

Alcohol and Regulated Entertainment Sub-Committee
8 August 2024

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the ALCOHOL AND REGULATED ENTERTAINMENT SUB-COMMITTEE held on Thursday 8 August 2024 at 2.30 pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE

PRESENT: Councillors
D.Jones, J.Quinton and B.Sarson

OFFICIALS N.Tupling, Licensing Officer
PRESENT: S.Sheriff, Regulatory Senior Lawyer
C.Cade, Governance Services Manager

4. APPOINTMENT OF CHAIRMAN

Councillors Quinton and Sarson moved and seconded that Councillor Jones be appointed Chair of the meeting.

5. DECLARATIONS OF INTERESTS BY MEMBERS

There were no declarations of interest.

6. APPLICATION FOR GRANT OF A PREMISES LICENCE FOR LONDIS
WELHAM SERVICE STATION, DELLSOME LANE, WELHAM GREEN,
HATFIELD, AL9 7NF

Introduction and Procedure

The purpose of the meeting was to consider an application for a licence for Welham Service Station, Dellsome Lane, Welham Green, Hatfield, AL9 7NF for the Sale of alcohol for consumption off the premises Monday - Sunday 06:00-23:00.

The applicant is in line with legislation by displaying Blue Notices at the Premises on the 25th June 2024 and advertised the application in the Welwyn Hatfield Times on the 3rd July 2024, the Public register was updated and placed on the Councils website and all the Responsible Authorities, Parish Councils and Councillors were notified

The Licence Hearing is a result of the Licensing Authority receiving formal written relevant objections from the North Mimms Parish Council. The representations against the notice have been submitted under the Licensing Act 2003 on the statutory grounds of:

- Public Safety
- Protection of children from harm
- Prevention of public nuisance.

Alcohol and Regulated Entertainment Sub-Committee
8 August 2024

Documentary Evidence

The report of the Licensing Officer, the premises licence application and supporting documents, along with written representations from the relevant authorities which had been previously circulated.

Report of the Licensing Officer

The Licensing Officer presented the report.

The application submitted was for the grant of a premise licence by Miles Retail Limited for Welham Service Station, Dellsome Lane, Welham Green, Hatfield, AL9 7NF. The premises was a commercial unit which forms part of a recently renovated petrol service station premises located on Dellsome Lane within Welham Green. The commercial unit has been used previously when the premises was previously operating as a petrol service station and as part of a MOT/Service centre.

The application was submitted for the Sale of alcohol for consumption off the premises Monday - Sunday 06:00-23:00.

In determining the application, the sub-committee may on behalf of the licensing authority, and having regard to the promotion of the licensing objectives, statute, guidance and policy decide on the following courses of action:

- a) To grant the licence as proposed.
- b) To modify the conditions of the licence by altering or omitting or adding to them (and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added).
- c) To exclude any of the licensable activities to which the application relates.
- d) To refuse to specify a person in the licence as the designated premises supervisor.
- e) To reject the whole of the application or part of it.

The Applicant's agent, Sally Hills, Hill Licensing

The following points were made and noted:

- The forecourt would be under a franchise agreement and the application is inline with the requirements of this.
- The premises would be a convenience store which would sell a small selection of alcohol alongside the petrol station. It was highlighted that approximately 1 in 10 customers currently ask if the petrol station sells alcohol.
- There are a number of off licenses in the area already with similar opening hours.
- There is a night hatch used for all sales after 10.30pm.

North Mimms Parish Council, Teresa Travell

The following points were made and noted:

Alcohol and Regulated Entertainment Sub-Committee
8 August 2024

- The North Mimms Parish Council Planning Committee discussed the application and had the following concerns:
 - Excessive opening hours
 - An increase in anti-social behaviour
 - Childrens safety
 - There already being a number of shops opposite selling alcohol,
- It was noted that an additional concern was young people being able to access alcohol.

Following the addresses to the Committee, the following points were raised:

- The other Londis in the village no longer exists as it had been taking over from a private company.
- It was queried why the Council turned down the later start time for selling alcohol. The Parish Council had been advised and they confirmed the objections remain.
- It was asked how many residents there were in Welham Green. It was said that there were approximately 2,000 residents.

The applicant's agent and then the objectors made final addresses to the Alcohol and Regulated Sub-Committee. The applicant at this point made the offer to change the licensing hours to 8am-11pm.

The Alcohol and Regulated Sub-Committee retired to deliberate a decision.

Determination

The Alcohol and Regulated Sub-Committee considered the application for a licence, for the sale of alcohol for consumption off the premises Monday – Sunday 06:00 – 23:00.

The Sub-Committee heard representations from the applicants agent and the objectors, North Mymms Parish Council.

In its deliberation the Sub-Committee considered all written and oral evidence, and the licensing objectives, of the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm, raised in representations. It also considered the National Guidance and the Council's Licensing Policy.

The Sub- Committee considered the premises plan, area and location.

The Sub-Committee did not take into account, the matters raised on the grounds of the prevention of public nuisance, in relation to the existence of a number of premises that already sell alcohol in the area, and the objection that therefore, another outlet is not required. The reason for this being, that the Licensing Authority do not currently have a cumulative impact policy where the Council can limit the growth of licensed premises in a specified area, and as such, the Sub-Committee could not consider this when determining the licence application.

Alcohol and Regulated Entertainment Sub-Committee
8 August 2024

The Sub-Committee considered the objectors submission, that there was Anti-Sociable behaviour in the area, but the Sub-Committee did not receive any evidence of this from the police. The Sub-Committee considered that that any Anti-Sociable behaviour could, however, be satisfied, by reducing the hours for the sale of alcohol for consumption off the premises.

The Sub-Committee in their determination, and on consideration of the evidence before them, took the decision to grant the licence, but with the sale of alcohol, for consumption off the premises, from the hours of 08:00 – 22:30 Monday – Sunday. And with the additional agreed conditions put forward by the applicants in their licence application, that they will take the steps to promote the four licensing objectives at paragraphs B,C,D and E of the report.

There is a right of appeal in respect of the decision of the Sub-Committee, by lodging an appeal at the Magistrates Court, within 21 days of the notification of this decision.

The full determination with reasons for the decision, will be published within 5 working days.