

# Licensing and Regulatory Sub-Committee

<b>Title</b>	<b>Agenda</b>
<b>Date</b>	<b>Thursday 9 May 2024</b>
<b>Time</b>	<b>10.00am (briefing for Members at 9.30am)</b>
<b>Venue</b>	<b>Conference Room Mildenhall Hub</b> Sheldrick Way Mildenhall IP28 7JX
<b>Full Members</b>	Carol Bull Ian Houlder Don Waldron
<b>Substitutes</b>	Patrick Chung
<b>Membership is drawn from the full membership of the Licensing and Regulatory Committee and is politically balanced as far as is practicable.</b>	
<b>Interests – declaration and restriction on participation</b>	Members are reminded of their responsibility to declare any disclosable pecuniary interest, other registerable or non-registerable interest which they have in any item of business on the agenda, <b>no later than when that item is reached</b> and, when appropriate, to leave the meeting prior to discussion and voting on the item.
<b>Quorum</b>	Three Members
<b>Committee administrator</b>	<b>Helen Hardinge</b> Democratic Services Officer <b>Telephone</b> 01638 719363 <b>Email</b> <a href="mailto:democratic.services@westsuffolk.gov.uk">democratic.services@westsuffolk.gov.uk</a>

## **Hearing procedure**

### **Pre-hearing matters**

1. Declaration of interests
2. Legal Advisor will introduce members of the Hearing Panel
3. Legal Advisor will ask those present to introduce themselves in the following order:
  - Applicant and any person representing or assisting them (confirmation also should be given that copies of the relevant representations to be considered at the hearing have been received)
  - The officer of the licensing authority, the Democratic Services Officer and the Legal Advisor to the Hearing Panel
  - Responsible authorities that have made a relevant representation
  - Interested parties who have made a relevant representation (interested parties should confirm whether a spokesperson has been nominated and, if so identify them)
  - In the event of a review hearing, the respondent.
4. The Legal Advisor will ask all parties to the hearing whether they wish to withdraw their application or representation.
5. The Legal Advisor will ask the officer of the licensing authority to report:
  - Any requests from a party to the hearing for permission for a witness to appear in support of their representation. Any such requests will be determined by the Hearing Panel.
  - Any documentary or other information that a party to the hearing wishes to present. If there is any such material, the Chair will ask all the other parties to the hearing whether they consent to it being presented. If they agree, the material will be distributed. If not, the said material may not be distributed unless there are exceptional circumstances which in the Chair's opinion render it necessary and appropriate for the said material to be presented to the Hearing Panel. In this regard the Chair's decision will be final.
6. The Legal Advisor will invite the applicant or his representative to estimate the time required to present their case and ask questions of other parties to the hearing. He will then ask the other parties to the hearing whether they will require a longer period to present their representation and question the applicant. The Hearing Panel will determine the maximum period of time allowed for each party to put their case. This decision will be final.

## The Hearing

Immediately the pre-hearing matters have been dealt with the hearing will commence.

1. The Chair will ask the officer of the licensing authority to summarise the matter under consideration.
2. The members of the Hearing Panel, the applicant, and those making representations may ask questions of the officer of the licensing authority.
3. Starting with the applicant and, in the event of a review, concluding with the respondent, each party will exercise their rights within the identified maximum time, as follows:
  - Each party to present their case, including responding to any points of which the licensing authority has previously given notice, and call any approved witness or witnesses in support of their case.
  - If given permission by the Chair, and only through the Chair of the Hearing, each member of sub-committee, officer of the licensing authority or any party may raise questions of any other party or witness/witnesses.
4. Starting with the applicant and, in the event of a review hearing, concluding with the respondent, each party will be asked to sum up their case.
5. All those present, other than the members of the Hearing Panel, their Legal Advisor and the Democratic Services Officer, will be asked to leave the meeting to allow members to determine the application.
6. All parties will be recalled. The Legal Advisor to the Hearing Panel will advise those present of any advice that has been provided during the determination. The Chair will then:
  - either announce the decision, together with the reasons for it if it is a Hearing in relation to an application for which the licensing authority may make its determination at the conclusion of the hearing; **or**
  - advise all the parties that the licensing authority will make its determination within five working days, in which case notification of the determination will be sent out in writing (including the rights of appeal) to all relevant parties not later than five working days after the hearing date.
7. In the event of the licensing authority making its determination at the conclusion of the Hearing the Chair will outline the rights of appeal. The decision and rights of appeal will also be confirmed in writing by the officer of the licensing authority forthwith.
8. Nothing within Paragraph 6. above will preclude a licensing authority from making its determination at the conclusion of **any** hearing, should the Hearing Panel so decide. It is entirely within the discretion of the members of the said Panel whose decision in this regard will be final.

# Agenda

## Part 1 – public

### Procedural matters

**1. Election of Chair**

To seek nominations for the election of Chair for this sub-committee meeting.

**2. Apologies for absence**

**3. Substitutes**

Any member who is substituting for another member should so indicate, together with the name of the relevant absent member.

**4. Declarations of interest**

Members are reminded of their responsibility to declare any pecuniary or local non pecuniary interest which they have in any item of business on the agenda, **no later than when that item is reached** and, when appropriate, to leave the meeting prior to discussion and voting on the item.

The attached hearing procedure will be adopted in considering the undermentioned item:

**5. Application for the Grant of a Premises Licence - Tesco Express, 1 St Olaves Precinct, Bury St Edmunds (Report No: LSC/WS/24/003)**

**1 - 28**

Report No: **LSC/WS/24/003**

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# Application for the Grant of a Premises Licence – Tesco Express, 1 St Olaves Precinct, Bury St Edmunds

<b>Report No:</b>	<b>LSC/WS/24/003</b>
<b>Report to and date/s:</b>	Licensing & Regulatory Sub-Committee 9 May 2024
<b>Cabinet Member:</b>	Councillor Gerald Kelly Portfolio Holder for Planning & Regulatory Services <b>Tel:</b> 07968 396389 <b>Email:</b> <a href="mailto:gerald.kelly@westsuffolk.gov.uk">gerald.kelly@westsuffolk.gov.uk</a>
<b>Lead officer:</b>	Dawn Diaper Licensing Officer <b>Tel:</b> 07977 712172 <b>Email:</b> <a href="mailto:Licensing@westsuffolk.gov.uk">Licensing@westsuffolk.gov.uk</a>

**Wards impacted:** St. Olaves

**Recommendation:** It is recommended that, in determining the application with a view to promoting the licensing objectives in the overall interests of the local community, Members give appropriate weight to, the steps that are appropriate to promote the licensing objectives; West Suffolk Council's Statement of Licensing Policy; Guidance issued under section 182 of the Licensing Act 2003; the representations attached to this report, and any further relevant information presented to the Sub-Committee on the day of the Hearing

The steps may be:

- (a) Grant the licence, subject to such conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the Authority considers necessary for the promotion of the licencing objectives; OR
- (b) Exclude from the scope of the licence any of the licensable activities to which the application relates, OR
- (c) Reject the application

## 1. Background / Context

- 1.1 An application for the Grant of a Premises Licence, made under the Licensing Act 2003, was received and accepted by the Licensing Authority on 15 March 2024. The application form and associated plan are attached as **Appendix A** and **Appendix B** respectively.
- 1.2 The application, made by Tesco Stores Limited, proposes to trade as a retail premises (supermarket) selling a range of goods and services. This includes the sale of alcohol for consumption off the premises.

The licensable activities proposed under the authorisation of a Premises Licence are as follows;

- Alcohol Sales Off Premises  
Monday – Sunday 06:00 – 00:00
  - Late Refreshment (Indoors)  
Monday – Sunday 23:00 – 00:00
- 1.3 The Licensing objectives which must be actively promoted by the holder of any Premises Licence issued under the Licensing Act 2003 are as follows;
    - The Prevention of Crime and Disorder
    - Public Safety
    - Prevention of Public Nuisance
    - Protection of Children from Harm
  - 1.4 A statutory 28-day consultation period started on 16 March 2024 and ended on 12 April 2024. This enabled Responsible Authorities and 'Other Persons' to make representations towards the application. 'Other Persons' includes any individual, body or business whether or not they live in the vicinity.
  - 1.5 The details of the application were published in the local newspaper (Bury Free Press 22 March edition), displayed on the exterior of the premises, and advertised on the Council's website during the consultation period, as per the regulations.
  - 1.6 A hearing is necessary to determine the application following receipt of representations which have not been withdrawn.
  - 1.7 Representations were received by a responsible authority, West Suffolk Council's Private Sector Housing and Environmental Health team. The authority raised concerns around noise nuisance given the proximity of surrounding residential properties and requested additional conditions to be added to the Operating Schedule which include a restriction on the opening hours to 07:00 to 23:00 each day of the week. Full details of the representations and proposed conditions are attached as **Appendix C**.

## 2. Proposals

- 2.1 Members should seek to focus the hearing on the steps considered appropriate to promote the particular licence objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas.

### **3. Legal Compliance**

3.1 The Sub-Committee may take any of the steps set out below, provided they are proportionate and appropriate for the promotion of the licensing objectives:

- (a) Grant the licence, subject to such conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the Authority considers necessary for the promotion of the licencing objectives
- (b) Exclude from the scope of the licence any of the licensable activities to which the application relates, or
- (c) Reject the application

A condition is modified where it is altered or omitted or any new condition is added.

3.2 Each application should be considered on its own merits, having regard to the Council's Statement of Licensing Policy and the guidance issued under Section 182 of the Licensing Act 2003.

3.3 The decision may be appealed, by the applicant or any other party to the hearing, within 21 days of written notification of the determination made by the Sub-Committee. The Sub-Committee should state in reaching its determination those matters which it considered relevant, those matters which it did not consider as they were irrelevant, and its reasons for the decision.

### **4. Appendices**

- 4.1 Appendix A – Application
- Appendix B – Plan of Premises
- Appendix C – Representation

### **5. Background documents**

5.1 Licensing Act 2003 - <http://www.legislation.gov.uk/ukpga/2003/17/contents>

Guidance issued under S.182 of the Licensing Act 2003 –  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/705588/Revised\\_guidance\\_issued\\_under\\_section\\_182\\_of\\_the\\_Licensing\\_Act\\_2003\\_April\\_2018\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf)

West Suffolk Council Statement of Licensing Policy –  
<https://www.westsuffolk.gov.uk/Business/Licensing-and-regulation/Licensing/upload/WSC-Statement-of-Licensing-Policy.pdf>

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## 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 **Tesco Stores Limited**

*(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

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>			
Tesco Express, St Olaves Parade, 1 St Olaves Road, Hunter Road, Bury Saint Edmunds, IP32 6SP			
Post town	Bury Saint Edmunds	Postcode	IP32 6SP
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£24,500	

#### Part 2 - Applicant details

Please state whether you are applying for a premises licence as

**Please tick as appropriate**

- |  |                                     |                             |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals *                    | <input type="checkbox"/>            | please complete section (A) |
| b) a person other than an individual *               |                                     |                             |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability)   | <input type="checkbox"/>            | please complete section (B) |
| iii as an unincorporated association or              | <input type="checkbox"/>            | please complete section (B) |
| iv other (for example a statutory corporation)       | <input type="checkbox"/>            | please complete section (B) |
| c) a recognised club                                 | <input type="checkbox"/>            | please complete section (B) |
| d) a charity   | <input type="checkbox"/>            | please complete section (B) |
| e) the proprietor of an educational establishment    | <input type="checkbox"/>            | 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)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

We are carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a

statutory function or

a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>			I am 18 years old or over		<input type="checkbox"/> Please tick yes
<b>Nationality</b>					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(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
<b>Tesco Stores Limited</b>
Address
<b>Tesco House, Shire Park, Kestrel Way, Welwyn Garden City, Hertfordshire, AL7 1GA</b>
Registered number (where applicable)
<b>00519500</b>
Description of applicant (for example, partnership, company, unincorporated association etc.)
<b>Private Limited Company</b>
Telephone number (if any)
<b>07841193904</b>
E-mail address (optional)
<b>Licensing.Team@tesco.com</b>

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note 1)

Retail premises (supermarket) selling a range of goods and services. This includes the sale of alcohol for consumption off the premises. Sales of alcohol for consumption off the premises are made from the supermarket sales floor as shown on the enclosed plan.

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

N/A
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What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision 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) or (g) (If ticking yes, fill in box H)

**Provision of late-night refreshment** (if ticking yes, fill in box I)

**Supply of alcohol** (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)					
Mon								
Tue								
Wed						<b>State any seasonal variations for performing plays</b> (please read guidance note 5)		
Thur								
Fri						<b>Non-standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat								
Sun								

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)					
Mon								
Tue								
Wed						<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)		
Thur								
Fri						<b>Non-standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat								
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			<p><b>State any seasonal variations for indoor sporting events</b> (please read guidance note 5)</p> <p><b>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</b> (please read guidance note 6)</p>
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)					
Mon								
Tue								
Wed						<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 5)		
Thur								
Fri						<b>Non-standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat								
Sun								



E

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)					
Mon								
Tue								
Wed						<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)		
Thur								
Fri						<b>Non-standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat								
Sun								

F

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

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)					
Mon								
Tue								
Wed						<b>State any seasonal variations for the performance of dance</b> (please read guidance note 5)		
Thur								
Fri						<b>Non-standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat								
Sun								

**H**

<p><b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><b><u>Please give further details here</u></b> (please read guidance note 4)</p>		
Wed					
Thur			<p><b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)</p>		
Fri					
Sat			<p><b><u>Non-standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)</p>		
Sun					

I

Late-night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late-night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23:00	00:00	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue	23:00	00:00			
Wed	23:00	00:00	<b><u>State any seasonal variations for the provision of late-night refreshment</u></b> (please read guidance note 5)		
Thur	23:00	00:00			
Fri	23:00	00:00	<b><u>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</u></b> (please read guidance note 6)		
Sat	23:00	00:00			
Sun	23:00	00:00			

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	06:00	00:00			
Tue	06:00	00:00			
Wed	06:00	00:00			
Thur	06:00	00:00			
Fri	06:00	00:00			
Sat	06:00	00:00			
Sun	06:00	00:00			
			<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		

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):

<b>Name</b> Mr. Steven Nicholas Andrzejuk	
<b>Date of birth</b> 23/08/1983	
<b>Address</b>  21 Barley Way Elsenham Bishops Stortford	
<b>Postcode</b>	CM22 6GX
<b>Personal licence number (if known)</b> NHPER/1869	
<b>Issuing licensing authority (if known)</b> North Herts District Council	

K

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).

N/a

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)
Day	Start	Finish	
Mon	06:00	00:00	<p><b><u>Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 6)</p>
Tue	06:00	00:00	
Wed	06:00	00:00	
Thur	06:00	00:00	
Fri	06:00	00:00	
Sat	06:00	00:00	
Sun	06:00	00:00	

## M

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

### **a) General – all four licensing objectives (b, c, d, and e) (please read guidance note 10)**

Tesco is a large national operator with a range of head office and local support. The company has devised policies, procedures, systems, and training to ensure that they sell alcohol in a responsible manner.

There is a detailed programme which ensures that comprehensive training is provided to employees having regard to their role and the responsibilities and such training is regularly reviewed, and records kept.

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

We will have a digital CCTV system that covers the premises, including the main area which will be used for display of alcohol. Images will be retained for 31 days.

A member of the management team will be on the premises all the time the store is open. This colleague will have responsibility for the premises and will be the initial point of contact for any issues that may arise.

### **c) Public safety**

The premises licence holder is fully aware of its responsibilities under a range of health and safety related legislation and has policies and procedures in place to be confident of complying with the relevant obligations which arise.

### **d) The prevention of public nuisance**

The company has a “good neighbour” ethos which seeks to ensure that the premises plays an active part in the local community.

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

The premises will operate a Think 25 policy. The checkouts will be programmed to prompt the customer assistant when an alcohol product is scanned at the checkout to follow the Think 25 policy.

All colleagues will receive training in relation to the underlying law and Tesco policy, systems, and procedures. This training will be documented, and refresher training will be provided on a regular basis.



**Checklist:**

**Please tick to indicate agreement**

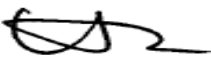
- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [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 or my share code issued by the Home Office online right to work checking service (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.**

Declaration	<ul style="list-style-type: none"> <li>• [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).</li> <li>• 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, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</li> </ul>
Signature	
Date	15/03/2024
Capacity	<b>Ms. Hardish Purewal – Licensing Manager</b> <b>Duly authorised agent, for and on behalf of Tesco Stores Limited</b>

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

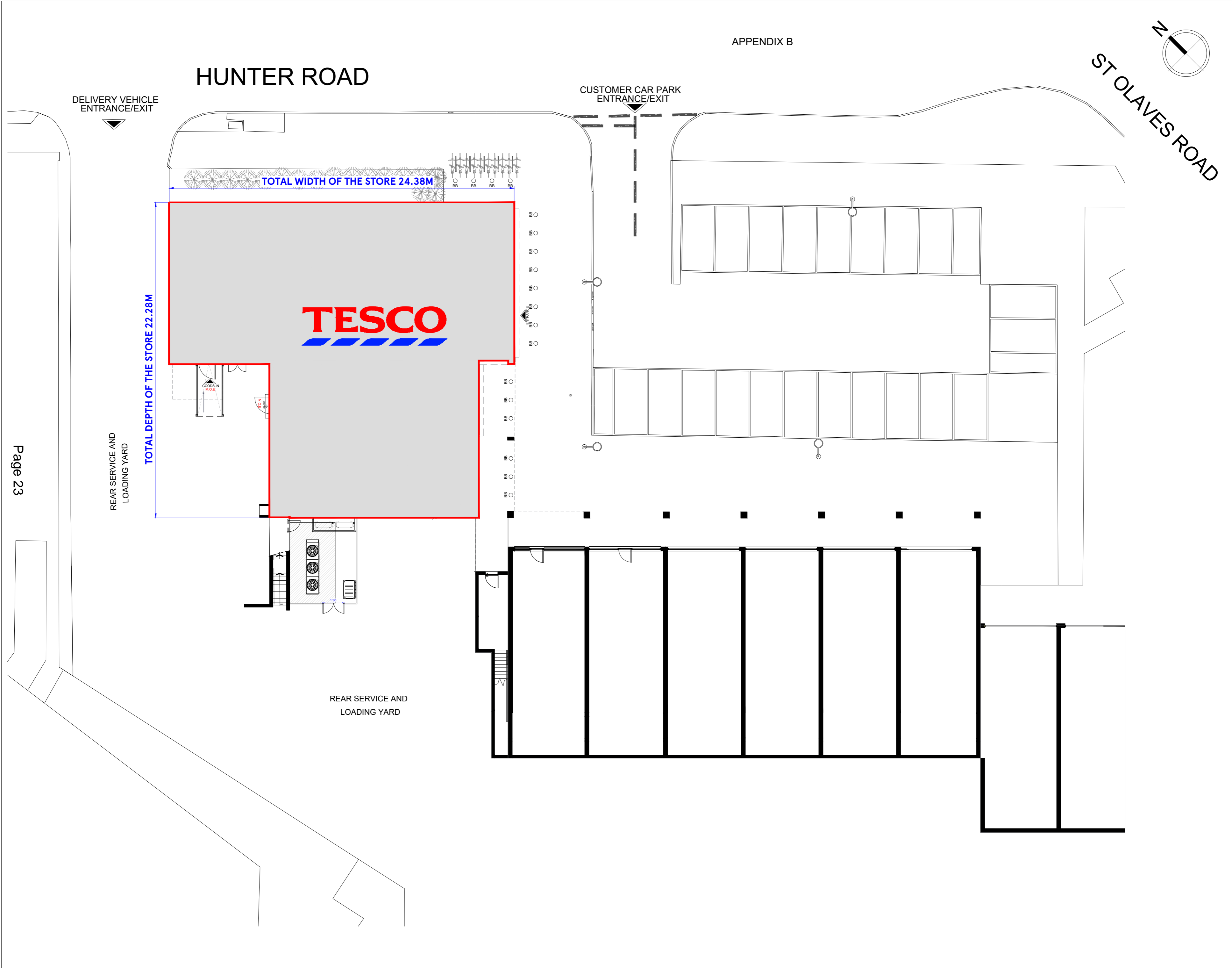
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

**Tesco Licensing Team,  
Shire Park, Kestrel Way,**

Post town	<b>Welwyn Garden City</b>	Postcode	<b>AL7 1GA</b>
-----------	---------------------------	----------	----------------

Telephone number (if any)	<b>07841193904</b>
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If you would prefer us to correspond with you by e-mail, your e-mail address (optional)  
**Licensing.Team@tesco.com**



APPENDIX B

HUNTER ROAD

ST OLAVES ROAD

DELIVERY VEHICLE  
ENTRANCE/EXIT

CUSTOMER CAR PARK  
ENTRANCE/EXIT

TOTAL WIDTH OF THE STORE 24.38M







TOTAL DEPTH OF THE STORE 22.28M

**TESCO**

REAR SERVICE AND  
LOADING YARD

REAR SERVICE AND  
LOADING YARD

Page 23

REV	DATE	AMENDMENTS
<p>ADDRESS: St. Olav's Parade, 1 St Olaves Rd, Hunter Rd, Bury Saint Edmunds IP32 6SP, United Kingdom</p>		
<p><b>FIRE DETECTION LEGEND</b></p> <ul style="list-style-type: none"> <li> SOUNDER</li> <li> VISUAL INDICATOR (BEACON)</li> <li> 6KG 27A FOAM &amp; 2KG CO2 EXTINGUISHERS</li> <li> AREA COVERED BY SMOKE DETECTIONS</li> <li> BREAK GLASS CALL POINT</li> </ul>		
<p><b>RED LINE MEANING:</b> The red line denotes the area of the premises to be licensed space</p>		
<p>PROJECT: BURY ST EDMUNDS, ST OLAVES ROAD</p>		
<p>DESCRIPTION PROPOSED SITE BWS LICENSE LAYOUT</p>		
<p>DRAWING NO. BURYSTEDMUNDSFeaspg##BWSPLAN</p>		
PHASE	2	ISSUE ##
<p>SYSTEM ID. No. BURYSTEDMUNDSFeasbg##.dwg</p>		
SCALE	DATE	
NTS@A2	20.02.2024	
FEASIBILITY MANAGER	TOM BAYLIS	
TBS PLANNER	MOHAMMED AFLAH K H	
		
<p>FEASIBILITY PLANNING STORE PLANNING DEPARTMENT PROPERTY SERVICES HIGHWOODS BUILDING, KESTRAL WAY WELWYN GARDEN CITY, HERTFORDSHIRE, AL7 1GB UK TELEPHONE : 01707 395150</p>		
<p><small>THE COPYRIGHT AND ALL OTHER RIGHTS IN AND RELATING TO THIS PUBLICATION BELONG TO AND ARE THE SOLE PROPERTY OF TESCO STORES LIMITED. ALL RIGHTS ARE RESERVED. NEITHER THE WHOLE NOR ANY PART OF THIS PUBLICATION MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS INCLUDING PHOTOCOPYING AND RECORDING OR FROM ANY RETRIEVAL SYSTEM WITHOUT THE PRIOR WRITTEN LICENCE FROM THE OWNER © 1997 TESCO STORES LIMITED</small></p>		

# HUNTER ROAD

DELIVERY VEHICLE  
ENTRANCE/EXIT

CUSTOMER CAR PARK  
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REAR SERVICE AND  
LOADING YARD

TOTAL DEPTH OF THE STORE 22.28M

TOTAL WIDTH OF THE STORE 24.38M



REV	DATE	AMENDMENTS
<p>ADDRESS: St. Olav's Parade, 1 St Olaves Rd, Hunter Rd, Bury Saint Edmunds IP32 6SP, United Kingdom</p>		
<p><b>FIRE DETECTION LEGEND</b></p> <ul style="list-style-type: none"> <li> SOUNDER</li> <li> VISUAL INDICATOR (BEACON)</li> <li> 6KG 27A FOAM &amp; 2KG CO2 EXTINGUISHERS</li> <li> AREA COVERED BY SMOKE DETECTIONS</li> <li> BREAK GLASS CALL POINT</li> </ul>		
<p><b>RED LINE MEANING:</b> The red line denotes the area of the premises to be licensed space</p>		
<p>PROJECT: BURY ST EDMUNDS, ST OLAVES ROAD</p>		
<p>DESCRIPTION: PROPOSED RETAIL BWS LICENSE LAYOUT</p>		
<p>DRAWING NO. BURYSTEDMUNDSFeasgag##BWSPLAN</p>		
<p>PHASE 2 ISSUE ##</p>		
<p>SYSTEM ID. No. BURYSTEDMUNDSFeasrg##.dwg BURYSTEDMUNDSFeasbg##.dwg</p>		
<p>SCALE DATE 1:100@A2 20.02.2024</p>		
<p>FEASIBILITY MANAGER TOM BAYLIS</p>		
<p>TBS PLANNER MOHAMMED AFLAH K H</p>		
<p>FEASIBILITY PLANNING STORE PLANNING DEPARTMENT PROPERTY SERVICES HIGHWOODS BUILDING, KESTRAL WAY WELWYN GARDEN CITY, HERTFORDSHIRE, AL7 1GB UK TELEPHONE : 01707 395150</p>		
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## APPENDIX C

### Diaper, Dawn

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**From:** Stagg, Dom  
**Sent:** 20 March 2024 12:51  
**To:** licensing  
**Subject:** FW: New premises application - Tesco Express. 1 St Olaves Precinct, BSE - My Ref: WK/202402906  
**Attachments:** New Premises Application - Tesco Express, St Olaves Precinct, Bury St Edmunds.pdf; Plan - Tesco Express, St Olaves Precinct, Bury St Edmunds\_.pdf; Public Notice - Tesco Express, St Olaves Precinct, Bury St Edmunds.pdf

**Categories:** Dawn

Dear Licensing,

I have considered the above application and on behalf of the Private Sector Housing and Environmental Health (PSH & EH) Team wish to submit the following **REPRESENTATIONS** in the interest of promoting the prevention of public nuisance licensing objective.

I am aware there is a parallel Planning Application (DC/24/0362/FUL *a. alterations to shop front on front elevation including repositioning of ATM and removal of doors to units 2 and 3; b. infill of door to rear elevation and enlargement of door to side elevation; c. conversion of existing mixed use units to one commercial unit at 1-3 St Olaves Precinct, Bury St Edmunds, Suffolk, IP32 6SP*). I have submitted comments to the Local Planning Authority in respect of that application, which apply here too in respect of the prevention of public nuisance – the key comments (copied and pasted from my Planning response) are as follows:

*"I am mindful that there are residential dwellings on the first floor above the proposed development, as well as other residential dwellings in the immediate vicinity. I acknowledge that there are existing potential noisy uses at the proposed development (this application being to facilitate the existing three units being merged into one), however I am unaware what hours these operate to.*

*In any event, it feels likely in my opinion that additional external mechanical plant / equipment in the form of refrigeration condensers may be introduced to service the proposed Tesco Express, although no information has been provided about this. Similarly, the proposed retail store will require deliveries / collections to / from the store, which could have an impact on residential amenity over and above the existing units. This impact can arise from vehicle movements (engine noise, reversing alarms etc) and the unloading / loading of metal cage trollies used to deliver stock.*

*In the context of the proposed development and its location / surroundings, I have concerns about hours of opening being from 06:00 to 00:00 hours on 7 days a week potentially having a detrimental impact on the amenity of surrounding residential properties.*

*A quick search for Tesco stores nearby would appear to indicate that these hours are generally 'reserved' for Tesco Superstores, which are more likely to be further away from noise sensitive receptors, and certainly not likely to have dwellings immediately above them.*

*Other Tesco Express stores nearby have opening hours of 06:00 to 23:00, and at least two Superstores (Victoria Road in Diss and London Road in Ipswich) are only open from 08:00 to 22:00.*

*In light of these concerns, I would therefore recommend the following conditions be attached to any permission granted:*

**CONDITIONS**

*1. The opening hours of the premises shall be restricted to the following hours:*

*07:00 to 23:00 hours each day of the week.*

*Reason: To minimise the impact of the development on the locality in the interests of amenity in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.*

*Deliveries to and collections from the development hereby approved shall only take place between the hours of 08:00 and 20:00 Monday to Saturday. There shall be no deliveries or collections on Sundays, public holidays or bank holidays.*

*Reason: To protect the amenity of occupiers of adjacent properties from noise and disturbance, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.*

...

I have recommended other conditions in respect of the planning application, but these are more specific to the Planning application.

However, in addition to the two conditions above (minus the stated Reasons, which are also specific to Planning) I would also recommend the following be attached to any Premises Licence granted:

3. Any external mechanical plant and equipment shall be correctly installed, operated, maintained and regularly serviced, all in accordance with the manufacturer's instructions, to ensure that it is operating correctly and efficiently so as not to cause a nuisance to neighbours arising from noise.

**For the avoidance of doubt, my representations / recommended conditions in the interests of promoting the prevention of public nuisance licensing objective for this Premises Licence application are as follows:**

1. The opening hours of the premises shall be restricted to 07:00 to 23:00 hours each day of the week.
2. Deliveries to and collections from the premises shall only take place between the hours of 08:00 and 20:00 Monday to Saturday. There shall be no deliveries or collections on Sundays, public holidays or bank holidays.
3. Any external mechanical plant and equipment shall be correctly installed, operated, maintained and regularly serviced, all in accordance with the manufacturer's instructions, to ensure that it is operating correctly and efficiently so as not to cause a nuisance to neighbours arising from noise.

*Note: if attached, Condition 1 above would, of course, preclude any authorisation being necessary for the provision of late night refreshment.*

ENDS

Kindest regards,

Dom  
Page

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Dom Stagg  
Environmental Health Officer  
Private Sector Housing and Environmental Health  
Regulatory Services  
Direct dial: 01284 757043

[www.westsuffolk.gov.uk](http://www.westsuffolk.gov.uk)

**West Suffolk Council**

#TeamWestSuffolk

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