

MINUTES

of the

LICENSING COMMITTEE HEARING

held on 6th June 2025 at 11am

Present:

Councillor D. Clark (Chair of Hearing)

Councillors H. Clark, A. Davidson, and R. Lee

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. **Minutes**

The minutes of the hearing held on 25th April 2025, were approved as a correct record.

4. **Licensing Act 2003 – Application for a New Premises Licence – Sainsbury's, Sainsbury's Supermarkets Ltd, 109 Rainsford Road, Chelmsford, CM1 2PF**

The Committee considered an application for a new premises licence made under Section 17 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 permission for alcohol sales between the hours of 7am and 11pm, seven days a week as detailed in Appendix B of the agenda item.

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

- 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.

The below parties attended and took part in the hearing:

- Applicants and their legal representative
- Two members of the public

Officers informed the Committee that in response to the application, two representations had been received from local residents.

The applicant's legal representative introduced their client's application to the Committee. They informed the Committee that the application was for a local convenience store which had already been through the necessary planning process. The Committee was informed that they would be looking to hire between 20 and 25 employees, hopefully from the local area. The proposed opening hours were 12am to 12am, seven days a week and they were requesting the alcohol license for the hours of 7am to 11pm, seven days a week. All necessary steps had been taken in relation to crime prevention e.g. CCTV and risk assessments for security personnel. At the time of this hearing, it was not seen as necessary to have security personnel on the premises, but this would be reviewed following reports from staff. The Committee were advised that the Police and other responsible authorities made no representations against the application.

In response to the representations that had been submitted, the Committee heard that concerns were around competition of local businesses, crime, antisocial behaviour and nefarious activities, customer and delivery traffic and safety concerns related to deliveries. In response to this the Committee was informed that no representations were made by the police or responsible authorities for antisocial behaviour. Deliveries would consist of one daily lorry, which will deliver in the early morning before school times to avoid traffic, and an additional smaller vehicle delivery as needed. Entry to the delivery area would be via the car park entrance and would not require the vehicle to reverse in, to minimise the risks. The Committee were advised that some of the areas of concern were already addressed during the planning process and were not relevant to the licensing application.

In response to questions from members of the Committee, the applicant confirmed that they would be happy to look into providing a bin outside the property to manage litter risks, subject to any necessary permissions which may be required. Staff would be parking on the premises car park and members were informed that although there were few parking spaces, it was thought to be adequate for the expected footfall and that other similar premises do not have car parks, additionally the applicant was hopeful that the staff would be local to the area. The Committee was informed that staffing would consist of 2+ staff members, one of which would be a member of the Management Team. Risk assessments would be undertaken and submitted to head office via an internal reporting system and additional security could be used when necessary.

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 the relevant representations both written and made during the remote hearing.

RESOLVED that the Director of Public Places be authorised to grant the application on the terms applied for.

A. Reasons for decision

- (1) In reaching its decision the Committee gave careful consideration to the application and the relevant representations both written and made in the course of the remote hearing. The Committee also had regard to the current statutory guidance issued under section 182 and Chelmsford City Council's licensing policy.
- (2) All decisions on licensing applications must be evidence based.
- (3) The Committee had given due weight to the fact that there were no objections to the application from any of the Responsible Authorities, whether on the grounds of crime and disorder, public nuisance, public safety or otherwise. In particular, the Committee was bound to give weight to the fact that Essex Police had not objected to the application, nor had they sought to have any conditions attached to the granting of the licence. The section 182 guidance stated that Licensing Authorities should look to the police as their main source of advice on crime and disorder (para 2.1).
- (4) Furthermore, some of the objections submitted included matters or concerns (including but not limited to; the effect of having another off-licence outlet in the locality and traffic) which were not relevant because they did not relate to any of the four licensing objectives. The Committee could not therefore, take these matters into account and was expressly required to disregard them by virtue of regulation 19 of The Licensing Act 2003 (Hearings) Regulations.
- (5) At this point in time there was no evidence before the Committee on which it could properly conclude that, if the licence were to be granted, the licensing objectives would be undermined.

B. Informatives

1. Litter

- (1) Whilst not a condition of the approval, the Committee would ask that the applicant make suitable attempts to maintain cleanliness in the surrounding area and consider providing a suitable bin for waste disposal. This will help ensure the space remains tidy and respectful for all users and nearby residents.

The meeting closed at 12pm

Chair