

(Report of the Licensing Officer, Samantha Potts 7364)

**Application – Premises Licence Variation**

**Premises – Morrisons Supermarket, North Road, Faversham**

<b>Licensable Activities</b>	<b>Days</b>	<b>Current Hours</b>	<b>Proposed Hours</b>	<b>Comments</b>
Sale of alcohol (off the premises)	Monday - Saturday	08:00-23:00	06.30-23:00	
	Sunday	10:00-22:30	06:30-23:00	
	Good Friday	08:00-22:30	No restriction (as above)	
	Christmas Day	12:00-15:00 & 19:00-22:30	No restriction (as above)	

**Specific conditions already on the licence**

1. CCTV is to be installed in agreement with the police and will cover all exits, entrances and public areas of the licensed premises. The CCTV system fitted will comply with the CCTV Code of Practice (2008 edition) produced by the Information Commissioners Office.
2. The CCTV system will display on recording the correct time and date of the recording.
3. A system will be in place to maintain the quality of the recorded image and a complete audit trail maintained.
4. The CCTV will be maintained so as to be fully operational during the hours the premises are open for licensable activity and a multi screen monitor installed within clear view of the supervisor/ security showing all CCTV images being recorded at that time.
5. Any recording made via the use of the CCTV will be retained and stored for a minimum of 30 days and made available to the police or local authority on request or in any case within 48 hours of a request being made.
6. Signage informing customers that CCTV is operational to be clearly displayed.
7. All staff to be trained in their responsibilities under the Licensing Act 2003. This training must be auditable and available to police, local authority licensing officer and trading standards on request.
8. The DPS will be a member of the 'Swale Safe' scheme with the agreement of the board of directors.
9. Challenge 25 scheme shall be adopted so that all staff are trained to ask any customers wishing to purchase alcohol, who appears under the age of 25 years, for evidence of age.
10. Only ID acceptable will be passport, photo driving licence and any PASS marked identification.
11. Challenge 25 posters to be displayed in all areas of the shop where alcohol is displayed, point of sale and entry to shop.
12. All staff to be fully trained in Challenge 25 and the training audited and available to police, local authority licensing officer and trading Standards officers.

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13. Refusals log will be kept and all staff fully trained in its use and made available to any police officer, local authority licensing officer or trading standards officer at any reasonable time. The log will include the following details:
- Time of refusal
  - Date of refusal
  - Item(s) refused
14. No alcohol sales or storage of alcohol in the entrance lobby or the area between the entrance lobby and security gates

## **Background**

WM Morrison Supermarkets Plc have applied under the Licensing Act 2003 to vary the Premises Licence for Morrisons, North Lane, Faversham.

The site currently holds a full premises licence which it inherited from the Co Op who previously operated there. The provisions of the existing licence are what transferred with the original magistrates licence in 2004 and reflect the hours granted to off licences prior to the Licensing Act 2003 coming in affect. Morrisons now seek to change the hours to be more flexible, the hours requested mirror the hours already granted to Tesco, the only other supermarket of this size in Faversham.

The premises is situated in a residential area, to one side of it is West Street, off of which lead several other residential streets. Within West Street there are also other businesses, a Chinese takeaway, hairdressers and two public houses. To the other side of the premises are buildings owned by the Shepherd Neame Brewery. Although residential this is deemed as a town centre location as the main shopping centre is only a short walk away.

The original variation application requested the removal of all of the licensing conditions. These conditions were only applied in October 2009 and after discussions with the Police Licensing Officer this request was withdrawn. The application now only covers the requested change of hours for alcohol sales. It is our understanding that all Morrisons licences are being varied to achieve uniformity nationally. The general opening hours of the premises are not a matter for the sub committee to decide on, the applicant is aware of all other relevant legislation in respect of this, ie: Sunday Trading Laws.

## **Consultation**

The application was served on Swale Police, The Fire Brigade, Pollution Team, Planning, Child Protection Services and Weights and Measures (customs). Public Notices were displayed at the premises and the application was advertised in the local paper, in line with the requirements of the Licensing Act 2003.

Five representations were received from local residents, these cited the following concerns:

- Increased traffic
- Increased noise
- Increase in litter
- Light pollution late at night
- That the character of the area would be altered.

The resident objections can be linked to licensing objective 3, 'Prevention of Public Nuisance'.

**There were no objections from any of the Responsible Authorities.**

## **Conclusion**

A premises licence variation for Morrisons, North Road, Faversham has been applied for. Five local residents have made representations.

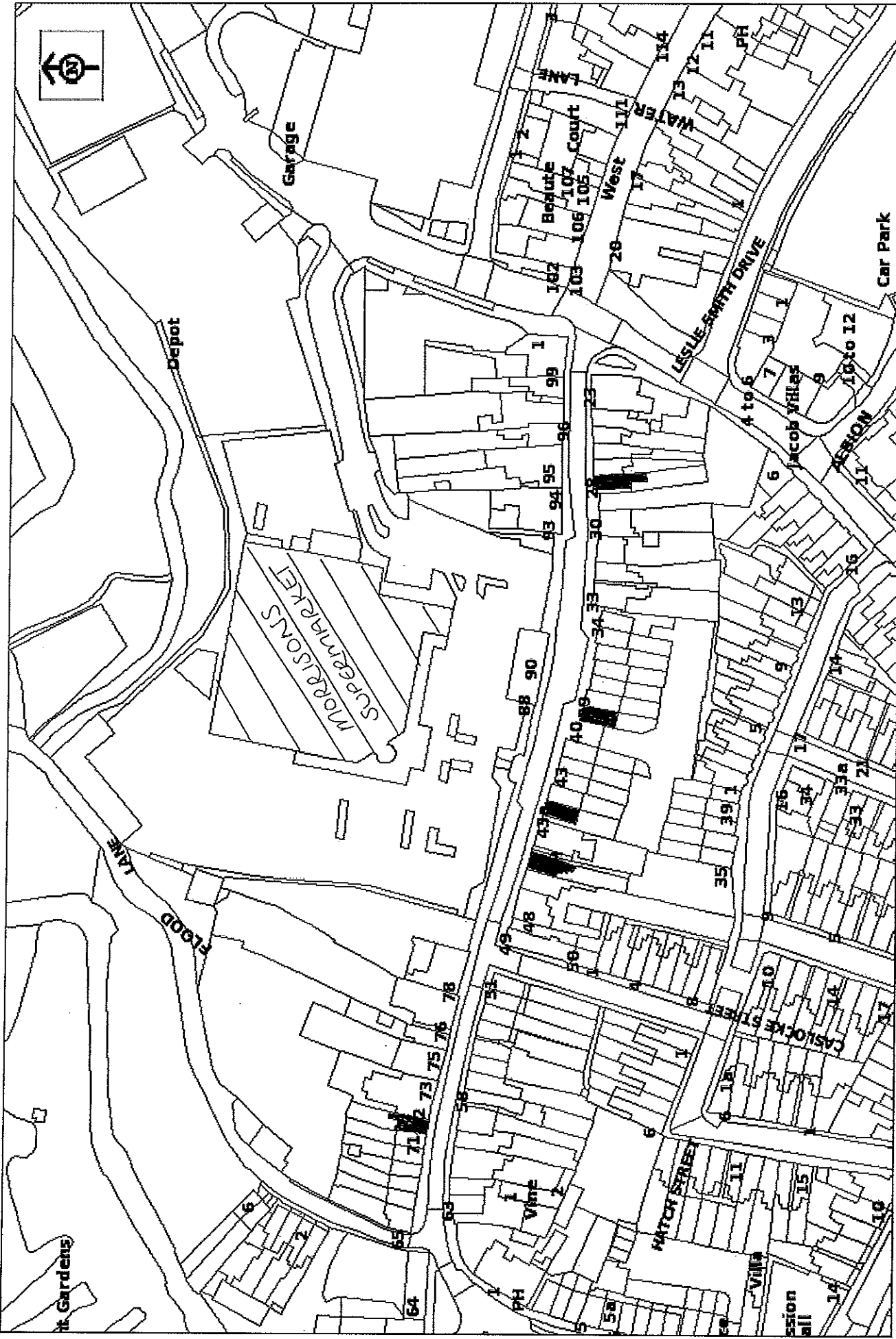
Councillors must decide if the licence can be varied and if any conditions and/or modifications to the hours requested be applied.

## **Supporting documents**

Plan of the area

5 letters from local residents

Copy of page 11 of the application (the operating schedule)



Shaded in boxes = objectors.

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telephone  
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Licensing Section,  
Ware Borough Council,  
Warehouse,  
1st Street,  
Wittingbourne,  
Leam.  
TELO 3HT.

Dear Sir / Madam,  
Re: Morrisons, Faversham - Application to vary the terms of the  
licence and trading hours.

We are writing to register our objection to the application by  
Morrisons Supermarket, South Road, Faversham to amend the  
terms of their licence and trading hours.  
It appears that their proposal is in direct conflict of  
the matter discussed at a Swale meeting held in March this  
year where it was decided that the area around the  
site of Morrisons and the West Street residential area  
be included as part of the alcohol control area.  
We feel that if the licence were granted this would cause many  
problems for the conservation area which borders the Morrisons store.  
There would be increased traffic late in to the night and early in  
the morning, light pollution and an increase in general noise associated

with not only the extended store opening times but the sale of cheap alcohol. ~~also~~ The sale of cheap alcohol early in the morning and late at night would be detrimental to an area with many historical buildings, which contribute to the heritage of the town. Along with the other issues, we have already raised, litter and anti social behaviour would increase with any change to the licence. The site of Morrisons is unique in that, not only, is it in a quiet residential area rather than out of town or on a trading estate but also that it borders a conservation area, which is protected by strict planning laws and regulations. There are already issues with people gathering by the pedestrian entrance after closing times. Many cars have been vandalised and there has been damage to the gate recently. We feel that these kinds of issues would increase with any extension of store opening times. Our final reason for objection is the increase in traffic. Whilst Morrisons has a car park many of the customers chose to park in the permit spaces in West Street whilst shopping. If the application was approved in favour of Morrisons not only would traffic be using West Street early in the morning and late at night at an increased volume, putting pressure on the structure of the road, which is already extremely vulnerable but the traffic and therefore noise pollution for residents would increase during anti social hours. In addition, to these points, pressure would be placed on the parking situation for residents, which is already at crisis point.

We would appreciate if you would take on board our objections when making your decision.

Yours Sincerely

Licensing  
Swale Borough Council,  
Swale House,  
East Street,  
Sittingbourne,  
Kent ME10 3HT

2.11.2010

Dear Sirs

MORRISONS (FAVERSHAM): APPLICATION TO VARY THE TERMS OF LICENCE

May we please register our objection to the application by Morrisons Supermarket of South Road Faversham to amend the terms of its trading licence.

The proposals appear to be in conflict given the fact that Swale discussed alcohol control areas at the meeting on 27.4.07 mentioning litter and damage to adjacent properties. This area is included in the map Swale published on 17.3.10 designating a Public Place Order for alcohol control areas .

Extending the hours of opening would, in our view, lead to more noise, traffic, and light pollution late at night, utterly out of character with a quiet residential street outside the town centre, characterised by many listed buildings that contribute to the architectural heritage of the area as a whole.

Extending the hours of alcohol licensing would be a particularly unfortunate step. Cheap alcohol available at 11 in the evening is a recipe for disaster.

The site already attracts youngsters and litter to congregate, after opening hours, in the pedestrian entrance, which was damaged last weekend, opposite our property in West Street.

Yours sincerely,

*Anty*

Dear Sir/ Madam

Re:- Morrison's application for extending their licensing hours

We want to register our objection to Morrison's application to extend their licensing hours.

I understand that the West St area is on a map published by Swale on 17.10.2010 designating it as an alcohol control area. We know that young people have to congregate somewhere, they tend to choose the public gateway to Morrison's Store. We consider that it would be a recipe for disaster to make alcohol available at 11pm in this quiet conservation area.

We hope that sense will prevail and Morrison's application will be rejected.

Yours faithfully

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ght  
s.



Licensing Section,  
Swale Borough Council,  
Swale House,  
East Street,  
Sittingbourne,  
Kent ME10 3HT



31 October 2010-10-31

*Dear Sir or Madam*

**MORRISONS (FAVERSHAM): APPLICATION TO VARY THE TERMS OF LICENCE**

May we please register our objection to the application by Morrisons Supermarket of South Road Faversham to amend the terms of its trading licence.

The proposals are absurd given the location of the premises bordering a conservation area. First, extending the hours of opening would, in our view, lead to more noise, traffic, and light pollution late at night, utterly out of character with a quiet residential street outside the town centre, characterised by many listed buildings that contribute to the architectural heritage of the area as a whole. Second, extending the hours of alcohol licensing would be a particularly unfortunate step. The site already attracts youngsters to congregate around the pedestrian entrance in West Street. Cheap alcohol available at 11 in the evening just inside the door is a recipe for disaster.

Yours sincerely,

ht

Re Nomms (Fav) Applicants to vary the hours  
of license  
To whom it may concern:

Please can I ask that proposed  
~~extra~~ hours to sell alcohol be  
refused.

We already have trouble with  
getting young. We already  
have our windows broken. We  
are a quiet residential  
area and it would be completely  
inappropriate to give any more  
hours to buy alcohol —  
especially cheap strong.

Please into our objection

# Operating Schedule

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General - all four licensing objectives (b, c, d, e) (please read guidance note 9)**

ALL STAFF ENGAGED IN THE SALE OF INTOXICATING LIQUOR WILL BE TRAINED IN ACCORDANCE WITH ESTABLISHED WM MORRISON SUPERMARKETS PLC TRAINING PROCEDURES.

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

ALL STAFF WILL RECEIVE SUITABLE TRAINING (INCLUDING REFRESHER TRAINING) IN RELATION TO THE PROOF OF AGE "TASK 25" SCHEME TO BE APPLIED ON THE PREMISES. THE FOLLOWING FORMS OF IDENTIFICATION ARE ACCEPTABLE; PHOTO DRIVING LICENCE, PASSPORT, PROOF OF AGE STANDARDS SCHEME (PASS) CARD AND ANY OTHER LOCALLY OR NATIONALLY APPROVED FORM OF IDENTIFICATION.

CCTV SHALL BE PROVIDED ON THE PREMISES AND SHALL BE KEPT IN GOOD WORKING ORDER. ALL CHECKOUT OPERATORS WILL OPERATE A REFUSAL LOG.

**c) Public safety**

WM MORRISON SUPERMARKETS PLC UNDERTAKES ONGOING RISK ASSESSMENTS IN ORDER TO COMPLY WITH HEALTH & SAFETY LEGISLATION.

**d) The prevention of public nuisance**

THE PREMISES ARE RESPONSIBLY MANAGED AND SUPERVISED. NO ADDITIONAL MEASURES ARE BELIEVED NECESSARY.

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

ALL STAFF WILL RECEIVE SUITABLE TRAINING (INCLUDING REFRESHER TRAINING) IN RELATION TO THE PROOF OF AGE "TASK 25" SCHEME TO BE APPLIED ON THE PREMISES. THE FOLLOWING FORMS OF IDENTIFICATION ARE ACCEPTABLE; PHOTO DRIVING LICENCE, PASSPORT, PROOF OF AGE STANDARDS SCHEME (PASS) CARD AND ANY OTHER LOCALLY OR NATIONALLY APPROVED FORM OF IDENTIFICATION.

TILL PROMPTS ARE IN USE AT THE STORE.