



TO COUNCILLOR:

G A Boulter

Mrs L M Broadley

R E Fahey

Dear Councillor *et al*

I hereby **SUMMON** you to attend a **PANEL HEARING** of the **LICENSING SUB-COMMITTEE** to be held at the **COUNCIL OFFICES, STATION ROAD, WIGSTON** on **FRIDAY, 6 OCTOBER 2017** at **10.00 AM** for the determination of the application(s) set out in the Notice below.

Yours faithfully

Council Offices
Wigston
28 September 2017

Mark Hall
Chief Executive

<u>ITEM NO.</u>	<u>NOTICE</u>	<u>PAGE NO'S</u>
1.	Election of Chair	
2.	Apologies for Absence	
3.	Appointment of Substitutes	
4.	Application for a Premises Licence - Spar/Shell Petrol Station, 1-3 Dorset Avenue, Wigston, Leicestershire, LE18 4WB	1 - 75

For more information, please contact:

Licensing
Oadby and Wigston Borough Council
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Leicestershire
LE18 2DR

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Licensing Sub-Committee	Friday, 06 October 2017	Matter for Determination
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Title: **Application for a Premises Licence - Spar/Shell Petrol Station, 1-3 Dorset Avenue, Wigston, Leicestershire, LE18 4WB (Licensing Act 2003)**

Author(s): **James Mortell (Licensing Officer)**

1. Introduction

- 1.1 An application has been received for the grant of a premises licence for the Spa/Shell petrol station at 1-3 Dorset Avenue, Wigston.
- 1.2 A total of four representations have been received. Details of the objectors and their representations are contained in appendix 3 and 4 of this report.
- 1.3 No representations have been received from the Responsible Authorities. However, Leicestershire Police have advised that they will not raise an objection based on the revised hours suggested by the applicant.

2. Recommendation(s)

- 2.1 Members are asked to determine whether the application is to be granted or refused.
- 2.2 If the application is to be granted then members are asked to determine whether the application is to be granted in full as requested, or, if not, what hours and regulated activities are to be granted.

3. Information

- 3.1 The application as submitted, advertised and circulated to the Responsible Authority is for the following regulated activities:

Sale of alcohol (for consumption off the premises)

Monday to Sunday
00:00hrs – 24:00hrs

Late Night Refreshment

Monday to Sunday
23:00hrs – 05:00hrs

Hours premises are open to the public

Monday to Sunday
00:00hrs to 24:00hrs

However, the applicants representatives (Lockett and Co) have indicated that their clients are amenable to the application being amended to the following:

Sale of alcohol (for consumption off the premises)

Monday to Sunday
07:00hrs to 22:00hrs

Late Night Refreshment

No application

Hours premises are open to the public

Monday to Sunday

00:00hrs to 24:00hrs

A copy of the full application and the email confirming the amendment can be found at **Appendix 1**.

- 3.2 All of the required advertising and notifications have been undertaken. No representations from the Responsible Authorities have been received other than an observation from the Police which, having considered the revised times for the sale of alcohol and removal of the Late Night Refreshment element, have no objections to the application. Email confirmation of this can be found at **Appendix 2**.
- 3.3 Representations have been received to the application from 4 persons (three from two residential premises nearby and one from the Baptist Free Church opposite the proposed licensed premises.) Copies of the representations can be found at **Appendix 3**.
- 3.4 Each objector has been contacted and advised of the applicants proposed revised hours of operation. A copy of the responses received can be found at **Appendix 4**.
- 3.5 As well as adhering to the mandatory conditions the applicant is asked, on the application form, to describe the steps they intend to take to promote the licensing objectives. The applicant has stated they will take the following steps:

General (All 4 Licensing Objectives)

A suitable And sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images can be made available upon reasonable request by the Police or other relevant officers of a responsible authority.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken. Training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

A refusals log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon request.

A challenge 25 policy will be operated at the premise, Acceptable forms of identification are a passport, photocard driving licence and PASS accredited identification card.

Spirits (with the exception of spirit mixers and pre mixed spirit drinks) will be located behind the counter.

The Prevention of Crime and Disorder

A suitable And sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images can be made available upon reasonable request by the Police or other relevant officers of

a responsible authority.

Spirits (with the exception of spirit mixers and pre mixed spirit drinks) will be located behind the counter.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken. Training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

Public Safety

A suitable And sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images can be made available upon reasonable request by the Police or other relevant officers of a responsible authority.

The Prevention of Public Nuisance

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken. Training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

The Protection of Children from Harm

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken. Training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

A refusals log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon request.

A challenge 25 policy will be operated at the premise, Acceptable forms of identification are a passport, photocard driving licence and PASS accredited identification card.

Spirits (with the exception of spirit mixers and pre mixed spirit drinks) will be located behind the counter.

- 3.6 A plan of the premises is attached at **Appendix 5**. The premises are still under construction, but are sited opposite the Baptist Church in a residential area. The premises being sited at the junction of Saffron Road and Dorset Avenue.

3.7 **Officers Observations**

The Licensing and Regulatory Committee, and any of its sub panels, have a responsibility, by acting in its capacity as the local Licensing Authority to discharge all of the Council's "licensing functions" as defined under part 2 of the Licensing Act 2003.

When considering and determining the representations set out in the report, the Licensing Panel, acting for the Local Authority, is required by Section 4 of the Licensing Act 2003 to carry out its functions with a view to promoting the four

licensing objectives which are:

1. The prevention of crime and disorder.
2. Public safety.
3. The prevention of public nuisance.
4. The protection of children from harm.

Section 4 of the Licensing Act 2003 also requires the Licensing Authority to have regard to the relevant provisions of the guidance set out in Section 182 of the Act (Secretary of State's Guidance) and the Council's own Licensing Policy.

The Panel may, if it considers it to be in the public interest, or if it considers it necessary for further consideration of any representations made by a party, adjourn the hearing to a specified date or arrange for a hearing to be held on a specified additional dates. This is subject to paragraphs 11 to 13 of the Licensing Act 2003 (Hearings) Regulations 2005 (SI 2005/44).

The Panel is reminded of its duty under the Crime and Disorder Act 1998 to consider the crime and disorder implications of its decisions and the Authority's responsibility to cooperate in the reduction of crime and disorder in the borough.

The Panel is also reminded that the Human Rights Act 1998 guarantees the right to a fair hearing for all parties in the determination of their civil rights. The Act also provides for the protection of property, which may include licences in existence and the protection of private and family life.

Section 52(3) of the Licensing Act 2003 sets out that the Authority (the Licensing Authority) must have regard to the application and any relevant representations and take such steps as it considers necessary, if any, for the promotion of the licensing objectives.

The steps which the Licensing Panel may consider necessary are:

1. To modify the conditions of the new licence.
2. To exclude a licensable activity from the scope of the licence.
3. Refuse to specify a person in the licence as the premises supervisor.
4. Reject the application.

Background Documents:

Licensing Act 2003
Revised Guidance issued under s 182 of the Licensing Act 2003 (Revised April 2017)
Appendices 1 -5

E-mail: james.mortell@oadby-wigston.gov.uk

Tel: (0116) 257 2637

Implications Application for a Premises Licence	
Finance	Not applicable.
James Mortell Licensing Officer	
Legal	The Panel must determine the application in accordance with the provisions of the Licensing Act 2003 and the hearing must be conducted in accordance with the provisions of the Licensing Act 2003 (Hearings) Regulations 2005.
Samuel Ball Senior Democratic Services Officer / Legal Officer	
Corporate Risk(s) (CR)	Not applicable.
James Mortell Licensing Officer	
Corporate Priorities (CP)	Not applicable.
James Mortell Licensing Officer	
Vision & Values (V)	Not applicable.
James Mortell Licensing Officer	
Equalities & Equality Assessment(s) (EA)	Not applicable.
James Mortell Licensing Officer	

APPENDIX 1

Application Form

Email with ammendment

Wardbyfe 7612991524
£19000



Oadby and Wigston
Application for a premises licence
Licensing Act 2003

For help contact

Telephone: 0116 257 2637

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

SPAR, SHELL ST PETERS, LEICESTER

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

HGS (LEICESTER) LIMITED

* Family name

N/A

You must enter a valid e-mail address

* E-mail

sara@lockett.uk.con (agents email)

You must enter a telephone number

Main telephone number

01562 864488 (agents telephone number)

Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House?

Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

09706030

Business name

HGS(LEICESTER) LIMITED

If the applicant's business is registered, use its registered name.

Continued from previous page...

VAT number

Put "none" if the applicant is not registered for VAT.

Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Continued from previous page...

Legal status

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

You must enter a telephone number

Telephone number

Non-domestic rateable value of premises (£)

19,500

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

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NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

HGS (LEICESTER) LIMITED

Details

Continued from previous page...

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

You must enter a telephone number

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality

[Documents that demonstrate entitlement to work in the UK](#)

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OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

Continued from previous page...

This is a former forecourt site which is currently being used as a hand car wash. The site is due to re-open later this year with a brand new convenience store located on the site. The store will trade under the SPAR fascia. An ATM and will be available. There will not be any facilities on site for the maintenance and/or sale of motor vehicles.

The convenience store will have retail area of approximately 870 sq ft. The purpose built store has been designed to serve both the local community along with passing trade. The convenience store will operate 24 hours per day, seven days per week and will stock a range of fresh foods and dairy produce, groceries and other domestic products and will also offer 'express' lunch facilities. In addition dry fuel products such as BBQ charcoal/kindling/logs will be available. Off sales are a standard and expected feature of the convenience store service.

The internal and external digital CCTV system will benefit from a recorder with no less than 31 days image retention. Recordings can be made available to Police and other enforcement agencies as needed.

The convenience store will be operated by the Manager assisted by a team of full time staff. The Designated Premises Supervisor is trained and certified through an accredited scheme and is responsible for training all staff and keeping complete training records. The Challenge 25 trading initiative will be used supported by the refusals system with records kept in the Refusals Log. Till prompts will be used as part of the due diligence measures at site.

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

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

Yes

No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

Yes

No

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PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

Yes

No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

Yes

No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Continued from previous page...

Will you be providing live music?

Yes No

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

Yes No

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Yes No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Standard Days And Timings

MONDAY		Start	<input type="text" value="23:00"/>	End	<input type="text" value="05:00"/>	Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
		Start	<input type="text"/>	End	<input type="text"/>	
TUESDAY		Start	<input type="text" value="23:00"/>	End	<input type="text" value="05:00"/>	
		Start	<input type="text"/>	End	<input type="text"/>	
WEDNESDAY		Start	<input type="text" value="23:00"/>	End	<input type="text" value="05:00"/>	
		Start	<input type="text"/>	End	<input type="text"/>	
THURSDAY		Start	<input type="text" value="23:00"/>	End	<input type="text" value="05:00"/>	
		Start	<input type="text"/>	End	<input type="text"/>	

Continued from previous page...

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

THE PROVISION OF HOT DRINKS AND HEATED SAVOURY SNACK FOODS (E.G PANNINIS, SAUSAGE ROLLS, PASTIES ETC).

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NONE.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

NONE.

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Continued from previous page...

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on
the premises select on, if the sale of alcohol
is for consumption away from the premises
select off. If the sale of alcohol is for
consumption on the premises and away
from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NONE.

Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

NONE.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Continued from previous page...

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

NONE.

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

Continued from previous page...

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NONE.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

NONE.

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LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images can be made available upon reasonable request by the Police or other relevant officers of a responsible authority.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken. Training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

A refusals log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon request.

A Challenge 25 policy will be operated at the premise, acceptable forms of identification are a passport, photocard driving licence and PASS accredited identification card.

Spirits (with the exception of spirit mixers and pre mixed spirit drinks) will be located behind the counter.

b) The prevention of crime and disorder

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images can be made available upon reasonable request by the Police or other relevant officers of a responsible authority.

Spirits (with the exception of spirit mixers and pre mixed spirit drinks) will be located behind the counter.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken. Training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

c) Public safety

Continued from previous page...

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images can be made available upon reasonable request by the Police or other relevant officers of a responsible authority.

d) The prevention of public nuisance

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken. Training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

e) The protection of children from harm

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken. Training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

A refusals log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon request.

A Challenge 25 policy will be operated at the premise, acceptable forms of identification are a passport, photocard driving licence and PASS accredited identification card.

Spirits (with the exception of spirit mixers and pre mixed spirit drinks) will be located behind the counter.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

Continued from previous page...

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. The fee you will pay depends on the information you supply in your application. Guidance on how to calculate the fee is given in the form and you will pay it online. The fee is the same whether you apply online or by post. Businesslink.gov.uk does not charge you for using this service.

* Fee amount (£)

DECLARATION

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:
1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/oadby-and-wigston/apply-1> to upload this file and continue with your application.
Don't forget to make sure you have all your supporting documentation to hand.

Continued from previous page...

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

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

OFFICE USE ONLY

Applicant reference number	<input type="text" value="SPAR, SHELL ST PETERS, LEICESTER"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[< Previous](#) [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)

James Mortell

From: Sara Clement [sara@lockett.uk.com]
Sent: 22 August 2017 09:49
To: James Mortell
Cc: Corrigan Lockett
Subject: Premises Licence application - Spar, Shell St Peters, Dorset Avenue, Leicester, LE18 4WB. Your ref; oadby-and-wigston-508887

Dear James,

Further to our telephone conversation earlier today, please accept this email as confirmation that the applicant wishes to amend the above application as follows:

1. Opening hours; remain as 24 hours per day.
2. Alcohol sale hours; reduce to 07.00-22.00 hours each day.
3. Withdraw the part of the application pertaining to Late Night Refreshment.

We understand that the application will continue in the format applied for and should any representations be received (to date there have not been any) then the representors will be notified of the above changes to the application. Given this, we note there is no requirement to amend the notices at site or the public notice in the newspaper.

May we take this opportunity to thank you for your help in this matter, should you have any queries or require further information, please do not hesitate to contact me.

Kind Regards,

Sara Clement
Licensing Manager

For and on behalf of



Tel: 01562-864488
Fax: 01562-863539

Lockett House, 13 Church Street, Kidderminster, Worcestershire. DY10 2AH
www.lockett.uk.com

Lockett & Co. is a subsidiary of Corrigan Lockett Ltd, registered in England number 2728479

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@LockettCo



<https://www.facebook.com/onestopshoplicensing>



@LockettCo

APPENDIX 2

Police Email relating to revised hours

James Mortell

From: James Mortell
Sent: 12 September 2017 08:28
To: 'Skidmore Tracey'
Subject: RE: PREMISES LICENCE APPLICATION - SPAR, SHELL ST PETERS, DORSET AVENUE, LEICESTER, LE18 4WB. YOUR REF; OADBY-AND-WIGSTON-508887

Thanks Tracey

James Mortell

Licensing Officer
Environmental Health
0116 2572637

From: Skidmore Tracey [mailto:Tracey.Skidmore@leicestershire.pnn.police.uk]
Sent: 12 September 2017 08:12
To: James Mortell
Subject: RE: PREMISES LICENCE APPLICATION - SPAR, SHELL ST PETERS, DORSET AVENUE, LEICESTER, LE18 4WB. YOUR REF; OADBY-AND-WIGSTON-508887

Good Morning James

I have spoken to PC Jon Webb about this application. He is happy with the changes the applicant has made to the alcohol hours and the fact that they have withdrawn the request for late night refreshment.

In view of these changes the Police make no representations against this application.

Kind regards

Tracey Skidmore
Licensing Section
Leicestershire Police
<http://www.leics.police.uk>
<mailto:tracey.skidmore@leicestershire.pnn.police.uk>
Fax +44 0 116 2484394
Switchboard +44 0 116 2222222
Ext. No. 4340, VM No. 7733

From: James Mortell [mailto:James.Mortell@oadby-wigston.gov.uk]
Sent: 11 September 2017 11:57
To: Skidmore Tracey <Tracey.Skidmore@leicestershire.pnn.police.uk>
Subject: FW: Premises Licence application - Spar, Shell St Peters, Dorset Avenue, Leicester, LE18 4WB. Your ref; oadby-and-wigston-508887

Hi Tracey

Please see below an email from the company (Lockett & Co) representing the applicants for the Spar/Shell.

I have passed this information on to the objectors stating the willingness of the applicants to accept the revised times, but this has been rejected by at least one objector.

Sincerely

James Mortell

Licensing Officer
Environmental Health
0116 2572637

From: Sara Clement [<mailto:sara@lockett.uk.com>]

Sent: 22 August 2017 09:49

To: James Mortell

Cc: Corrigan Lockett

Subject: Premises Licence application - Spar, Shell St Peters, Dorset Avenue, Leicester, LE18 4WB. Your ref; oadby-and-wigston-508887

Dear James,

Further to our telephone conversation earlier today, please accept this email as confirmation that the applicant wishes to amend the above application as follows:

1. Opening hours; remain as 24 hours per day.
2. Alcohol sale hours; reduce to 07.00-22.00 hours each day.
3. Withdraw the part of the application pertaining to Late Night Refreshment.

We understand that the application will continue in the format applied for and should any representations be received (to date there have not been any) then the representors will be notified of the above changes to the application. Given this, we note there is no requirement to amend the notices at site or the public notice in the newspaper.

May we take this opportunity to thank you for your help in this matter, should you have any queries or require further information, please do not hesitate to contact me.

Kind Regards,

Sara Clement
Licensing Manager

For and on behalf of



Tel: 01562-864488
Fax: 01562-863539

Lockett House, 13 Church Street, Kidderminster, Worcestershire. DY10 2AH
www.lockett.uk.com

APPENDIX 3

Initial representations from the objectors
to the application

Jacqueline L Berwick
7 Dorset Avenue
Wigston
Leicester
LE18 4WB

30th August 2017

Borough of Oadby & Wigston
Council Offices
Station Road
Wigston
Leicestershire
LE18 2DR

For the attention of Mr T Boswell (Licensing officer)

Re: proposed applications to 1 – 3 Dorset Avenue, Wigston

I strongly object to the planning applications listed below.

1. Authorise 24 hour opening.

This will cause great disturbance and continuous noise to residential houses only a few feet from the premises.

2. Re-siting of car wash (Application 17/00322/FUL)

Noise from the pressure washer and high pitched vacuum cleaner have been heard inside no.s 5, 7, and 9 Dorset Avenue on a daily basis and it is now proposed to move the equipment nearer to the houses.

* **3. Sale of alcohol on a 24 hour basis.**

This should not be permitted. It will be an attraction for groups of youths to be loitering around. In the past the police have been called to disperse groups from outside the Baptist Church and the street in the early hours, i.e. 4am, on more than one occasion.

4. Sale of refreshments

- * Heavy goods vehicles use the Saffron Lane/Road throughout the night. Pulling into the filling station will cause disturbance to houses nearby when using their airbrakes. Also cars using the shop may have loud car radios/music.

5. Medical

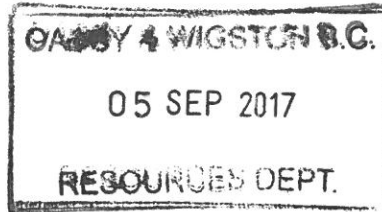
I personally suffer from a non-curable illness which affects my sleep pattern and causes considerable pain. (Fibromyalgia)

This is a residential area and the proposed hours are totally unacceptable. Permission was not granted before and nothing has changed, so why should it now. We have lived here for 37 years. These proposals are the worst yet. The owner of the property has been to see us and is of the opinion that the 24 hour opening will be given. Our property will lose value and affect any probable sale in the future.

JL. Berwick
.....
Jacqueline L Berwick

Eyres Monsell Baptist Free Church

Oadby & Wigston Council
Station Road
Wigston
Leicestershire
LE18 2DR



Eyres Monsell Baptist Free Church
2-4 Dorset Avenue
South Wigston
Leicestershire
LE18 4UP
Date 2 September 2017

For the attention of the Licensing Officer

Dear Sir/Madam,

The matter that I am writing to you about has been brought to my attention by a number of members of the church that I am the Minister of. I find that a number of people look to me as the Minister of the church to provide a lead not only in Christian matters, but in other things as well, therefore this letter is in my name, but does represent the views of many in this church.

My understanding is that on the same site it is planned, (maybe already granted) to supply and serve petrol 24 hours a day. I accept that people like an alcoholic drink, but it is against the law to drink and drive, so in my opinion it makes no sense at all to sell and supply both fuel for vehicles and alcohol 24 hours a day on the same site.

As a church we also have children, young people and vulnerable adults on our premises at different points throughout most days each week. We as a church have a duty to do the best for them we can and strongly object to these people being subjected to such a planned provision right opposite the church.

Furthermore we already suffer from graffiti, rubbish and other forms of anti-social behaviour and cannot see any other result, except more of the same should this application be granted. As a church we do a lot of community work and are looking to increase this aspect of our work in the coming months and years. We enjoy very good support from people in the community, but nevertheless if you were kind enough to visit our church on Dorset Avenue opposite the site in question, you would see for yourself at least some of the problems that we already experience. If this application were granted, I am certain with my knowledge and experience of the last 15 years in this area that these problems would increase and the local residents would be the ones picking up the bills for repairs, damage etc.

I have taken the trouble to speak to a number of local residents and have not found a single person who thinks that this application should be granted. No-one that I have spoken to thinks that 24 hour Petrol/Diesel and Alcohol is necessary or sensible.

Though Dorset Avenue is a wide road, the mini roundabout at the junction of the road with Saffron Lane/Saffron Road does see a lot of near misses, accidents and incidents in the vicinity.

When there was a garage on the site before, the mini roundabout was not in being and the traffic volume in the area was less than now. The planned facility of vehicle fuel 24 Hours a day, the supply of alcohol 24 hours a day, a car wash and light refreshments in unsocial hours for such a small site seems to me to be cramming too much in the same space and if granted would lead in my opinion to the likelihood of more near misses, incidents, crashes, anti-social behaviour etc.

In addition the application includes permission to serve late night refreshments from 11.00pm-5am and once more having spoken to a number of local residents cannot find a single person who would make use of this, so just who is this proposed service supposed to benefit, because it appears it is not aimed at the local residents.

In my opinion there is no need for the provision of 24 hour fuel or alcohol or late night/early morning refreshments as outlined in this application and I am against this application being granted.

Yours Sincerely



Chris Weston

Minister

Eyres Monsell Baptist Free Church

MR T. BERWICK

7 DORSET AVE

RE - SPAR/PETROL STATION WIGSTON LEICS

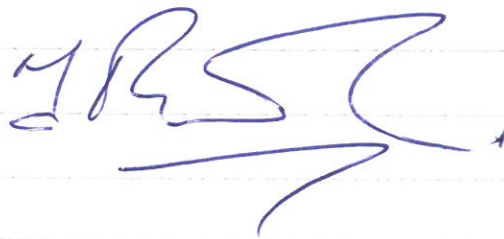
1-3 DORSET AVE.

LE18 4W8

DEAR SIRS.

CONCERNING THE PROPOSALS FOR 24 HR SALE OF ALCOHOL & LATE NIGHT REFRESHMENTS I HAVE NEVER HEARD OF ANYTHING SO RIDICULOUS. THIS IS A RESIDENTIAL AREA & THESE PROPOSALS ARE NOTHING LESS THAN FOR A GLOIFIED ALL NIGHT TRANSPORT CAFE AND AN ATTRACTION FOR ALL THE TROUBLE MAKERS, DRUNKS AND ALCOHOLICS IN THE AREA. I STRONGLY OBJECT TO THESE PROPOSALS AS I SUSPECT MOST PEOPLE IN THE AREA WILL DO.

YOURS



[Faint, illegible handwriting on lined paper]

James Mortell

From: James Mortell
Sent: 31 August 2017 09:49
To: 'Eduard Masters'
Subject: RE: Premises licence application Spa, Shell, Dorset Avenue.

Dear Mr Kilby

Thank you for the clarification.

I will advise you of any developments as the application progresses.

Sincerely

James Mortell

Licensing Officer
Environmental Health
0116 2572637

From: Eduard Masters [mailto:bilko85@hotmail.com]
Sent: 31 August 2017 09:46
To: James Mortell
Subject: RE: Premises licence application Spa, Shell, Dorset Avenue.

Dear Mr Mortell

Thank you for your Email and Information.

My Address is 6 Dorset Ave, South Wigston, Leicester. LE18 4WB

My objection is based on all of the Licensing objectives.

I have little issue with the Day time sales of Alcohol

My main concern is the sales after 4-pm & up to 2-am, I fear that this is where the problems will arise !.

Sincerely
Frank Kilby

Sent from [Mail](#) for Windows 10

From: [James Mortell](#)
Sent: 30 August 2017 16:23
To: ['Eduard Masters'](#)
Subject: RE: Premises licence application Spa, Shell, Dorset Avenue.

Dear Mr Kilby

Thank you for the email (below)

I note that you are wishing to object to the grant of the premises licence in respect of the Spa/Shell on Dorset Avenue.

I would advise you that any objection to the grant of a licence to sell alcohol for consumption off the premises is a matter that can be considered by the Licensing Team. The actual opening hours of the premises is a planning matter and cannot be considered as part of the Licensing Application.

In order to consider your objection I would be grateful if you would advise me which (or all) of the licensing objectives your objection is relevant to, and, if possible, any supporting evidence that you may have. I would also be grateful if you would provide me with your home address. In the event of a hearing these details will be needed.

With regard to the licensing application it is possible that the hours for the sale of alcohol and Late Night Refreshment can be negotiable and it will be helpful if you could advise me of any hours adjustments that you would find acceptable.

I look forward to your response.

Sincerely

James Mortell

Licensing Officer

Environmental Health

0116 2572637

From: Eduard Masters [<mailto:bilko85@hotmail.com>]

Sent: 29 August 2017 12:59

To: James Mortell

Subject: RE: Premises licence application Spa, Shell, Dorset Avenue.

Dear Mr Mortell,
Re Premises licence application;
Shell Spa, Dorset Avenue

Thank you for the information.

I wish to strongly object to the granting of this Licence .

The Site has a history of attracting trouble, mainly caused by children and Teenagers.

Groups would regularly congregate and loiter in and around this Petrol Station.

This would often cause noise & nuisance and sometimes thefts from the shop & forecourt, and on occasions damage to nearby boundary walls and fencing.

In general the site was a thorn in the side to some local residents !.

When the site was closed at 10pm, the groups would then disperse and the problems would largely cease ! .

I fear that increased opening hours and the Granting of a alcohol licence would only resurrect and exacerbate the problems associated with this Site

I would point out that over several years when the site was operated as a Carwash only, and was closed by 7.pm, although there were still issues, we actually experienced a lot less trouble in the local area !.

Yours
Sincerely
Frank Kilby

Sent from [Mail](#) for Windows 10

From: [James Mortell](#)
Sent: 25 August 2017 15:28
To: 'bilko85@hotmail.com'
Subject: Premises licence application Spa, Shell, Dorset Avenue.

FAO Frank Kilby

You for your telephone call earlier today

I would advise you as follows:

The application can be found on the Council website using this link.

https://www.oadby-wigston.gov.uk/pages/alcohol_and_entertainment_licensing_notices

The application is for 24/7 alcohol sales for consumption off the premises. For a late night refreshment licence (for the sale of hot food) between 23:00hrs and 05:00hrs, 7 days a week.

If you wish to attend the Council Offices to view the application please contact me to make the arrangements.

As mentioned in the telephone call, any objections must be made in writing and must be based on any, or all, of the licensing objectives which are:

1. the prevention of crime and disorder,
2. public safety,
3. prevention of public nuisance, and
4. the protection of children from harm

Should you raise an objection this will be considered with a view to whether mediation can obtain a satisfactory outcome for all parties, or, if not, the matter would proceed to a hearing here at the Council Offices.

If you need any further information please contact me.

Sincerely

James Mortell

Licensing Officer

Environmental Health



Oadby & Wigston
BOROUGH COUNCIL

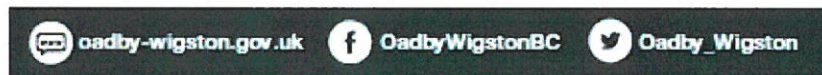
Customer Service Centre: 40 Bell Street, Wigston, Leicestershire LE18 1AD.

Postal Address: Council Offices, Station Road, Wigston, Leicestershire LE18 2DR

T: 0116 257 2637

F: 0116 288 7828

E: james.mortell@oadby-wigston.gov.uk



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APPENDIX 4

Revised offer letter and responses from
the objectors to the application

James Mortell

From: Eduard Masters [bilko85@hotmail.com]
Sent: 06 September 2017 08:44
To: James Mortell
Subject: RE: Premises Licence Application. Spar, Shell, Dorset Avenue

Dear Mr Mortell

Thank you for your update. As the proposed amendments would have little or no impact on my main concerns, I most certainly do wish to continue with my strong objection

Sincerely
Frank Kilby

Sent from [Mail](#) for Windows 10

From: [James Mortell](#)
Sent: 05 September 2017 16:34
To: '[Eduard Masters](#)'
Subject: Premises Licence Application. Spar, Shell, Dorset Avenue

Dear Mr Kilby

Further to my last email, I would advise you that the agents for the applicants have agreed that the application can be amended to reduce the times applied for.

The details are listed below:

CURRENT APPLICATION	PROPOSED AMENDMENTS
Alcohol Sale Hours	Alcohol Sale Hours
00:00 – 00:00	07:00hrs – 22:00hrs
Seven Days a Week	Seven Days a Week
Late Night Refreshment Hours	Late Night Refreshment Hours
23:00hrs – 05:00hrs	Withdrawn
Seven Days a Week	

Please note that the 24 hour opening element does not fall under the Licensing Act 2003 and therefore cannot be considered as part of the Licensing application.

I would be grateful if, given the information above you would advise me whether you wish to continue with, or withdraw, your objection.

If you would like any clarification or further information please do contact me either by letter, email or using the telephone number at the top of this letter.

Sincerely
James Mortell
Licensing Officer



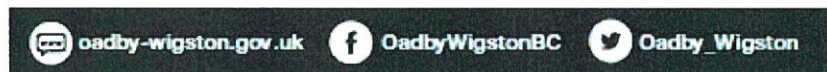
Customer Service Centre: 40 Bell Street, Wigston, Leicestershire LE18 1AD.

Postal Address: Council Offices, Station Road, Wigston, Leicestershire LE18 2DR

T: 0116 257 2637

F: 0116 288 7828

E: james.mortell@oadby-wigston.gov.uk



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Jacqueline Berwick
7 Dorset Avenue
Wigston
Leicester
LE18 4WB

Please Ask For: James Mortell
Direct Dial: (0116) 257 2637 **Ext:** 637

Email: James.mortell@oadby-wigston.gov.uk

Our Ref: JM/PLASpar/JLB

Date: Tuesday, 05 September 2017

Dear Jacqueline

Re: Licensing Act 2003 – Application for a premises licence.

In my previous correspondence I stated tha the proposed hours of alcohol sales and Late Night Refreshment (hot food) can be open to negotiation prior to any hearing and it again would be helpful if you would indicate whether any adjustment to these hours would be acceptable to you and if so, what those adjusted hours are.

I am advised that the agents for the applicants have agreed that the application can be amended to reduce the times applied for. These details can be found on the reverse of this letter.

CURRENT APPLICATION	PROPOSED AMENDMENTS
Alcohol Sale Hours	Alcohol Sale Hours
00:00 – 00:00	07:00hrs – 22:00hrs
Seven Days a Week	Seven Days a Week
Late Night Refreshment Hours	Late Night Refreshment Hours
23:00hrs – 05:00hrs	Withdrawn
Seven Days a Week	

Please note that the 24 hour opening element does not fall under the Licensing Act 2003 and therefore cannot be considered as part of the Licensing application.

I would be grateful if, given the information above you would advise me whether you wish to continue with or withdraw your objection.

If you would like any clarification or further information please do contact me either by letter, email or using the telephone number at the top of this letter.



Yours Sincerely

James Mortell

James Mortell
Licensing Officer
Environmental Health, Licensing.

7, Dorset Avenue
Wigston
Leicestershire LE18 4WB
4th Sept 2017

Oadby & Wigston Borough Council
Council Offices
Station Rd.
Wigston.
Leics, LE18 2DR.

Attention of Mr. J. Martell JM/PLASper/JUB

Dear Sir,

Further to your letter dated 30th Aug.

I have not received any notification regarding your application for a Liquor Licence.

I object to all the points stated as per the reasons set out in my previous letter.

This matter came to light when a small notice was attached to the gate of the premises. (It has now been replaced by a larger one)

Whilst you "stress" that the opening hours of the premises are not a matter that can be considered in relation to the licence application. The notice attached to the gate states Application for Licence, hours 00-24hrs.

I await your comments.

Jaqueline L. Bewick.



Mr T Berwick
7 Dorset Avenue
Wigston
Leicester
LE18 4WB

Please Ask For: James Mortell
Direct Dial: (0116) 257 2637 **Ext:** 637

Email: James.mortell@oadby-wigston.gov.uk

Our Ref: JM/PLASpar/TB

Date: Tuesday, 05 September 2017

Dear Mr Berwick

Re: Licensing Act 2003 – Application for a premises licence.

In my previous correspondence I stated that the proposed hours of alcohol sales and Late Night Refreshment (hot food) can be open to negotiation prior to any hearing and it again would be helpful if you would indicate whether any adjustment to these hours would be acceptable to you and if so, what those adjusted hours are.

I am advised that the agents for the applicants have agreed that the application can be amended to reduce the times applied for. These details can be found on the reverse of this letter.

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I would be grateful if, given the information above you would advise me whether you wish to continue with or withdraw your objection.

If you would like any clarification or further information please do contact me either by letter, email or using the telephone number at the top of this letter.



Yours Sincerely

James Mortell

James Mortell
Licensing Officer
Environmental Health, Licensing.

MR. T. BERWICK
7, DORSET AVE
WIGSTON
LEICS.
LE18 4WB

DEAR MR MORTELL

RE-YOUR LETTER 30-08-17

MY COMMENTS APPLY TO ALL FOUR OF YOUR OBJECTIVES.

AS REGARDS MY COMMENTS ON ATTRACTION FOR TROUBLE MAKERS ETC, THIS WAS REGARDS PROPOSALS IE IN THE FUTURE-FOR PREMISES NOT YET BUILT. IT WOULD BE VERY DIFFICULT THEREFOR TO GIVE EVIDENCE OF THIS, ALTHOUGH IN THE PAST THERE HAVE BEEN MANY OCCASIONS OF THIS INCLUDING STOLEN FOODS BEING LEFT IN OUR GARDEN WITH PEOPLE TRYING TO RETRIEVE THEM LATER

AS REGARDS NEGOTIATION OF HOURS I HAVE ALREADY MADE IT CLEAR TO YOUR PLANNING DEPT THAT THE CURRENT PLANNING PERMISSION FOR THE PREMISES AS INDICATED BY YOUR MR ALEX MATTHEWS OF 7.00 TO 22.00 HOURS SHOULD BE ADHERED TO.

YOURS.



[Faint, illegible handwritten text, possibly bleed-through from the reverse side of the page. Some words like "2025" and "2024" are faintly visible.]



Chris Weston
Minister
Eyres Monsell Baptist Free Church
2 – 4 Dorset Avenue
South Wigston
Leicestershire
LE18 4UP

Please Ask For: James Mortell
Direct Dial: (0116) 257 2637 **Ext:** 637
Email: James.mortell@oadby-wigston.gov.uk
Our Ref: JM/PLASpar/CW
Date: Tuesday, 05 September 2017

Dear Chris Weston

Re: Licensing Act 2003 – Application for a premises licence.

Thank you for your letter dated 2nd September 2017 reference an application for a premises licence in respect of 1 – 3 Dorset Avenue, Wigston.

For clarification I would advise you that any objection to the grant of a premises licence must be based on the four licensing objectives. For your information these are:

1. the prevention of crime and disorder,
2. public safety,
3. prevention of public nuisance, and
4. the protection of children from harm

I appreciate that not all objections will fall in to all four categories. However, there may be some overlap and it would assist in processing this matter if you would clarify which objective(s) fit your comments. It would help Members of the Licensing Panel to determine the application should the matter proceed to a formal hearing, if you can supply any supporting evidence reference your comments about the premises suffering from graffiti, rubbish and other forms of anti-social behaviour. (Time, dates, Police incident numbers or anything that helps to establish your comments) If the matter does go to a hearing then you, and the applicants representatives, will be invited to the hearing to personally put forward your objections.

The proposed hours of alcohol sales and Late Night Refreshment (hot food) can be open to negotiation prior to any hearing and it again would be helpful if you would indicate whether any adjustment to these hours would be acceptable to you and if so, what those adjusted hours are. I am advised that the agents for the applicants have agreed that the application can be amended to reduce the times applied for. These details can be found on the reverse of this letter.



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Please note that the 24 hour opening element does not fall under the Licensing Act 2003 and therefore cannot be considered as part of the Licensing application.

I would be grateful if, given the information above you would advise me whether you wish to continue with or withdraw your objection.

If you would like any clarification or further information please do contact me either by letter, email or using the telephone number at the top of this letter.

Yours Sincerely

James Mortell

James Mortell
Licensing Officer
Environmental Health, Licensing.

Eyres Monsell Baptist Free Church

Oadby & Wigston Council
Station Road
Wigston
Leicestershire
LE18 2DR

Eyres Monsell Baptist Free Church
2-4 Dorset Avenue
South Wigston
Leicestershire
LE18 4UP

Date 12 September 2017

For the attention of James Mortell Licensing Officer Environmental Health

Dear James,

Thank for your letter of 5 September 2017, which was passed to me on Sunday 9 September 2017. I am very grateful for the information you have given me in relation to the Licensing Act 2003 and specifically to the application relating to 1-3 Dorset Avenue.

Your letter of 5 September 2017 contains proposed amendments to the current application. I am pleased to see that the provision of late night refreshments is to be withdrawn. As to the Alcohol sales hours being reduced from 24 hours to 7am-10pm, whilst this too is welcome, I am not entirely sure that this addresses the issues. It is still proposed to sell and supply both fuel for vehicles and alcohol for a good proportion of a 24 hour period, seven days a week on the same site. I maintain that this is still encouraging drivers of different types of vehicles to drink and drive and therefore break the law. There is the possibility that through the sales of alcohol from this site, that drivers will drink and drive and incidents occur. In my opinion if a licence is not granted there will be no possibility of crime being committed due to the consumption of alcohol from this site. It is a well known fact that when people get drunk, they are difficult to handle. We have had people drunk around the church premises at night on two occasions that I know of. One caused us to stop holding a watch night church service on Christmas Eve to see Christmas Day in. The other was on a Boy's and Girl's brigade night, when two lads who on their bikes going round the back of the church, came across a chap lying down at the back of the church by our fire exit doors. The police refused to come and attend, stating that he was not actually breaking any law; the home he lived at refused to come out, because they had no staff available to attend to him. Myself and another person tried to get him up, but to no avail, eventually we reluctantly called 999 again and an ambulance attended and took him to hospital for his safety. There are no crime numbers for either of these incidents, because the one on Christmas eve we dealt with ourselves at the time and decided in the interests of the safety of the folk at the church not to hold that particular service again. A further incident of anti social behaviour was on Boxing Day 2014, when we arrived at church to find that one of the window panels at the front of the church had been kicked in, there being a footprint on the glass, the police attended, but were unable to find the culprit(s).

A more recent event was on Saturday 10 December 2016, when arriving at the church, there was an abandoned vehicle that had come across the corner of Dorset Avenue, mounted the curb and hit the step of the church, went

Witness Statement of [Name Redacted]

I, [Name Redacted], of [Address Redacted], do hereby certify that the following is a true and correct copy of the [Document Redacted] as shown to me by [Name Redacted] on [Date Redacted].

I declare under oath that the above is a true and correct copy of the [Document Redacted] as shown to me by [Name Redacted] on [Date Redacted].

The [Document Redacted] was shown to me by [Name Redacted] on [Date Redacted] at [Location Redacted]. I am a [Relationship Redacted] of [Name Redacted] and I am [Age Redacted] years of age.

I am a [Occupation Redacted] and I have been [Duration Redacted] years in the [Industry Redacted]. I am [Marital Status Redacted] and I have [Number Redacted] children.

I have read the [Document Redacted] and I understand its contents. I have signed this statement in the presence of [Name Redacted] and [Name Redacted].

I have signed this statement on [Date Redacted] at [Location Redacted]. I have signed this statement in the presence of [Name Redacted] and [Name Redacted].

I have signed this statement in the presence of [Name Redacted] and [Name Redacted]. I have signed this statement in the presence of [Name Redacted] and [Name Redacted].

I have signed this statement in the presence of [Name Redacted] and [Name Redacted]. I have signed this statement in the presence of [Name Redacted] and [Name Redacted].

I have signed this statement in the presence of [Name Redacted] and [Name Redacted]. I have signed this statement in the presence of [Name Redacted] and [Name Redacted].

I have signed this statement in the presence of [Name Redacted] and [Name Redacted]. I have signed this statement in the presence of [Name Redacted] and [Name Redacted].

backwards and came to a stop. The police arrived quickly and were very helpful, the vehicle being moved that morning. Inside the vehicle were a number of beer cans.

As I stated in my previous letter, we have children, young people and vulnerable adults on our premises at different points throughout most days each week. In my opinion people who get drunk are a public nuisance. As I have dealt with a number of drunk people in my life, I have found that it is impossible to talk sense to them and they can often be violent and awkward as a result. As Eyres Monsell Baptist Free Church is a church seeking to be positively involved in the community, I cannot see that having such a provision opposite the church is helpful to this local community who as far as I can ascertain are not asking for or wanting such a provision on their doorstep.

With reference to your request for supporting evidence of the graffiti, rubbish and other forms of anti-social behaviour that we have suffered. This has gone on since the church was built, including two youngsters breaking in and setting fire to the building, which was many years ago. I have been at this church as the Minister for the last fifteen years. During that time we have had so many instances of the above that I cannot possibly detail them all. What we did was to handle them ourselves and replace, repair what we could as and when we had money available to do so. I have enclosed photographs which show various parts of the church building that have suffered graffiti, that as yet we have not attended to. I have also included photographs of windows that have suffered pellet indentations including some that were done the night of new windows being put in. In my opinion there is no way that we or the police would know or be able to find out who did these things. As such I maintain that if this licence is granted it is likely to lead to an increase of anti-social behaviour in the area of the type that I am outlining. I repeat you or any official from the council are welcome to come and visit the church and see for yourself the current level of graffiti etc that we have. As far as rubbish, including glass is concerned, if it is around the church grounds, that is always cleared by myself or a member of the church. We have no photographic evidence, but if you require such evidence I can provide it in the future if you request it.

Though Dorset Avenue is a wide road, the mini roundabout at the junction of the road with Saffron Lane/Saffron Road does see a lot of near misses, accidents and incidents in the vicinity. Should the application be granted there will be a likely increase in traffic in the immediate area and therefore this will increase the likelihood of accidents/incidents, which is a safety concern.

A further safety issue is this. The planned facilities of having vehicle fuel, a Spar shop with alcohol, a car wash and a new waiting area for such a small site seems to me, to be cramming too much in the same space and if granted would lead in my opinion to the likelihood of more collisions, near misses, incidents, crashes, anti-social behaviour etc. When there was a car wash until recently on this site, at times there were queues of cars spilling out onto Dorset Avenue, causing a hazard for the oncoming traffic. Given all the facilities that are planned for this site, surely there is a likelihood of the same happening once more.

Yours Sincerely

Eric Photographs

CC Weston Chris

Minister Eyres Monsell Baptist Free Church

...and the fact that the police were not helpful, the
...of the police was a number of days ago.
...I started to get my own letter, and I was very happy.
...adult on one occasion, and I was very happy.
...of the police was a number of days ago.
...of that, people in my life, I have found that it is impossible to talk sense to them
...and they can often be violent and as a result, I have a difficult time
...I have a difficult time to be positive, and in the meantime, I am not
...in a way that is helpful to the best community.
...who are far from happy, and not asking for a change in their
...the steps.

With reference to your report for supporting and promoting the
...gentle and kind and other forms of well-being, behaviour that is not self-harm. This
...was found on since the church was built in the 19th century, and it was
...setting fire to the building, which was many years ago. I have been in this church for
...the Minister for the last 10 years. During that time we have had so many
...instances of the above that I cannot go into detail. What we did was to
...help them ourselves and assist people who would not want to be in the
...available to do so. I have a hard time to show various parts of the
...church building that have a hard time to show various parts of the
...also included photographs of people who were not helped by the
...including some that were done in the middle of the night, being in the city centre
...there is no way that we can help, and we are not able to find out what they
...did. As such, I cannot say that this is a good thing, but it is a good thing to do
...interest of well-being, behaviour that is not self-harm, and I am not asking for
...part of my effort to help people who are not able to help themselves.
...see for yourself the current level of gentleness that we have, and as a result,
...including those in contact with it. It is a hard time to show various parts of the
...by itself or a number of days ago. It is a hard time to show various parts of the
...remain such a hard time to show various parts of the.

Through Down, I have a wide view of the main road, and in the
...portion of the road with the bus and the other road, and a lot of the main road
...and events and incidents in the vicinity. Should the opportunity be given, there will
...be a little more in traffic in the morning, and that is what the will increase
...the likelihood of accident incidents, which is a safety concern.
...A further effort is to be made. The amount of traffic is of varying levels,
...that a shop with a shop, and a few other things, and a few other things, and a few
...she seems to me to be remaining too much in the same place and it would
...lead in my opinion to the likelihood of more accidents, and more accidents, and more
...traffic, and social behaviour. What they are doing is to help and help people in the
...ity of those that were given of the police, and one of the things that we are
...plans for the coming months, and in the meantime, we are planning for the
...there is a likelihood of the same happening once more.
...the likelihood of the same happening once more.

Graffiti on Back church wall



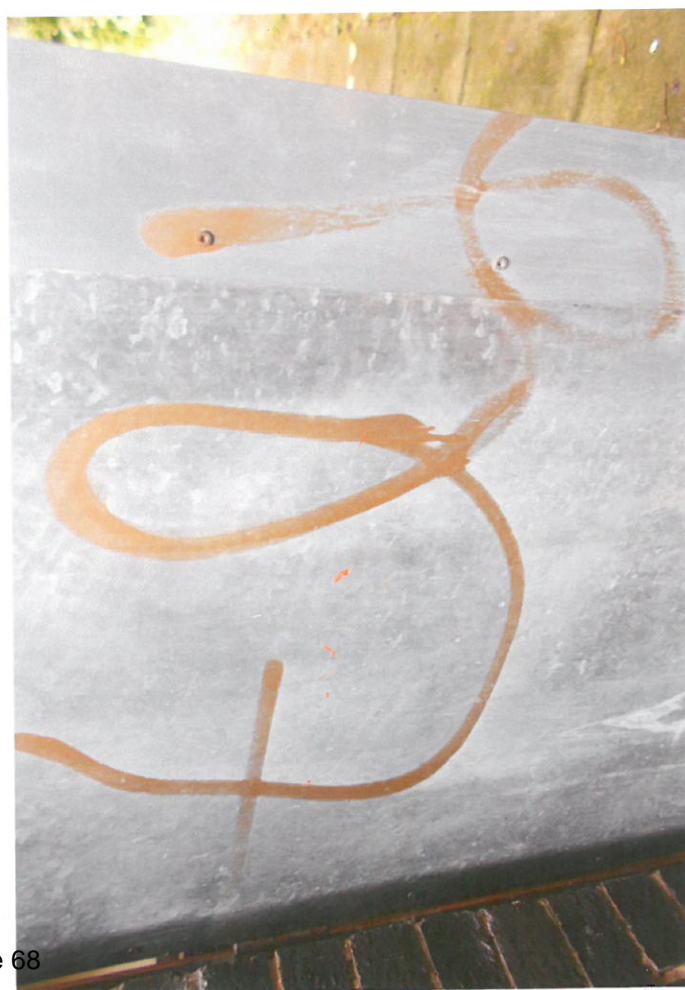
Pellet Hole in window



Graffiti on Back church wall



Grills on window to protect



Graffiti on fire door



Graffiti on Door Panels

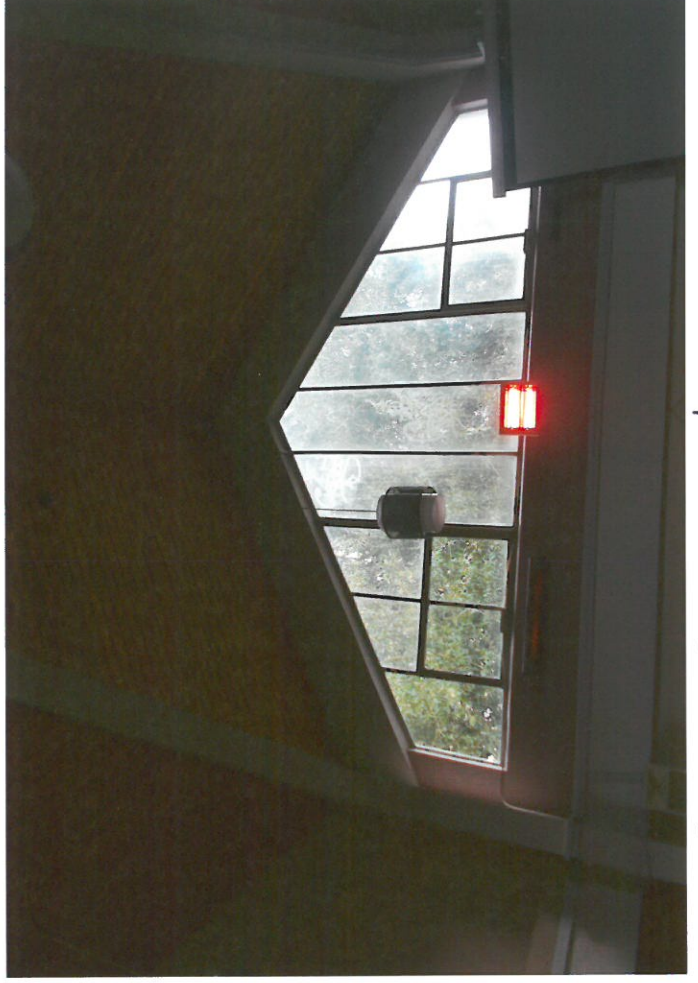


Grills to protect window & Door

GRAFFITI on windows scratched on



Pellet Hole in window



APPENDIX 5

Premises Plan

