

**MINUTES**

of the

**LICENSING COMMITTEE HEARING**

held on 27<sup>th</sup> April 2026 at 11am

Present:

Councillor D. Clark (Chair of Hearing)

Councillors H. Clark, R. Lee and S. Manley

1. [Apologies for Absence](#)

No apologies for absence were received.

2. [Declaration of Interests](#)

All Members were reminded to declare any interests where appropriate in any items of business on the meeting's agenda. None were made.

3. [Licensing Act 2003 – Application for a](#)

The Committee considered an application to vary a premises licence made under Section 34 of the Licensing Act 2003 and had regard to the representations made during the consultation period. These related to the promotion of the below Licensing objectives.

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

The Committee were informed that the application had sought to amend the licensable hours and opening hours to 06:30 to 23:00 daily, including the removal of Good Friday and Christmas Day restrictions, updating the existing plan attached to the premises licence, remove the conditions contained in Annex 2 and submitted a new a new operating schedule

It was noted by the Committee that there were three options namely;

- to modify the conditions of the licence.
- to reject whole or part of the application

The below parties attended and took part in the hearing:

- Applicant – Legal Representative, Area Manager and Store Manager.
- Parish Councillor, representing Galleywood Parish Council who had made a representation against the application.

Officers informed the Committee that in response to the application, one representation had been received from Galleywood Parish Council, detailing concerns about the prevention of public nuisance, prevention of crime and disorder and public safety licensing objectives. No representations had been received from Responsible Authorities, including Essex Police. [The Committee was reminded of the green sheet of amendments, available here, which showed the plan of the licensable area which was omitted from the original agenda publication by mistake.](#)

The Applicant gave an overview of the application and explained that the current premises licence permitted the sale of alcohol until 11.00pm (Monday to Saturday), with the primary change sought being an extension of hours to allow sales from 6.30am. The Applicant advised that the store was well established and had traded at the location for a number of years. It was confirmed that Chelmsford Star Co-operative Society had merged with Central Co-op. The Applicant explained that the Area Manager was responsible for 16 stores across the business and that there was an established history of operating those premises responsibly with similar hours.

The Applicant advised that the store employed between 15 and 20 members of staff, with staffing levels varying according to demand, typically six staff during busy periods and three during quieter periods. It was confirmed that staff received refresher training every six months on Challenge 25 and licensing matters, with additional responsibilities held by supervisors and managers. External training was provided, and all staff received aggression avoidance training under the “Be Safe, Be Secure” programme, which covered the management of antisocial behaviour and petty theft. The Applicant confirmed that all staff were trained to deal with issues appropriately, and that Kevin Smith undertook training and compliance checks approximately every eight weeks to ensure staff remained compliant.

In relation to the licensing objectives, the Applicant referred to the Challenge 25 policy being strictly enforced at all tills, noting that there were no self-service checkouts at the premises. Staff were equipped with body-worn cameras, and all staff were linked via headsets. The premises operated the Co-operative’s “Watch Me Now” system, which allowed external access to CCTV and support when police assistance was required. An incident recording system was in place, with all incidents logged on the Co-operative database to enable tracking and appropriate responses. The Applicant confirmed that 14 CCTV cameras were installed throughout the store to protect both staff and the public, and stated that the operating schedule reflected existing practices which were sufficient to manage the premises effectively.

The Applicant advised that there had been no objections to the application from any Responsible Authorities, and no representations from local residents. It was stated that the concerns raised were speculative. Reference was made to a theft incident that had occurred in 2024 at approximately 4.00pm, which had been managed in accordance with the store’s procedures. The Applicant advised that this incident did not give rise to any additional concerns in relation to the variation sought.

In conclusion, the Applicant summarised that this was an existing and established premises seeking a minor variation to modernise its operation. It was stated that

robust training, management arrangements, security measures, and external support systems were in place, and the Applicant reiterated that no objections had been received from Responsible Authorities.

The Committee heard from a Councillor representing Galleywood Parish Council who had objected to the application. The Councillor highlighted concerns relating to the adjoining flats, which were described as supported housing for elderly residents.

It was stated that the street view image included within the agenda papers did not show the entrance to the flats, and that the main gate to the supported housing was located immediately adjacent to the entrance of the Co-operative store. The Councillor expressed concern that any increase in the licensed hours had the potential to cause nuisance to nearby residents, particularly those living in the supported accommodation.

The Councillor further stated that other licensed premises in the area, including Morrisons, did not operate with extended hours and questioned why the Co-operative should be permitted to do so.

In response to the points raised, it was confirmed by the applicant that:

- Procedures were in place to address incidents occurring both inside and outside the premises, stating that any incidents in the immediate vicinity of the store were recorded in the incident log and retained on the Co-operative's central reporting system.
- No complaints had been received from the neighbouring assisted living accommodation in relation to the operation of the premises or any licensable activities.
- It was noted that the only complaint received had related to noise from overnight works, which was not connected to the premises' licensed activities.
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The Committee thanked the attendees and officers for their input and advised that the decision would be made during the deliberation after the meeting. It was noted that due to the remote nature of the meeting, the decision would be circulated to all parties within a few working days via email.

The Committee gave careful consideration to this application for a premises licence and to all relevant representations both written and as expanded on in the course of the hearing. In addition, the Committee had due regard to the statutory guidance issued by the Secretary of State under section 182 of the Licensing Act 2003 and to the Council's own Licensing Policy.

RESOLVED that the Director of Sustainable Communities be authorised to grant the application to the modify the licence on the terms applied for. The terms applied for being the supply of alcohol from 06:30 until 23:00 every day including Good Friday and Christmas Day. The removal of the conditions in Annex 2 to the licence conditions, updating the premises plan and updating the operating schedule.

1. In reaching its decision the Committee gave careful consideration to the application including (i) the case put forward by the applicant at the hearing and (ii) the representation (objecting to the application) which was made in writing by Galleywood Parish Council and put forward at the hearing.

2. The Committee also had due regard to the statutory guidance issued by the Secretary of State under section 182 of the Licensing Act 2003 and to the Council's own Licensing Policy, including paragraph 3.1 thereof.
3. In determining the application, the Committee was mindful of the fundamental requirement (as set out in paragraph 9.43 of the section 182 guidance and reiterated by case law) that any determination made by it had to be evidence based and justified as being appropriate for the promotion of the licensing objectives.
4. The Committee gave due weight (as it was bound to do so) to the fact that none of the responsible authorities (including Essex Police and the Council's Environmental Health department) had objected to the application.
5. The Committee recognised the view of Galleywood Parish Council that extending the hours for the supply of alcohol was inappropriate due to the location of the store and were concerned an extension would increase noise and disturbance and cause increase to public nuisance and potentially endanger public safety. However, the Committee was mindful that any determination made by it had to be evidence based and justified as being appropriate for the promotion of the licensing objectives. There was no evidence of noise disturbance/public nuisance or danger to public safety before the Committee and the objection was speculative rather than evidence-based.
6. The objector speaking to the representation then spoke about the extent of the street view plan included in the Agenda pack and explained that the entrance for residents of the nearby flats was shared with the Co-op. However, by law the Committee could not take this into consideration. Regulation 19 of the Licensing Act 2003 (Hearings) Regulations 2005 provides that an authority shall disregard any information given by a party at the hearing which is not relevant to their representations or, indeed, not relevant to the promotion of the licensing objectives.
7. The Committee also considered that the applicant had demonstrated within their operating schedule and in the course of the hearing that they had in place robust management controls including training programmes for retail staff, with 6 monthly refresher training to ensure, so far as possible, the safe and smooth running of the store and the promotion of the licensing objectives. The store is a well-established store and has been there for many years. The Applicant explained that the Area Manager was responsible for 16 stores across the business and that there was an established history of operating those premises responsibly with similar hours for the sale of alcohol.
8. The Committee were of the view that the removal of the conditions at Annex 2 would not be problematic and that these conditions were 'superfluous' and do not add anything to the licence.
9. The applicant confirmed at the hearing that the 'updated' plan to their application included more floorspace to be compliant with legislation in showing the extent of the boundary of the building and was not indicative of areas they wish to begin using for the sale of alcohol.
10. At the time of the hearing there was no evidence before the Committee on which it could properly conclude that, if the variation application were to be granted, that any of the licensing objectives would be undermined.

The meeting closed at 11.34am

Chair