

COMMITTEE REF:

LP/06/18



## NOTICE OF MEETING


**COMMITTEE** : LICENSING PANEL (445)  
**DATE** : FRIDAY 15<sup>TH</sup> JUNE 2018  
**TIME** : 10.00 AM  
**PLACE** : COMMITTEE ROOM 4, TOWN HALL, LUTON  
**COUNCILLORS:** KEENS  
D. TAYLOR  
WORLDING  
**QUORUM** : 3 MEMBERS

**CONTACT OFFICER:** Eunice Lewis **Direct Line:** 01582 547149

### INFORMATION FOR THE PUBLIC


**PURPOSE:** To exercise the Council's functions under the Licensing Act 2003.

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With the agreement of the Chair of the Licensing Panel, members of the public may take photographs, film, audio-record and report on the meeting. They must however respect any privacy conditions imposed by the Chair to protect certain individuals and may not act in any way considered to be disruptive, as they may be asked to leave. Notice will be given verbally at the meeting.

# AGENDA

<i>Agenda Item</i>	<i>Subject</i>	<i>Page No.</i>
	<b>EMERGENCY EVACUATION COMMITTEE ROOM 4</b>	
	Turn left, follow the green emergency exit signs to the main town hall entrance and proceed to the assembly point at St George's Square.	
<b>1.</b>	<b>ELECTION OF CHAIR</b>	
	<b>INTRODUCTIONS</b>	
<b>2.</b>	<b>MINUTES</b>	
	1. Minutes 2 <sup>nd</sup> May 2018	6 - 12
<b>3.</b>	<b>DISCLOSURES OF INTERESTS</b>	
	Members are reminded that they must disclose both the existence and the nature of any personal interest that they have in any matter to be considered at this meeting.	
	A Member with a personal interest in any matter to be considered at this meeting will also have a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest.	
	A Member who has a prejudicial interest must withdraw from the meeting room unless (s)he has obtained a dispensation from the Council's Standards Committee.	
<b>4.</b>	<b>URGENT BUSINESS</b>	
	The Chair to report on any business which is considered to be urgent and which should be discussed at the meeting in accordance with Section 100B(4)(b) of the Local Government Act 1972 and to determine when, during the meeting, any such business should be discussed.	

<i>Agenda Item</i>	<i>Subject</i>	<i>Page No</i>
	<b>PROCEDURE FOR ORAL HEARINGS</b> (attached to agenda page)	4 & 5
	<b>REPORTS</b>	
<b>5.</b>	<b>Application for variation of premises licence in relation to Streatley Service Station, 91 Barton Road, Luton</b> (Report of the Service Director, Service Director, Place & Infrastructure)	13 - 41
<b>6.</b>	<b>LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005</b>  To consider whether the Panel should exclude the public from all or part of the hearing during consideration of any item listed above if the Panel believe that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public, in accordance with regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005.	

**BOROUGH OF LUTON**

**PROCEDURE AT ORAL HEARINGS BEFORE THE**

**COUNCIL'S LICENSING PANEL**

1. The Panel will be assisted on matters of law and procedure by its Clerk who will be one of the Council's Solicitors.
2. The Clerk will give a brief outline of the application and introduce the Members of the Panel, the Licensing Officer, the Applicant and those who have made representations. He/she will ensure that those present understand the procedure to be followed.
3. The hearing will normally be in public. However, the Panel may decide to exclude the public from any part of the meeting, not only the Panel's deliberations (including the Applicant and those making representations) where it considers that the public interest in doing so outweighs the public interest in the hearing taking place in public.
4. The Licensing Officer will present the report outlining the application and relevant representations.
5. The Panel may question the Licensing Officer.
6. The Applicant may question the Licensing Officer.
7. Those making representations may question the Licensing Officer.
8. The Applicant or his/her representative will present his/her case and call their witnesses.
9. The Panel may question the Applicant
10. Those making representations may question the Applicant
11. Those making representations or their representative will present their case.
12. The Panel may question those making representations.
11. The Applicant may question those making representations.
12. The Applicant will sum up his/her case.
13. Those making representations will then sum up their case (s).
14. The Clerk will then raise any points that need to be raised before the Application is determined.
15. The Applicant and those making representations will be asked whether there is anything further they wish to say.

16. Members will consider whether the public interest of holding their deliberations in private outweighs the public interest in holding their deliberations in public. Where Members consider that they should deliberate in private all persons other than the Members, the Clerk and any person present solely for the purpose of taking notes, shall withdraw from the room. Any advice given by the Clerk to the Panel in private will be repeated to all the parties before the Panel announces their decision.
17. Where the decision must be made at the conclusion of the hearing the Chair will inform the Applicant, the Licensing Officer, and those making representations of its decision and the reasons for it. The decision will be confirmed in writing to all parties within 5 working days.
18. Where the decision is not required to be made at the conclusion of the hearing the panel will inform the parties in writing of its decision and the reasons for it within 5 working days.

**LICENSING PANEL (445)**

**2<sup>ND</sup> MAY 2018 AT 10.00 A.M.**

**PRESENT:** COUNCILLORS: KEENS, D. TAYLOR AND WORLDING

**OFFICERS:** Julia Miller – Licensing Officer  
Bert Siong- Democracy & Scrutiny Officer  
Brenden Delaney – Solicitor, Clerk to the Panel

**1. ELECTION OF CHAIR (REF: 1)**

**Resolved:** That Councillor D. Taylor be elected Chair of Panel No. 445.

**2. MINUTES (REF: 2.1 & 2.2)**

**Resolved:** (i) That the minutes of the Licensing Panel meeting held on 30<sup>th</sup> October 2017, be agreed as true records and the Chair be authorised to sign them.

(ii) That the minutes of the Licensing Panel meeting held on 15<sup>th</sup> August 2016, be amended to show that Cllr M.J. Dolling was in attendance and not Cllr M. Dolling.

**3. APPLICATION FOR VARIATION OF PREMISES LICENCE IN RELATION TO EXPRESS NEWS LTD, 62 PARK STREET, LUTON (REF: 5)**

**PRESENT**

**APPLICANT:** EXPRESS NEWS LTD (REPRESENTED)

**APPLICANT'S  
REPRESENTATIVES:** ALI SHAH  
FRANK FENDER, AGENT

**INTERESTED PARTIES:** REV. ANDREW GALE, CENTRAL BAPTIST CHURCH

All parties present introduced themselves.

The Chair to the Panel ascertained that the Applicant's representatives were familiar with the procedure at oral hearings before the Council's Licensing Panel.

The Licensing Officer reported on an application received for the variation of premises licence in relation to Express News Ltd, 62 Park Street, Luton.

She advised that the variations applied for were to change the licensing hours from 10.00 hrs to 22.00 hrs Monday to Sunday, to 06.00 hrs to 02.00 hrs

Monday to Sunday and the removal of the condition not to sell refrigerated alcohol products.

She reminded the Panel of the steps the applicant stated they would take to promote the licensing objectives, as set out in the report (Ref: 5, page 33 of the pack)

She further reported on a number of representations objecting to the application from Mr Tony Ireland of Luton Council's Licensing Service, a Responsible Authority, and two interested parties, Mr Jim O'Connor of NOAH, a Voluntary Organisation dealing with people who are homeless and/ or suffering from drug and alcohol addictions and Rev. Andrew Gales of the nearby Central Baptist Church, which also provided support for NOAH's clients.

In relation to the representation from the Licensing Service, the Licensing Officer reported on a meeting between Mr Tony Ireland and Mr Frank Fender representing the applicant. She said that as a result of concessions made by the applicant to reduce the end of licensing hours applied for from 02.00 hrs to midnight Monday to Friday and to delete the request to remove the condition restricting the sale of refrigerated alcohol products, the Licensing Service had withdrawn its objection to the application. She tabled a letter from Mr Ireland to Mr Fender to that effect, which was served on all parties present and accepted by the Panel.

Mr Fender confirmed the concessions made.

The Clerk to the Panel advised that, if the Panel so decided, it was in order for it to proceed with consideration of the application on the basis of the concessions made by the applicant.

Rev. Gale informed the Panel that he had not previously been informed of the concessions made by the applicant, but that they did not change his objection to the application.

There were no questions for the Licensing Officer from any parties present.

Mr Fender addressed the Panel on behalf of the applicant, making a number of key points, including the following:

- The current licence was granted in 2015, with licensing hours between 10.00 hrs and 22.00 hrs and shop opening hours between 06.00 hrs and 02.00 hrs, 7 days a week;
- Since the licence was granted in 2015, there had not been any issues reported and all conditions had been complied with, as observed by Licensing Officers on their visits;
- The application was to enable sale of alcohol from 06.00 hrs to 02.00 hrs and remove the condition restricting sales of refrigerated alcohol products;
- In relation to the representation from the Licensing Service, he had met Mr Ireland and discussed the objection. As a result, the applicant would like to amend the application so as to end licensing hours at

midnight instead of 02.00 hrs and delete the request to remove the condition restricting sales of refrigerated alcohol products;

- In relation to NOAH, he said the representation was not relevant to the licensing objectives and should not be considered by the Panel;
- He conceded alcohol and drug addictions were serious issues but not relevant to the licensing objectives and should carry only carry very, very little weight, if any;
- He added that the representation from Rev Gale was similar to those from NOAH and that an isolated incident was used to suggest the applicant was not a 'fit and proper' person to hold the licence, which was no longer relevant to the Licensing Objectives;
- While he respected the rights of people to object to the application, he said the representations from NOAH and Rev Gale were not relevant to the licensing objectives and requested that the Panel grant the application, as amended.

Mr Fender was questioned by the Panel and he responded in compliance with the approved procedure, providing clarifications on a number of points, as follows:

- There was no evidence to show breach of the public nuisance or any other licensing objectives;
- The condition restricting sale of refrigerated alcohol products was attached in 2015, on the basis that the alcohol was less likely to be consumed straightway after purchase to deter street drinkers;

There were no questions for Mr Fender from Rev Gale.

Rev Gale then addressed the Panel and made some key points, including the following:

- There had been a conversation between the Church and NOAH, as they both provided support to the same group of clients, with drugs and alcohol issues;
- The Church provided them shelter during the cold weather. Extending the end of licensing hours would enable them to buy alcohol on the way to the shelter, a management problem for the Church and the basis for the objection.

Rev Gale was questioned by the Panel and he responded in compliance with the approved procedure, providing clarifications on a number of points, as follows:

- He would still object to the amended end to licensing hours to midnight;
- Clients were searched with metal detectors and for alcohol before admittance. They sometimes hid alcohol outside for use when going out to smoke;
- This might be a matter to be managed better by the Church.



Rev Gale was questioned by Mr Fender and he responded in compliance with the approved procedure, providing further information as follows:

- He conceded there was another off-licence between Express News and the Church, where alcohol could be bought;
- He was aware that street drinkers' preferred drinks were strong beers, lagers and ciders.

Mr Fender commented that it was one of the conditions that Express News did not sell alcohol of more than 5.5% proof.

The Licensing Officer also commented that it was a condition that Express News did not sell cans of alcohol in packs of less than four.

In summing up, Mr Fender reminded the Panel as follows:

- The premises had a good track history since 2015;
- There were no issues with the current premises owner;
- The conditions of alcohol sales were not appealing to NOAH's clients;
- As the applicant had changed the end time following Mr Ireland's representation, he requested that the application be granted.

Rev Gale had nothing further to add.

The Clerk to the Panel advised that Members should discussed the representations during their deliberations, given that they had been put before them.

There were no further representations from any parties.

Members considered whether the interest in retiring to make their decision without all the parties present outweighed the interest in holding their deliberations with them present, in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

Following a brief discussion by Members, the Panel determined that the interest of retiring to make their decision without all the parties present outweighed the interest in holding their deliberations with them present.

#### **4. LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005 (REF: 7)**

**Resolved:** That in accordance with regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005, all the parties be excluded from the meeting during consideration of the decision in relation to the report of the Service Director, Business and Consumer Services (Ref:5) as referred to in Minute No. 3/18.

#### **5. LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005 (REF: 7)**

**Resolved:** That all the parties be no longer excluded from the meeting.

**6. APPLICATION FOR VARIATION OF PREMISES LICENCE IN RELATION TO EXPRESS NEWS LTD, 62 PARK STREET, LUTON (REF: 5)**

**Resolved:** Having carefully considered the papers before it and the oral representations made by Mr Fender on behalf of the Applicant and those made by Reverend Gale, together with the written representations of Mr O'Connor;

In addition the Council having regard to the licensing objectives set out in the Licensing Act 2003 ('the Act'), the Council's Statement of Licensing Policy and the Guidance issued under the Act;

Having also considered the concession made by the applicant to amend the end of licensable hours to midnight and retain the current condition on the license preventing the sale of refrigerated alcohol products and having accepted the representations from Reverend Gale and Mr O'Connor as relevant, but of limited weight, the Panel decided to **GRANT** the variation application, as amended, to permit the sale of alcohol 7 days a week from 06.00 hrs to Midnight, with all other conditions of the licence remaining the same.

The Chair reminded all present that anyone could bring a review of the premises licence to the Panel, if there were to be any evidence of issues affecting any of the licensing objectives in the future.

**7. APPLICATION FOR VARIATION OF PREMISES LICENCE IN RELATION TO AUJLA SUPERSTORE LTD, 9-13 THE GREEN, HOCKWELL RING, LUTON (REF: 6)**

**PRESENT**

**APPLICANT:** AUJLA SUPERMARKET LTD (REPRESENTED)

**APPLICANT'S  
REPRESENTATIVES:** BOOTA SINGH AUJLA  
GILL SHERRATT, AGENT

**INTERESTED PARTIES:** NOT IN ATTENDANCE

All parties present introduced themselves.

The Chair to the Panel ascertained that the Applicant's representatives were familiar with the procedure at oral hearings before the Council's Licensing Panel.

The Licensing Officer reported on an application received for the variation of premises licence in relation to Aujla Superstore Ltd, 9-13 The Green, Hockwell Ring, Luton.

She advised that the variations applied for were to change the licensing hours from 08.00 hrs to 23.00 hrs, Monday to Saturday and 10.00 hrs to 22.30 hrs on Sunday, to 06.00 hrs to 23.00 hrs Monday to Sunday and the removal of all embedded restrictions in relation to Bank Holidays and Christmas day.

She reminded the Panel of the steps the applicant stated they would take to promote the licensing objectives, as set out in the report (Ref: 6, pages 57 & 58 of the pack)

She further reported on representations objecting to the application from Mr Dean Shaul, of 10 The Green, Hockwell Ring, situated above the premises. The objection was mainly on the grounds of the prevention of public nuisance licensing objective, quoting existing noise nuisance, which was likely to be increased if the extension to the licensing hours were to be granted.

The Licensing Officer was questioned by the Panel and she responded in compliance with the approved procedure, providing clarification that the licensing hours requested for the sale of alcohol would coincide with the store's general opening hours of 0600 hrs to 23.00 hrs.

There were no questions for the Licensing Officer from the applicant's representative.

Mrs Gill Sherratt addressed the Panel on behalf of the applicant, making a number of key points, including the following:

- The store was a family business, being a large independent supermarket, similar to Tesco Express, which had been in existence for 22 years and was very much part of the local community;
- It was a convenient store, with alcohol sale accounting for only 10% of the business;
- The application was to modernise the licence to reflect the way the premises operated;
- The store was protected by CCTV;
- Staff training was provided, including online refresher;
- Records were kept electronically;
- The store had been selling alcohol over the years without any problems or issues;
- The application was to allow alcohol sales between 06.00 and 23.00 hrs and to remove all restrictions;
- In relation to the representation, she believed it was based on a misunderstanding, as the store was already open until 23.00 hrs Monday to Saturday and was only requesting an extension of half an hour on Sundays;
- There was no evidence where the noise mentioned came from, given there was also a chicken take-away shop in the parade;
- The Shopping Parade was owned by the local authority;
- The premises had a fabulous track record and she understood that should the application be granted, the premises licence could be reviewed if there were to be any issues in the future.

Mrs Sherratt was questioned by the Panel and she responded in compliance with the approved procedure, providing clarifications on a number of points, as follows:

- She re-iterated the current licensing hours and said the application was seeking to extend licensing hours from 06.00 hrs to 23.00 hrs, 7 days a week;
- The applicant was also seeking to have all restrictions removed, as old fashioned;
- Currently the store did not open until 08.00 hrs;
- It was of similar size to a Tesco Express and had great relationship with the community;
- Alcohol sales were only 10%, with the rest groceries. The earlier opening hours sought was for the convenient of the community;
- It was not known how long the objector had lived in the flat above the store.

Summing up, Mrs Sherratt reiterated that the application was to modernise the premises licence and make it better to manage.

Members considered whether the interest in retiring to make their decision without all the parties present outweighed the interest in holding their deliberations with them present, in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

Following a brief discussion by Members, the Panel determined that the interest of retiring to make their decision without all the parties present did not outweigh the interest in holding their deliberations with them present.

**Resolved:** Having carefully considered the papers before it and the oral representations made by Mrs Sherratt on behalf of the Applicant, together with the written representations of Mr Shaul, and in addition the Council having regard to the licensing objectives set out in the Licensing Act 2003 ('the Act'), the Council's Statement of Licensing Policy and the Guidance issued under the Act, the Panel decided to **GRANT** the variation of the licence in accordance with the application made without amendment.

## **8. MINUTES (PRIVATE) (REF: 8)**

**Resolved:** That the private minutes of the Licensing Panel meeting held on 20<sup>th</sup> October 2017, be agreed as true records and the Chair be authorised to sign them.

**(Note: The meeting ended at 11.07 a.m.)**

**COMMITTEE:** LICENSING PANEL

**DATE:** 19<sup>TH</sup> JUNE 2018

**SUBJECT:** APPLICATION FOR VARIATION OF PREMISES LICENCE  
STREATLEY SERVICE STATION, 91 BARTON ROAD, LUTON,  
LU3 2BL

**REPORT BY:** SERVICE MANAGER PUBLIC PROTECTION

**CONTACT OFFICER:** TONY IRELAND

**TEL:** 01582 546040

**IMPLICATIONS:**

**LEGAL** ☐

**COMMUNITY** ☐

**SAFETY**

**EQUALITIES** ☐

**ENVIRONMENT** ☐

**FINANCIAL** ☐

**OTHER** ☐

**STAFFING** ☐

**WARDS AFFECTED:ICKNIELD**

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**PURPOSE**

1. The purpose of this report is to enable the Licensing Panel to consider the application received from BP Oil UK Limited, for the variation of a Premises Licence in respect of Streatley Service Station, 91 Barton Road, Luton.

**RECOMMENDATION**

2. That the Licensing Panel determine the application of BP Oil UK Limited for the variation of a Premises Licence in respect of Streatley Service Station, 91 Barton Road, Luton.

**BACKGROUND**

3. An application was received on 25<sup>th</sup> April 2018 for the variation of the Premises Licence that will allow the removal of all current conditions from their current licence, add new conditions and extend the hours for supply of alcohol to take place. The current licence is attached at Appendix A (pages 18 - 24).

4. The Applicant states that the premises is a convenience store A map showing the location of this Premises, is attached at Appendix B (page 25)
5. Details of the licensable activities currently available together with details of the licensable activities requested are set out as follows:

Licensable Activity	Currently permitted	Applied for	Licensable Activity	Currently permitted	Applied for
<u>Regulated entertainment</u>			<u>Provision of facilities for entertainment</u>		
Plays			Provision of entertainment facilities for making music		
Films			Provision of entertainment facilities for dancing		
Indoor Sports Events			Provision of entertainment facilities for entertainment of a similar description to making music or dancing		
Boxing or Wrestling Entertainment			<u>Late night refreshment</u>		
Live Music			Provision of late night refreshment	✓	
Recorded Music			<u>Supply of alcohol</u>		
Performances of Dance			Supply of alcohol for consumption off the premises	✓	✓
Anything of a similar description to live or recorded music or dance					

Details of activities currently authorised are as follows:

DAYS	Times currently authorised by licence					
	Times premises will open to public	Supply of alcohol	Live music <sup>1</sup> , recorded music <sup>2</sup> , or entertainment of a similar nature <sup>3</sup>	Provision of facilities for making music <sup>4</sup> , dancing <sup>5</sup> , or entertainment of a similar nature	Plays, Films <sup>6</sup> , Performances of dance <sup>7</sup> , Boxing & Wrestling	Late night refreshment
<u>Standard hours</u>						
Monday – Sunday	00:00 to 24:00	08:00 to 23:00	N/A	N/A	N/A	23:00 to 05:00

Details of the times requested in the application for variation are as follows:

DAYS	Times requested in application					
	Times premises will open to public	Supply of alcohol	Live music <sup>1</sup> , recorded music <sup>2</sup> , or entertainment of a similar nature <sup>3</sup>	Provision of facilities for making music <sup>4</sup> , dancing <sup>5</sup> , or entertainment of a similar nature	Plays, Films <sup>6</sup> , Performances of dance <sup>7</sup> , Boxing & Wrestling	Late night refreshment
<u>Standard hours</u>						
Monday – Sunday	00:00 to 24:00	00:00 to 24:00	N/A	N/A	N/A	N/A

- <sup>1</sup> Live acoustic and amplified music, and amplified voice.
- <sup>2</sup> Including jukebox and karaoke, with or without DJ, during normal business and including audience participation.
- <sup>3</sup> Comperes for quiz and similar events, comedians and similar performance, in any case using amplified voice.
- <sup>4</sup> A stage area with lighting, microphone and amplifiers, and similar equipment.
- <sup>5</sup> Hard floored area which can be used for dancing by customers and performers.
- <sup>6</sup> Video entertainment on TV screens and amusement machines.
- <sup>7</sup> Dance facilities to be used for performances and competitions as well as by customers.

6. In addition to the above, the following non standard timings are sought by the applicant:

***None***

7. The Applicant has sought the following seasonal variation:

***None***

8. The following adult entertainment or activities that may give rise to concern in respect of children are detailed as follows:

***The premises sell alcohol and other age restricted products.***

9. The applicant has requested that the following conditions, terms or restrictions currently imposed on the licence be removed as a consequence of the variation being sought:

***All conditions listed on Annex 2 of the Premises Licence.***

10. The latest date for representations to be received was the 23<sup>rd</sup> May 2018.

## **PROMOTION OF LICENSING OBJECTIVES**

11. The operating schedule submitted by the applicant describes the additional steps they intend to take in order to promote the licensing objectives. Please see operating schedule in the application.

A copy of the application form, including the operating schedule, is attached at Appendix C (pages 26 - 38).

## **RESPONSIBLE AUTHORITIES**

12. Representations have been received from responsible authorities and are detailed as follows:

Police

**None**

Fire and Rescue Services

**None**

Environmental Health or Health and Safety Executive

**None**

Planning

**None**

Trading Standards

**None**

Child Protection

**None**

## **INTERESTED PARTIES**

13. Representations have been received from the following interested parties, their representations are attached at Appendix D (pages 39 - 41) and made available to the applicant.

Ref. letter	Name	Address	Relevance to which licensing objective
<u>Local resident(s)</u>			
A	Mr & Mrs M O'Neill	93 Barton Road, Luton, LU3 2BL	<i>Prevention of Public Nuisance</i>
B	Andrew Burchell	St John's Methodist Church, Birdsfoot Lane, Luton, LU3 2DN	<i>Prevention of Public Nuisance</i>

## **POLICY CONSIDERATIONS**

14. The following provisions of the Licensing Act 2003 apply to this application:
- Section 34 (variation of premises licence)



## **OBSERVATIONS**

15. In determining this application, the Licensing Panel must, having regard to the representations received, either grant the application in full or take such of the following steps as it considers necessary for the promotion of the licensing objectives. The steps are:
- (a) Modify the conditions of the licence volunteered by the applicant in the operating schedule, by altering or omitting or adding to them
  - (b) Reject the whole or part of the application

16. The licensing objectives are:

- The Prevention of Crime and Disorder
- The Prevention of Public Nuisance
- The Protection of Children from Harm
- Public Safety

All the representations received in respect of this application relate to these licensing objectives.

17. The following paragraphs of the licensing authority's statement of licensing policy applies to this application

Section 12 (Prevention of Crime & Disorder)  
Section 12 (Public Safety)  
Section 12 (Prevention of Public Nuisance)  
Section 12 (Protection of Children from Harm)  
Appendix B (Application Process)

18. Representations can only relate to the additional hours and activities that are requested: existing hours and activities are protected as 'grandfather rights'.

## **LEGAL COMMENTS**

19. Report cleared by Brenden Delaney, Solicitor, Legal Services on 31<sup>st</sup> May 2018.

## **APPENDICES**

The following Appendices are attached to this report:-

Appendix A: Current licence for the premises (pages 18 - 24)  
Appendix B: Maps showing location of the premises (page 25)  
Appendix C: Application form including the operating schedule (pages 26 - 38)  
Appendix D: Representation from Interested Parties (pages 39 - 41)

## **LIST OF BACKGROUND PAPERS** **LICENSING ACT 2003**

Guidance issued under S182 of the Licensing Act 2003  
Luton Borough Council's Statement of Licensing Policy

## Premises Licence Register

# Luton

## Premises Licence Number

052651

This revision (reference number):

151753

Effective from:

06/01/2017

## Part 1 - Premises details

## Postal address of premises, or if none, ordnance survey map reference or description

Streatley Service Station  
91 Barton Road

## Post town

Luton

## Post code

LU3 2BN

## Telephone number:

## Where the licence is time limited the dates

Start Date

24/11/2005

End Date

## Licensable activities authorised by the licence

Late Night Refreshment (Indoors and Outdoors)  
Supply of Alcohol (for consumption off the premises)

## The times the licence authorises the carrying out of licensable activities

Late Night Refreshment

Monday to Sunday

23.00 to 05.00 (the following day)

Supply of Alcohol

Monday to Sunday

08.00 to 23.00

## The opening hours of the premises

Monday	00.00 to 24.00
Tuesday	00.00 to 24.00
Wednesday	00.00 to 24.00
Thursday	00.00 to 24.00
Friday	00.00 to 24.00
Saturday	00.00 to 24.00
Sunday	00.00 to 24.00

Seasonal Variations

None

Non-Standard timings

None

## Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Alcohol For consumption off the premises

## Part 2

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

BP Oil UK Limited  
Chertsey Road  
Sunbury on Thames  
Middlesex  
TW16 7BP

Tel: 01908 853 000

**Registered number of holder, for example company number, charity number (where applicable)**

00446915

**Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Muhammad Imran Khan

## **Annex 1 - Mandatory conditions**

1. Where a premises licence authorises the supply of alcohol:
  - a) No supply of alcohol may be made under the premises licence-
    - i. at a time when there is no designated premises supervisor in respect of the premises licence, or
    - ii. at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
  - i. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

### **Premises Licences and Club Premises Certificates authorising the supply of alcohol for consumption off the Premises**

#### **FURTHER MANDATORY LICENSING CONDITIONS**

##### **With effect from 1 October 2014**

3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

- (a) a holographic mark, or
- (b) an ultraviolet feature.

##### **With effect from 28<sup>th</sup> May 2014**

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

- (i) P is the permitted price,
  - (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—

- (i) The holder of the premises licence,
- (ii) The designated premises supervisor (if any) in respect of such a licence, or
- (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.  
  
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

## **Annex 2 - Conditions consistent with the Operating Schedule**

1. When the shop doors are locked, service of late night refreshment will be through the night pay window.
2. Late night refreshment will be in the form of hot drinks and/or hot snacks such as, but not exclusively, coffee, tea, hot filled baguettes and other bakery items.
3. CCTV system to be maintained in good working order, which should cover the entrance door and be capable of providing an image which is regarded as identification standard.
4. CCTV system to be fully operational throughout the hours that the premises is open for any licensable activity.
5. CCTV images to be retained for a minimum of one calendar month.
6. A system to be in place to maintain the quality of the recorded images and a complete audit trail maintained.
7. The precise position of the camera's to be agreed with the police from time to time.
8. Maintain adequate levels of staff.
9. Staff levels to be disclosed, on request, to the licensing authority and police.
10. Adequate waste receptacles for use by customers to be provided in and immediately outside the premises.
11. All staff to be trained to request evidence from any person seeking to buy alcohol and appearing to the member of staff to be under the age of 18.

### **Embedded Restrictions applied on conversion of Justices Off-licences**

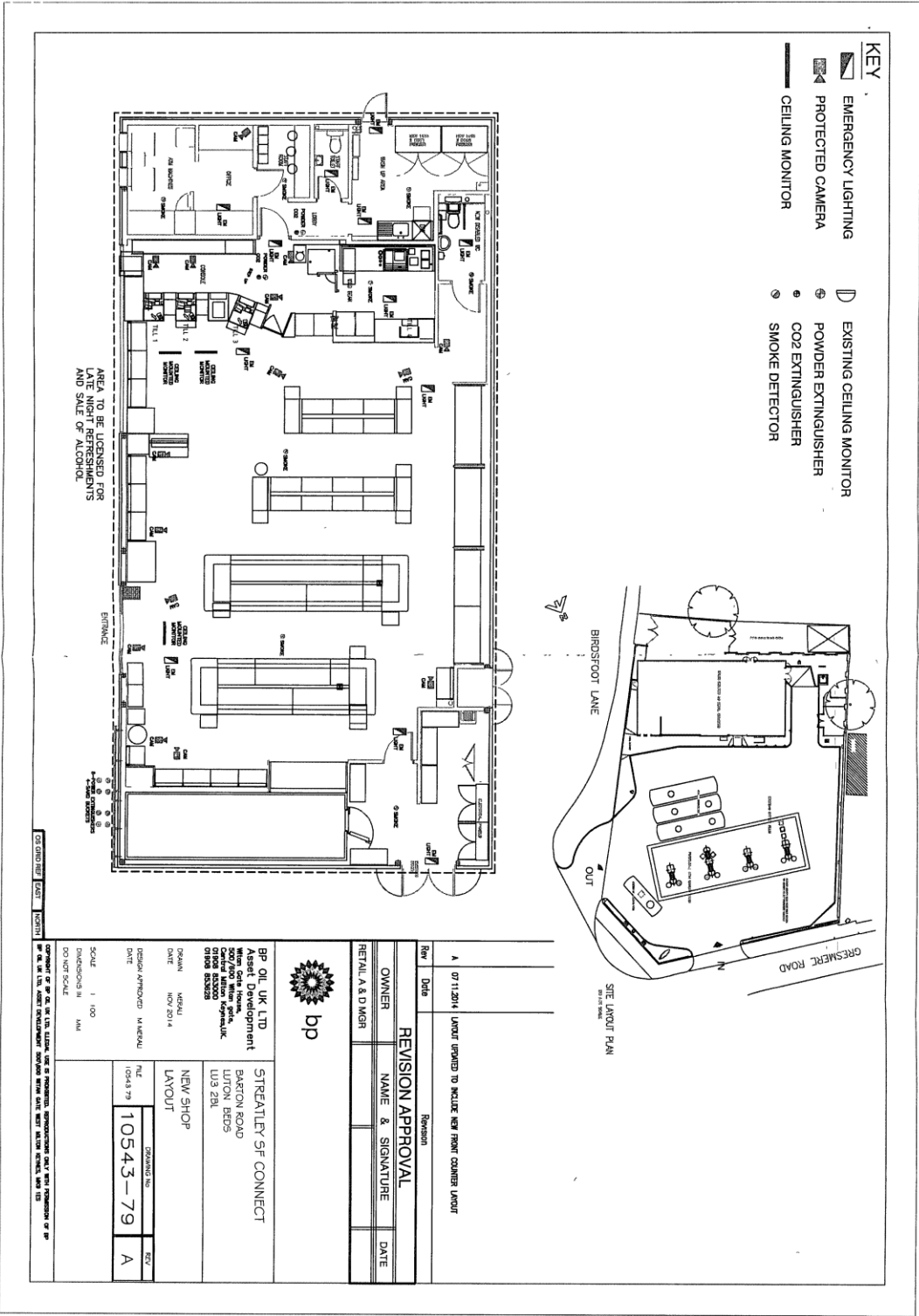
1. Alcohol shall not be sold or supplied except during permitted hours.  
  
The above restrictions do not prohibit:
  - a. during the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
  - b. the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
  - c. the sale of alcohol to a trader or club for the purposes of the trade or club;
  - d. the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
2. Alcohol shall not be sold in an open container or be consumed in the licensed premises.

**Annex 3 - Conditions attached after a hearing by the licensing authority**

Not applicable

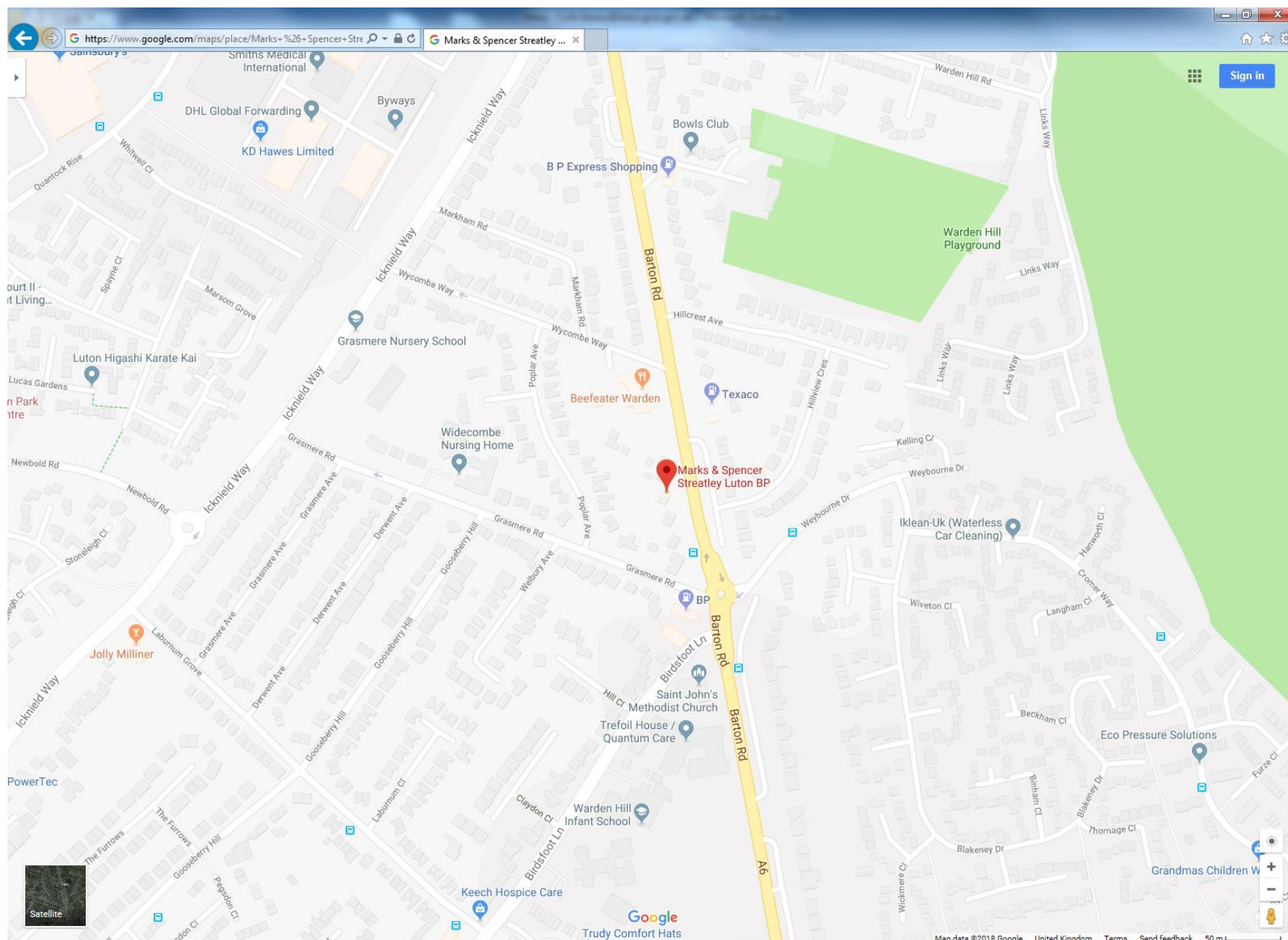
Annex 4 - Plans

Note: Plans may not be shown to any scale that may be specified in the drawing.





## APPENDIX - B



\* required information

## Section 1 of 18

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

EMF/88/487/RPB

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

BP OIL UK LIMITED

\* Family name

BP OIL UK LIMITED

\* E-mail

[REDACTED]

Main 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

00446915

Business name

BP OIL UK LIMITED

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

VAT number

GB

NA

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

Legal status

Private Limited Company

**Continued from previous page...**

Applicant's position in the business

LICENSING DEPARTMENT

Home country

United Kingdom

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

United Kingdom

**Agent Details**

\* First name

WINCKWORTH SHERWOOD LLP

\* Family name

WINCKWORTH SHERWOOD LLP

\* 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

OC 334359

Business name

WINCKWORTH SHERWOOD LLP

If your business is registered, use its registered name.

VAT number

GB

183868066

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

Legal status

Partnership

*Continued from previous page...*

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

**Section 2 of 18**

**APPLICATION DETAILS**

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

\* Premises Licence Number

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

**Premises Contact Details**

Telephone number

*Continued from previous page...*

Non-domestic rateable  
value of premises (£)

161,000

### Section 3 of 18

#### VARIATION

Do you want the proposed  
variation to have effect as  
soon as possible?

☒

Yes

☐

No

Do you want the proposed variation to have effect in relation to the  
introduction of the late night levy?

☐

Yes

☒

No

You do not have to pay a fee if the only  
purpose of the variation for which you are  
applying is to avoid becoming liable to the  
late night levy.

If your proposed variation  
would mean that 5,000 or  
more people are expected to  
attend the premises at any  
one time, state the number  
expected to attend

#### Describe Briefly The Nature Of The Proposed Variation

Describe 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.

A petrol forecourt store selling a broad range of groceries, household products and alcohol. Situated at 91 Barton Road, Luton, LU3 2BN to be varied as follows:

1. Extension of the hours for the sale of alcohol to 24 hours daily.
2. To remove all the embedded restrictions in Annex 2 of the premises licence.
3. To remove all the conditions in Annex 2 of the premises licence.
4. To include in Annex 2 the conditions in boxes b to e of Section 16 of this application.

### Section 4 of 18

#### PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to  
vary is successful?

☐

Yes

☒

No

### Section 5 of 18

#### PROVISION OF FILMS

[See guidance on regulated entertainment](#)

*Continued from previous page...*

Will the schedule to provide films be subject to change if this application to vary is successful?

☐ Yes ☒ No

## Section 6 of 18

### PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

☐ Yes ☒ No

## Section 7 of 18

### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

☐ Yes ☒ No

## Section 8 of 18

### PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

☐ Yes ☒ No

## Section 9 of 18

### PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

☐ Yes ☒ No

## Section 10 of 18

### PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

☐ Yes ☒ No

## Section 11 of 18

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

[See guidance on regulated entertainment](#)

*Continued from previous page...*

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

☐ Yes ☒ No

## Section 12 of 18

### PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

☐ Yes ☒ No

## Section 13 of 18

### SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

☒ Yes ☐ No

#### Standard Days And Timings

##### MONDAY

Start

End

Start

End

Provide 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

**Continued from previous page...**

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.

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

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

## Section 14 of 18

### 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.

Provide 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.

The premises sell alcohol and other age restricted products.

## Section 15 of 18

### HOURS PREMISES ARE OPEN TO THE PUBLIC

#### Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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.



*Continued from previous page...*

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.

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

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

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

*Continued from previous page...*

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

1. The embedded restrictions set out in Annex 2 of the premises licence.
2. The conditions in Annex 2 of the premises licence.
3. The hours for the sale of alcohol are currently restricted to 0800 to 2300 daily.

The above conditions and restrictions would be removed as a consequence of the proposed variation.

☒ I have enclosed the premises licence

☐ I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

## Section 16 of 18

### 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.

b) The prevention of crime and disorder

1. A digital CCTV system will be installed, or the existing system maintained, such system to be fit for the purpose.
2. The CCTV system shall be capable of producing immediate copies on site. Copies of recordings will either be recorded digitally on to CD/DVD or other equivalent medium.
3. Any recording will be retained and stored in a suitable and secure manner for a minimum of 31 days and shall be made available, subject to compliance with Data Protection legislation, to the police for inspection on request.
4. The precise positions of the cameras may be agreed, subject to compliance with Data Protection legislation, with the police from time to time.
5. The system will display, on any recording, the correct time and date of the recording.
6. The CCTV system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.

c) Public safety

The premises licence holder will at all times maintain adequate levels of staff. Such staff levels will be disclosed, on

***Continued from previous page...***

request, to the licensing authority and police.

d) The prevention of public nuisance

Adequate waste receptacles for use by customers shall be provided in and immediately outside the premises.

e) The protection of children from harm

The premises licence holder will ensure that an age verification policy will apply to the premises whereby all cashiers will be trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form of identification that complies with any mandatory condition that may apply to this licence.

## **Section 17 of 18**

### **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 18 of 18

### 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.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at: [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00\*

Band E - £125001 and over £635.00\*

\* If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

\* Fee amount (£)

635.00

### DECLARATION

I/WE UNDERSTAND THAT 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.



Ticking this box indicates you have read and understood the above declaration

**Continued from previous page...**

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

WINCKWORTH SHERWOOD LLP

\* Capacity

SOLICITORS ON BEHALF OF THE APPLICANT

\* Date

dd

mm

yyyy

Add another signatory

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/luton/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**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.**

**OFFICE USE ONLY**

Applicant reference number

EMF/88/487/RPB

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

☐

**Kenny, Colin (GCSx)**

---

**From:** LBC ER Licensing  
**Sent:** 21 May 2018 09:15  
**To:** Kenny, Colin (GCSx)  
**Subject:** FW: LA03/Streatley Service Centre 158862

Kind Regards

Holly Mernagh  
Senior Licensing Officer  
Luton Borough Council

01582 546437  
[licensing@luton.gov.uk](mailto:licensing@luton.gov.uk)

---

**From:** Martin O'Neill [mailto: ]  
**Sent:** 20 May 2018 13:50  
**To:** LBC ER Licensing  
**Subject:** LA03/Streatley Service Centre 158862

Dear Sirs,

I am writing to register my objection to the application for an increase sale of alcohol hours from 08:00 to 23:00 to 24 hours 00:00 to 24:00 at the above named Premises.

As a resident living directly across the road at 93 Barton Road, we already suffer noise nuisance from cars with music blaring and antisocial behaviour at all hours of the day and night and particularly at weekends. It is totally unacceptable to expect us to continue to do so with proposed twenty four hour sales of alcohol which will only encourage extra traffic to the forecourt and Grasmere Road area in order to purchase alcohol for house parties etc etc when all other outlets are closed. We have endured this inconvenience for the past number of years and to increase sale of alcohol hours will have a detrimental effect in this residential neighbourhood.

The basis of this opposition is that granting a Variation of Premises Licence in order to increase sale of alcohol hours will exacerbate noise levels, disorder and antisocial behaviour which is increasingly prevalent in our area.

In view of the above, I would urge the Licensing Authority to refuse the application.

Signed,

Mr. & Mrs. M. O'Neill,  
93 Barton Road,  
Luton  
LU3 2BL

**Kenny, Colin (GCSx)**

---

**From:** LBC ER Licensing  
**Sent:** 24 May 2018 09:18  
**To:** Kenny, Colin (GCSx)  
**Subject:** FW: Application for Variation of Premises Licence, Streatley Service Centre, 91 Barton Road, Luton LU3 2BL

Kind Regards

Holly Mernagh  
Senior Licensing Officer  
Luton Borough Council

01582 546437  
[licensing@luton.gov.uk](mailto:licensing@luton.gov.uk)

---

**From:** Andrew Burchell [mailto: ]  
**Sent:** 23 May 2018 20:11  
**To:** LBC ER Licensing  
**Subject:** Application for Variation of Premises Licence, Streatley Service Centre, 91 Barton Road, Luton LU3 2BL

Dear Sir/Madam,

With respect to your letter of 26 April regarding the Application for Variation of Premises Licence, Streatley Service Centre, 91 Barton Road, Luton LU3 2BL, I would like to raise some concerns on behalf of St. John's Methodist Church, Birdsfoot Lane, LU3 2DN.

- 1) It is not uncommon to find people hanging about, sitting on the church steps or fences, consuming products both alcoholic and non-alcoholic. Associated with this, rubbish is left in the church grounds, and legitimate users of the building can be intimidated. Extending the licensing hours is likely to lead to an increase in this anti-social behaviour.
- 2) St. John's Methodist Church is in use nearly every day by people of all ages including very young children. The increase in rubbish left in the church's grounds that is likely to result from an increase in licensing hours poses a direct risk to the church users, and especially children. Alcoholic drinks tend to be sold either in glass bottles or in metal cans, both of which can be a cause of serious injury when damaged and discarded.
- 3) Customers of Streatley Service Centre who are not buying fuel often park in St. John's Methodist Church's private car park, or use it for turning round. Increasing the licensing hours is likely to increase the number of customers who are not buying fuel, and are therefore likely to use the church's car park. These users often have little regard for people walking in the car park and we have had incidents in the past where children have come close to being injured by careless drivers. Extending the licensing hours will increase the risk to legitimate users of the car park.

It is the view of St. John's Methodist Church that an increase in the licensing hours therefore presents an increased risk to public safety from the increased litter and unauthorised traffic using the church's private car park, a risk of public nuisance from people consuming alcohol around the



church's grounds, and a risk to children using the church premises from the increased litter and unauthorised vehicles in the church's private car park.

Yours sincerely,

Andrew Burchell  
Property Steward  
St. John's Methodist Church  
Birdsfoot Lane  
Luton  
LU3 2DN