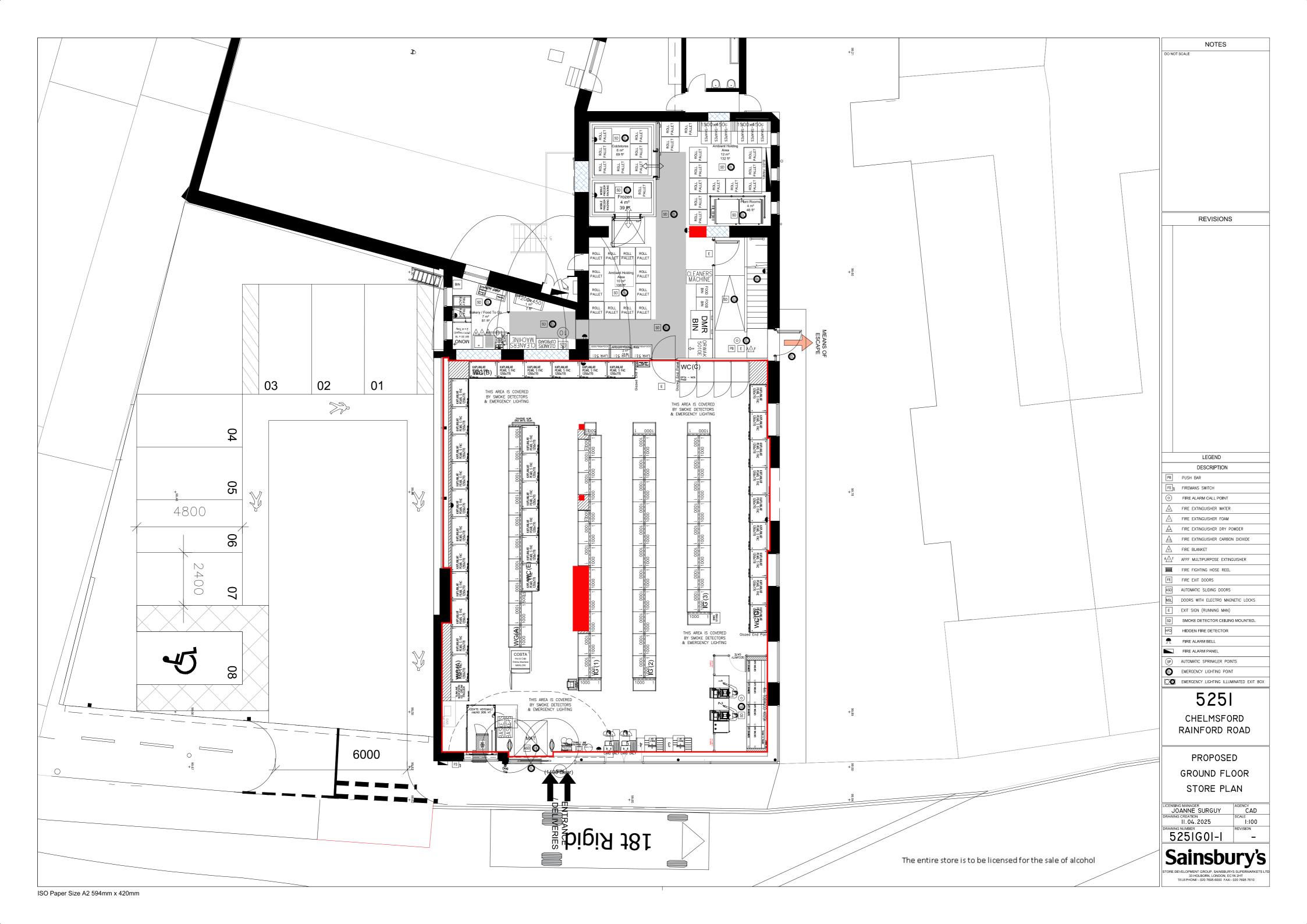
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

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

Part 4 – Signatures (please read guidance note 11)

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

• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).



The entire store is to be licensed for the sale of alcohol

NOTES REVISIONS LEGEND DESCRIPTION PB PUSH BAR FS FIREMANS SWITCH FIRE ALARM CALL POINT FIRE EXTINGUISHER WATER FIRE EXTINGUISHER FOAM FIRE EXTINGUISHER DRY POWDER FIRE EXTINGUISHER CARBON DIOXIDE ⚠ FIRE BLANKET A AFFF MULTIPURPOSE EXTINGUISHER FIRE FIGHTING HOSE REEL FE FIRE EXIT DOORS ASD AUTOMATIC SLIDING DOORS MSL DOORS WITH ELECTRO MAGNETIC LOCKS E EXIT SIGN (RUNNING MAN) SD SMOKE DETECTOR CEILING MOUNTED. HFD HIDDEN FIRE DETECTOR ↑ FIRE ALARM BELL FIRE ALARM PANEL (SP) AUTOMATIC SPRINKLER POINTS EL EMERGENCY LIGHTING POINT EMERGENCY LIGHTING ILLUMINATED EXIT BOX

EMERGENCY LIGHTING ILLUMINA

5251

CHELMSFORD RAINFORD ROAD

PROPOSED FIRST FLOOR STORE PLAN

525IG0I-I	_
DRAWING NUMBER	REVISION
11.04.2025	1:100
DRAWING CREATION	SCALE
JOANNE SURGUY	CAD
LICENSING MANAGER	AGENCY

Sainsbury's

STORE DEVELOPMENT GROUP, SAINSBURYS SUPERMARKETS LTD
33 HOLBORN, LONDON, ECIN 2HT

Appendix D

This is not an enquiry but an objection to the premises licence application for 109 Rainsford Road. There are already 3 shops and 2 pubs that sell alcohol in Rainsford Road, and a Sainsbury's Local would threaten their existence. There is already a perception of nefarious activity in both Mace Walk and Admirals Park, which could well be exacerbated if alcohol could be purchased cheaply at a convenience store directly opposite and mere yards away respectively. I also believe that increased customer and delivery traffic to the proposed location would pose an unacceptable risk to pedestrians and existing road users.

I am curious as to why representations on this application must be be made before the planning application for change of use has been considered.

Licensing Committee

Chelmsford City Council

Civic Centre, Duke Street

Chelmsford, CM1 1JE.

Subject: Formal Objection to Alcohol License - Sainsbury's, 109 Rainsford Road

Dear Licensing Committee,

I urge you to refuse the alcohol license application for Sainsbury's at 109 Rainsford Road on grounds of overprovision and public nuisance risks, per the Licensing Act 2003.

1. Clear Overprovision (Licensing Objective: Prevention of Crime & Disorder)

The area already has five licensed premises within 500m of the proposed site:

- 1. Londis with Esso (120 Rainsford Rd) Off-license
- 2. Premier Convenience (140 Rainsford Rd) -

Off-license

- 3. Gibsons Express (222 Rainsford Rd) Off-license
- 4. The Globe Pub (65 Rainsford Rd) On-license
- 5. The Black Bull Pub (244 Rainsford Rd) -

On-license

- 2. Chelmsford's Statement of Licensing Policy (Section [X]) notes the area is at capacity for alcohol sales. Granting another license would:
- o Undermine existing businesses struggling post-pandemic
- o Increase street drinking/anti-social behaviour

Appendix D

- 3. Public Nuisance Risks (Licensing Objective: Prevention of Public Nuisance)
- o Delivery times: The applicant admits to 6am-11pm HGV deliveries unacceptable for a residential area (Primrose Hill homes are <50m away).
- o Litter/loitering: Supermarkets

disproportionately attract street drinking vs. pubs (controlled environments).

4. Cumulative Impact

The council's own Cumulative Impact Assessment (2023) designates this zone as high-risk for alcohol-related harm. No exceptional circumstances justify overriding this.

This application fails all four licensing objectives. I trust you will protect our community's wellbeing by refusing the licensing application.