

Representation 1

The governing principles of the Licensing Act are the four Licensing Objectives. All organisations and individuals involved in the running of Licensed Premises must do so with a view to promoting these Objectives:

The Prevention of Crime and Disorder

Public Safety

The Prevention of Public Nuisance

The Protection of Children from Harm

This objection is carried out in regard to the Prevention of Crime and Disorder, Prevention of Public Nuisance and Public Safety.

1 The Application and the Premise

The application was received on 29th August 2023 from Winckworth Sherwood LLP who are the acting Agent in relation to Samy Ltd with regards to Baldock Road, Buntingford SG9 9BL.

The premise currently has a licence authorising off sales of alcohol Monday to Saturday from 08:00 hours until 23:00 hours and Sunday from 10:00 hours until 22:30 hours. The application applies to extend the licensable hours for the supply of alcohol 24 hours daily and to allow the provision of late-night refreshment between 23:00 hours and 05:00 hours daily. To remove current conditions and to be replaced with conditions supplied in the application form which is attached. To remove the restrictions to the sale of alcohol and opening hours on Good Friday and Christmas Day.

The premise is situated off the High Street and is surrounded by residential properties including above the premises and to the side of the premises. The close proximity of these residential properties can only be appreciated fully with a visit to the site.

The town does not have a strong night time economy, with two small supermarkets open until 22:00 hours and one which closes 16:00 hours on a Sunday.

I contacted the Agent on several occasions during the consultation period requesting they re-consider the 24 hour licensable activities. The Statement of Licensing Policy advises alcohol sales generally no later than 23:00 hours for a premises outside of the town centre. The premises is close to the town centre which is a quiet town centre without a significant night time economy, I recommended 23:00 hours for licensable activities to cease. The town centre guidance for licensable activity is a 00:00 end to licensable activity.

I also asked whether a serving hatch will be available and I was advised it is being considered but I have not received confirmation.

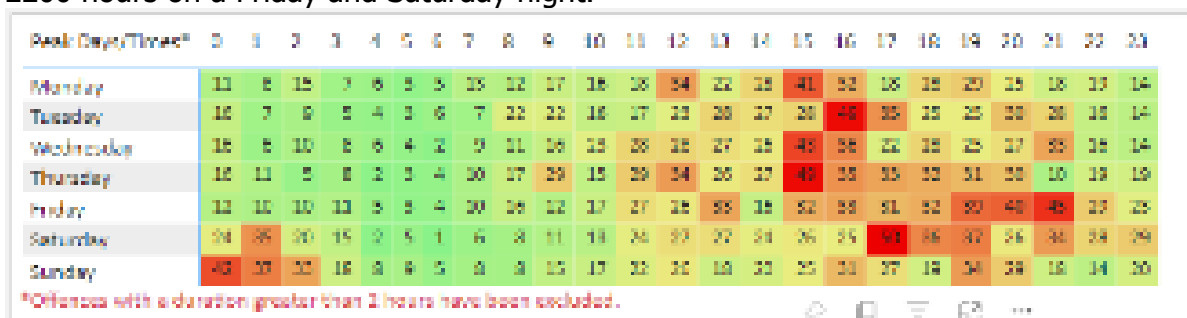
The conditions provided on the application form are limited, subjective and unenforceable. I requested more robust conditions to be provided but I did not receive any further update. I contacted Agent again and I was advised to provide the Agent with Police recommended conditions for them to present to their client. This is disconcerting as DPS has had no forethought to instruct the Agent to include reasonable steps to show their knowledge of the Licensing Objectives or their responsibility to promote them.

As I still had not receive any further information on Monday 18th September 2023, I supplied the Agent with proposed Police conditions. The Agent advised he will not be able to review these conditions prior to the application deadline, this is another example of no forward thinking in how the premises was going to uphold the licensing objectives.

2 The impact of having alcohol available through off sales at this location 24 hours

The staff will have no control of those who make purchases once they have left the shop. This is the key difference between premises that have on licence sales and those who have off sales. Having alcohol available 24/7 in close proximity to residential area increases the probability of people being anti-social in and around people’s homes in the early hours when people are sleeping. For example it allows house parties to continue as alcohol can be restocked easily. It also enables people on their way home from a night out to purchase alcohol which is then likely to be consumed while walking home meaning that street drinking and the anti-social behaviour associated with it increases. (Crime and Disorder, Public Nuisance and Public Safety).

The crime data for the entirety of East Herts from 1st January 2023 until 21st September 2023 shows that the crime figures already escalate in line with venues opening past 2200 hours on a Friday and Saturday night.



The other potential issue that is likely to arise is in relation to people congregating at the front of the premise late at night and into the early hours. After a certain time of night, when venues close people will often congregate in groups in public places especially young adults. As alcohol, food and cigarettes will be readily available this will be an ideal location for them to congregate. This type of behaviour is very difficult to deal with from a Police perspective as often criminal

offences are not committed. However, the behaviour will impact on residents in the area due to the noise and anti-social behaviour. There are residential flats above and to the side of the premises that would be significantly affected by this issue. (Public Nuisance)

There will undoubtedly be situations when customers have to be refused the sale of alcohol in the early hours due to them being drunk. Those under the influence are more likely to get frustrated, angry and aggressive if they are refused when they know alcohol can be sold. The risk of criminal offences occurring and assaults on staff are high (Crime and Disorder and Public Safety).

The sale of glass bottles for consumption off the premises is a concern due to the potential for glass bottles to be used as weapons. All on licence premises have policies to prevent people leaving with glass bottles or glasses. An unacceptable risk will be created if glass bottles are sold for consumption off the premise at a high risk time (Crime and Disorder and Public Safety).

Having alcohol available 24 hours on display will result in increased thefts and potential for further assaults on staff (Crime and Disorder).

It is well known and documented that there is a link between alcohol consumption and crime especially in relation to violent crime. Alcohol is a dis-inhibitor that also impairs judgement. National statistics suggest that nearly 50% of all violent crime involves alcohol and nearly 40% of all domestic violence incidents are linked to drunkenness.

Summary of Concerns

Hertfordshire Constabulary's concerns are summarised as follows;

Increased risk of assaults and public order offences at the premise specifically where staff are likely to be victims.

No control over where alcohol is consumed once purchased.

The consumption of high volume alcohol in public places.

The availability of alcohol, especially in relation to high volume alcohol, near to residential houses at unsociable times.

The public safety risk of having bottles within public areas at high risk times.

The impact of having alcohol available 24 hours in this specific area which will increase crime and disorder locally.

The risk of anti-social behaviour at the location and the impact this will have on the local residents causing a public nuisance and a greater risk of crime and disorder.

In summary the hours being requested are excessive. The sale of alcohol in this area will impact negatively on crime and disorder and public nuisance and cause a risk to public safety. Unnecessary high risks will be present should this application be granted. The Licensing Sub Committee is asked to refuse this application for the reasons stated in regard to the Prevention of Crime and Disorder, Prevention of Public Nuisance and Public Safety.

Sarbjit Minichiello

Senior Licensing Officer

East Herts Community Safety Unit 22nd September 2023

Mail: Hertford Police Station, Hale Road, Hertfordshire, SG13 8F

SAMY LIMITED/MCCOLLS 23/1202/PLV

PROPOSED CONDITIONS

1. A digital closed circuit television (CCTV) system to be installed internally ensuring the following:-
 - a. All faults with the CCTV system shall be repaired as soon as possible and in any case within two working days after which time, if the system is still inoperative no licensable activities shall take place without the agreement of East Herts Police Licensing Unit and the licensing authority until the fault is rectified.
 - b. All entry and exit points must be covered to enable frontal identification of every person entering the premises in any light condition.
 - c. CCTV camera to be placed outside the premises to enable to enable street view.
 - d. The CCTV system shall continually record whilst the premises is open for licensable activities and during times when customers remain on the premises.
 - e. The CCTV shall clearly cover any area where alcohol is on display.
 - f. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show a Police officer or an authorised officer of the licensing authority data or footage upon request within 24 hours.
 - g. The system will display, on any recording, the correct time and date of recording.
2. The age verification policy operated at the premises shall be "Challenge 25". This means that whilst alcohol may be sold to persons aged 18 years or over, any person who appears under 25 years of age shall be required to provide proof of age using an acceptable form of ID. Notices advertising that the premises operate a "Challenge 25" scheme shall be displayed in a clear and prominent position at the premises entrance(s)/and inside at the premises serving area. The only forms of ID that may be accepted shall be a proof of age card bearing the PASS hologram logo;
 - a. Passport
 - b. UK photo driving licence; or
 - c. Military Card ID

3. The Premises Licence Holder or Designated Premises Supervisor to ensure that all management and staff who are not personal licence holders are fully trained and briefed on the four licensing objectives and Challenge 25, operating procedures, drugs policies and child sexual exploitation policies. Every 6 months these staff are to be given refresher training and this is to be documented in such a way that it can be given to an authorised officer on request. Staff should also sign and document confirming the training has taken place and the date.
4. A personal licence holder must be present at the premises when licensable activities are taking place, to supervise all sales of alcohol.
5. No super-strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above and no Liquor over 40% shall be sold at the premises after 00:00 hours.
6. Alcohol only to be sold by Staff who are to be aged 18 and over and any staff under the age of 18 are not left on the premises on their own.
7. No alcohol is to be displayed within 3 metres of any customer entrance / exit.
8. Not to sell miniature or quarter bottles of spirits of any kind to anyone who is under the age of 21 years old.
9. All spirits are to be displayed behind the counter and not in an area of the shop where people can help themselves.
10. A written record of all refused sales shall be kept on the premises. Detailing as a minimum the time and date that the sale was refused, the staff member who refused the sale and the reason why. The record shall be made available to Police and / or local authority immediately upon request and shall be kept for at least one year from the date of last entry.
11. An incident book shall be maintained to record any activity of a violent, criminal or anti-social nature and be available for inspection at all reasonable times by an authorised officer of relevant responsible authority, it should record the following details:-
 - Time and date and nature of the incident,
 - People involved
 - Action taken
 - Details of the person responsible for the management of the premises at the time of the incident.
12. Customers shall not be permitted to remove from the premises, any open bottle for consumption or disposal outside the premises.
13. Adequate waste receptacles for use by customers shall be provided in and immediately outside the premises.
14. The premise licence holder or Designated Premises Supervisor to ensure groups of people will not be allowed to gather/loiter outside the premises.

Conditions if premises are operating licensable activities after 00:00 hours – hours of licensable activities not yet confirmed.

15. On Friday and Saturday nights and any other night when the premises provide licensable activity beyond 00:00, there must be one SIA registered staff member from 23:00 hours to xxxx hours minimum.
16. Two members of staff to be present on the premises from 18:00 hours until the premises closes Sunday to Thursday. Three members of staff to be present on Friday and Saturday from 18:00 hours until 23:00 hours two members of staff after 23:00 hours when a SIA registered staff member is on duty.
17. When a SIA registered door supervisor is used at the premises:
 - a) a record must be kept of their SIA registration numbers and the dates and times when they are on duty.
 - b) they must wear high visibility arm bands or jackets when engaged outside the entrance to the premises.

Prepared by Sarb Minichiello 18/9/2023

Representation 2

Sent: 19 September 2023 11:00

To: Housing & Health Services - Community Protection <Community.Protection@eastherts.gov.uk>

Subject: [External] Licence application 23/1202/PLV

Dear Sir,

Re Licence application 23/1202/PLV Samy Ltd, Baldock Road, Buntingford, SG9 9BL.

The above application to vary a Premises Licence has been brought to our attention.

Buntingford Town Council objects to the variation on trading hours on the following grounds:

Crime and Disorder

Other premises within the town have restricted hours on the grounds of preventing crime and disorder. People already congregate outside of the premises in the evening and extended hours would further encourage this.

Public Nuisance

The premises is in close proximity of residential dwellings including above the premises. The noise and disturbance from people visiting the premises at late/early hours would cause nuisance to neighbours of the establishment.

The trading hours should be in line with other premises within the centre of the town.

Yours faithfully

Jill Jones PSLCC, Cert HE. Town Clerk

Buntingford Town Council, The Manor House, Buntingford, SG9 9AB.

www.buntingford-tc.gov.uk

Representation 3

Sent: 15 September 2023 19:34

To: Housing & Health Services - Community Protection <Community.Protection@eastherts.gov.uk>

Subject: [External] Objection to 23/1202/PLV

Name of applicant : Samy Ltd

Address: Baldock Road, Buntingford, SG99BL (Formerly McColls)

Type of application : Premises Licence Variation

- 1) To extend the hours for the sale of alcohol to 24 hours daily
- 2) To allow the provision of late night refreshment between 23.00 hours and 0500 hours daily.

Comment.

This application is totally unsuited to a store situated in a store that is in the centre of our small market town and a highly residential area. There is no need for this store to be able to sell alcohol 24 hours a day, 365 days a year. It will only attract antisocial, drunk and aggressive behaviour, to the area and an increase of litter, noise and late night traffic.

Buntingford is already served well by 3 public houses and 2 supermarkets who all abide by their relevant licensing regulations. This store's licence should be restricted to the same conditions as the other supermarkets as it has been while it traded as McColls.

THIS APPLICATION SHOULD BE REFUSED

Representation 4

Sent: 08 September 2023 11:57

To: Housing & Health Services - Community Protection <Community.Protection@eastherts.gov.uk>

Subject: [External] Re: OBJECTION TO 23/1202/PLV

Dear sirs..

I object to this application .

I am on the footpath from the local pub to the shop, also opposite a zebra crossing.
It will causes more noise, and rowdery , when pub is open its enough of a
problem, possibly crime and vandalism , the front of my house is often used as a urinal and
cans left there and also in the car park.

I have my grandchildren staying sometimes and really don't want them to hear extra noise which
this will cause, surely they can get drinks in the daytime !!!!

Representation 5

Sent: 08 September 2023 10:07

To: Housing & Health Services - Community Protection <Community.Protection@eastherts.gov.uk>

Subject: [External] Objection to 23/1202/PLV

Dear Sirs

I am writing to you to object to a 24 hours alcohol licence at the Budgens store on Baldock Road

Ref: 23/1202/PLV

I live almost REDACTED.

If this plan goes ahead there will be anti social behaviour and unnecessary noise 24/7 I know of at least 3 elderly single ladies living just 3 doors away and they are very nervous about this proposal.

This is supposed to be a sleepy peaceful town. There just isn't any need for a 24 hour alcohol license.

The 2 petrol stations in the town already have a 24 hour service, why do we need a 3rd

Kind Regards

Representation 6

Sent: 07 September 2023 11:23

To: Housing & Health Services - Community Protection <Community.Protection@eastherts.gov.uk>

Subject: [External] Objection to 23/1202/PLV

Dear Sir/Madam

In the above application I strongly object to:

1. To extend the hours for the sale of alcohol to 24hrs daily.
2. To allow the provision of late-night refreshment between the hours of 2300 and 0500 daily.

This is a residential street and can already be noisy during th daytime with cars and people. To be allowing the sale of alcohol and opening hours generally 24hrs will means it will bring noise and anti social behaviour to a street which is already plagued at times when the pubs close at around 11/12pm with people walking down the street shouting.

This is not needed by the community nor welcomed by those that will have to put up with the negative side. This isn't a big town that requires a 24hr shop and 24hr off licence so please reject this silly request by the new owners of the shop.

Yours faithfully,

Representation 7

Comments Details

Neighbour

Customer objects to the Licensing Application

05/09/2023 7:14 PM To whom it may concern, the reason for my objection is that there are several severely special needs children living within 300m of the shop on Baldock Road and selling alcohol 24 hours a day would inevitably cause disruption including lewd behaviour, copious noise, increased crime and damage to property. If this shop intends to be open 24 hours a day for alcohol it will worsen the quality of life for all the people of Buntingford not just the neighbours/residence. Thank you for hearing my concerns and I implore you to not grant the application.

Representation 8

Comments Details

Commenter Type: Councillor

Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments: 07/09/2023 3:30 PM I would question the need and demand for a 24 hour licence in a small rural town such as Buntingford. I would also have concerns about anti social behaviour considering the premises location on a mostly residential road and the potential for late night noise and nuisance (including extra late night traffic) to nearby houses associated with extended opening hours. There are potential public health concerns associated with the ability to purchase alcohol at any time of the day or night in such a rural location.

Sent: 20 September 2023 13:29

To: Housing & Health Services - Community Protection <Community.Protection@eastherts.gov.uk>

Subject: Re: Comments for Licensing Application 23/1202/PLV

Dear Oliver

Thanks for your email. Apologies if I haven't been clear about which objectives I am objecting under - this is the first response I have made to a licencing application.

Noise and antisocial behaviour concerns: from potential increased traffic levels and footfall from customers visiting the premises to purchase alcohol in the extended period being applied for - 23.00 to 7.00 (Monday to Saturday) and 22.30 and 10.00 (Sundays). Also, potential noise and antisocial behaviour associated with the purchase of alcohol from these premises and consumption nearby.

I don't see that extending the period that the premises are open beyond the current opening times but for a shorter period than 24 hours would address my concerns as the main concern is that potential disturbance would take place late at night and early in the morning in a residential area.

I hope that helps to clarify my objection - thank you for giving me the opportunity to amend my objection.

Best wishes

Representation 9

Sent: 06 September 2023 19:07

To: Housing & Health Services - Community Protection <Community.Protection@eastherts.gov.uk>

Subject: [External] Objection to 23/1202/PIV

I strongly object to this 24h licence, I live REDACTED doors away am severely sign impaired this would create a anti social behaviour outside my home which would scare me, Please don't let this happen I moved close to a shop for independence not to live in fear.

Representation 10

Sent: 06 September 2023 13:29

To: Housing & Health Services - Community Protection <Community.Protection@eastherts.gov.uk>

Subject: [External] Re: Budgens in Buntingford opening hours. 23/1202/N

Hi my objectives will be noise nuisance. As the shop is intending to sell for 24 hours a day. I live above and the noise of customers would go all through the night when I'm sleeping I do call your offices and they told me to send an email to the protection dept. But the email does not work. Is there anyway you can forward onto the correct team. I was told I'm in my rights to object to later opening times for the shop because I live direct above. Many thank

Sent: 06 September 2023 18:49

To: Housing & Health Services - Community Protection <Community.Protection@eastherts.gov.uk>

Subject: [External] Late night licences 23/1202/PLV

I would like to put in an objection to the following. Application: 23:1293/PVL Name of application: Samy Limited. address: Baldock Road Buntingford SG9 9BL Type of application : Premises Licence Variation. Proposed licence activities : late night refreshment of alcohol. Date of application 25/08/2023. Closing date : 22/09/2023.

I would like to keep my personal details private. My objection is to the requested application to be able to keep the shop open 24/7. I live in REDACTED. I have no objection to opening to 9pm. But anything later than that would be too much of a disturbance. The town is quiet at night so the extra noise of cars pulling up and people gathering outside would be a public nuisance. People need their sleep to get up for work the next day and I fear the noise would disturbed our sleep. . I have spoken to neighbours who object as well. I hope this matter is taken serious and the disturbance taken into account. We have two petrol stations near by that offer this service. But to have this licence where the shop is based amongst living residential homes would bring disturbance.

Representation 11

Sent: 08 September 2023 19:25

To: Housing & Health Services - Community Protection <Community.Protection@eastherts.gov.uk>

Subject: [External] Objection to 23/1202/PLV

I live at REDACTED Rowland Hill Court. It is a small block of flats that share the courtyard beside the post office and general stores. Within the block we are all elderly and already have to cope with the noise and litter that emanates from our neighbour.

Besides all the well known problems that are generated from the sale of alcohol, I just cannot comprehend the need to sell it 24 hours a day.

I also cannot believe that the shop is considering opening 24 hours a day ????

Please register my objection.

Representation 12

Sent: 22 September 2023 21:35

To: Housing & Health Services - Community Protection <Community.Protection@eastherts.gov.uk>

Subject: [External] Objection to 23/1202/PLV

Hello,

Registering my objection to this Premises Licence Variation application including 24 hour alcohol sales.

This is a residential area, with many houses in very close proximity. The disturbance will be a significant nuisance, and impact house prices. I wouldn't have purchased this house next to a 24 hour shop.

This is also completely unnecessary given there are two 24 hour petrol stations and shops in Buntingford already.