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Gareth Owens LL.B Barrister/Bargyfreithiwr
Head of Legal and Democratic Services
Pennaeth Gwasanaethau Cyfreithiol a Democraataidd



To: Cllr Tony Sharps (Chairman)

CS/NG

Councillors: Ian Dunbar and Jim Falshaw

22 February 2013

Sharon Thomas / 01352 702324
sharon.b.thomas@flintshire.gov.uk

Dear Sir / Madam

A meeting of the **LICENSING SUB-COMMITTEE** will be held in the **DELYN COMMITTEE ROOM, COUNTY HALL, MOLD CH7 6NA** on **THURSDAY, 28TH FEBRUARY, 2013** at **10.00 AM** to consider the following items.

Yours faithfully

Democracy & Governance Manager

AGENDA

- 1 **APOLOGIES**
- 2 **DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)**
- 3 **APPLICATION FOR A PREMISES LICENCE** (Pages 1 - 20)
Report of the Director of Environment enclosed.

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FLINTSHIRE COUNTY COUNCIL

REPORT TO: LICENSING SUB-COMMITTEE
DATE: THURSDAY, 28 FEBRUARY 2013
REPORT BY: DIRECTOR OF ENVIRONMENT
SUBJECT: APPLICATION FOR A PREMISES LICENCE

1.00 PURPOSE OF REPORT

To request that Members determine an application for a Premises Licence.

2.00 BACKGROUND

The premises concerned is Spar (formerly Morris Garage), Wrexham Road, Mold, Flintshire. CH7 1HS. Its location can be seen in Appendix 1.

The applicant is Blakemore Retail Limited.

The application was advertised in the correct manner.

3.00 CONSIDERATIONS

An application for a premises licence was submitted on 8th January 2013 by Lanyon Bowdler Solicitors on behalf of the applicant.

The application is for the sale of alcohol for consumption off the premises only. The times requested are :-

Monday to Sunday – 06.00am – 23.00pm

The Operating Schedule sets out the additional steps which will be taken to promote the Licensing Objectives. These can be seen in Appendix 2.

Representations were received from North Wales Police, Local Councillor's and local residents. See Appendices 3,4,5,6, 7 & 8.

The applicants agreed with the conditions proposed by North Wales Police in their letter dated 16th January 2013.

4.00 RECOMMENDATIONS

That members determine the application for a Premises Licence.

5.00 FINANCIAL IMPLICATIONS

None in respect of this report.

6.00 ANTI POVERTY IMPACT

None.

7.00 ENVIRONMENTAL IMPACT

None.

8.00 EQUALITIES IMPACT

None.

9.00 PERSONNEL IMPLICATIONS

None.

10.00 CONSULTATION REQUIRED

None.

11.00 CONSULTATION UNDERTAKEN

None.

12.00 APPENDICES

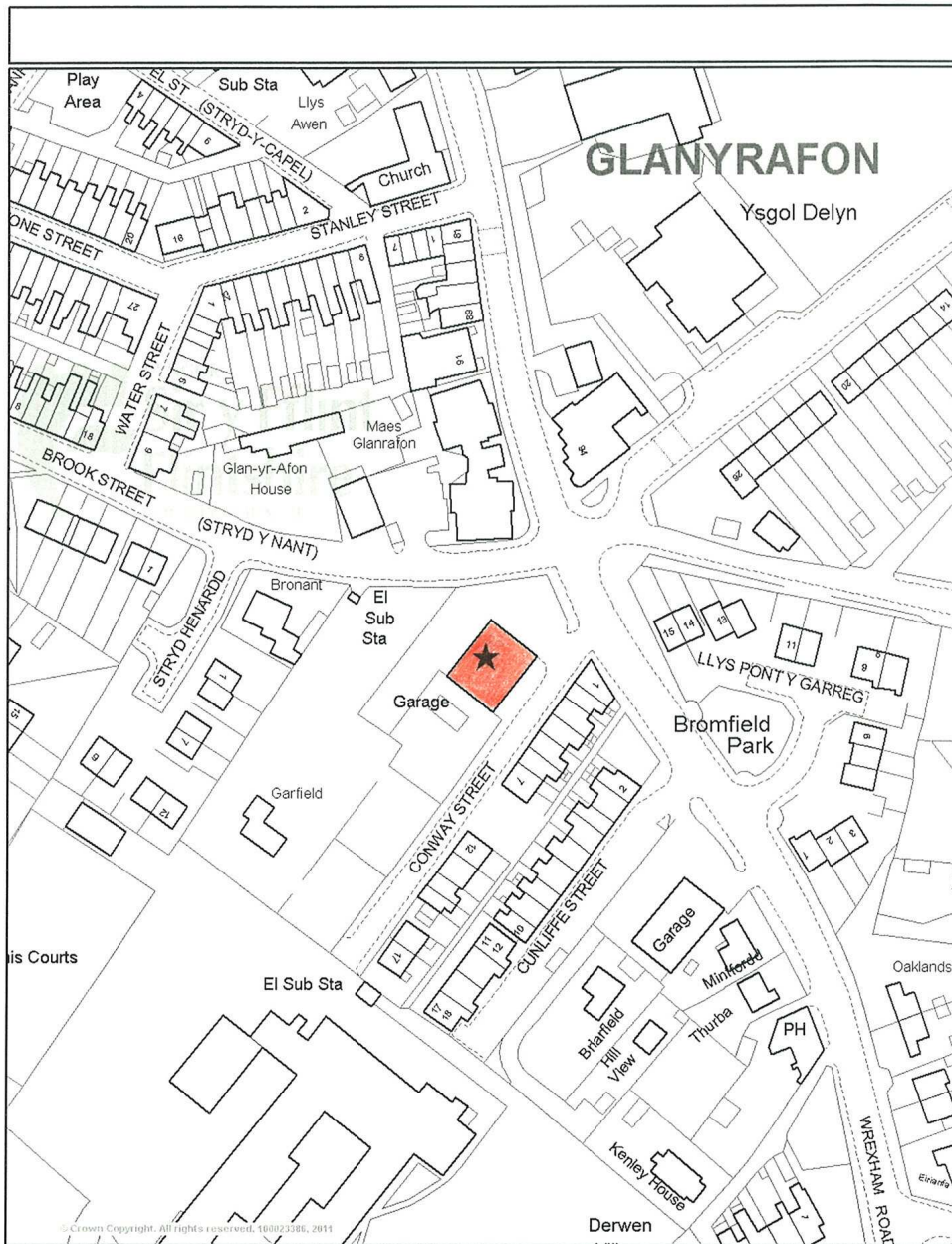
See attached.

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

Licensing Act 2003
Flintshire County Council's Statement of Licensing Policy

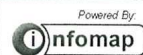
Contact Officer: Jacqui Dale
Telephone: 01352 703377
Email: jacqui.dale@flintshire.gov.uk

APPENDIX 1



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Scale 1/1250
 Centre = 323879 E 363503 N
 Date 12/2/2013
 Name



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

APPENDIX 2

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

The company will ensure investment and management of the premises to ensure that the premises trades within the law and provide what is best for staff, customers and other visitors to the store.

b) The prevention of crime and disorder

The company will ensure that :

Alcohol is not sold to anyone who appears to be under the influence of alcohol; alcohol will not knowingly be sold to anyone under age; a refusals book will be kept and checked on a regular basis; CCTV cameras will provided and images will be retained for a period of approximately 31 days and will be made available to the Police upon request

c) Public safety

The company will ensure:

Emergency lighting and adequate evacuation procedures are in place; fixtures and fittings are in accordance with company standards; electrical equipment will be checked on a regular basis and risk assessments undertaken. First Aid equipment is available and an accident book will be maintained and checked on a regular basis. Any spillages or breakages will be dealt with in accordance with company policy.

d) The prevention of public nuisance

The company will ensure :

Noise, lighting and odour levels are controlled so as to reduce the risk of causing public nuisance; deliveries to the store will be arranged as far as possible at reasonable times of the days and adequate litter bins will be provided

e) The protection of children from harm

The company will ensure :

An appropriate scheme such as Prove It/Citizen card/Challenge 25 or similar will be implemented; there will be prompts on the tills to remind operators to check ages; employees will be trained in accordance with the company's procedures relating to the sale of alcohol/cigarettes and tobacco/solvents/blades etc.

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HEDDLU GOGLEDD CYMRU
Gogledd Cymru diogelach

NORTH WALES POLICE
A safer North Wales

16th January, 2013

Mrs. Gemma Potter,
Licensing Team Leader,
Flintshire County Council,
County Hall,
Mold.
CH7 6NF

Dear Mrs. Potter,

**APPLICATION FOR A PREMISES LICENCE –
SPAR (FORMERLY MORRIS GARAGE), WREXHAM ROAD, MOLD CH7 1HS**

I write with reference to the above application, which has been discussed with Acting Inspector Andy Griffiths, the officer responsible for this area.

There are no objections to the licensable activity or times requested in this application. However, it is submitted that the following conditions be attached to the premises licence, under the licensing objectives of Prevention of Crime and Disorder and and Protection of Children From Harm:-

- A digital, colour hard disc CCTV system to be installed and maintained in a good working order. Recordings are to be kept for a minimum of 28 days and made available for inspection by Police or Local Authority, upon request.
- Cameras to monitor both the interior and exterior of the premises.
- There must be a minimum of one member of staff trained and available to download evidence at the request of the Police or Local Authority at all times the premises are open.
- Premises to adopt Challenge 25 policy

Should the applicant be in agreement with the above representations, they or their representatives are requested to confirm this to the relevant Council Licensing Department as soon as possible. This MAY avoid the need for a hearing before Committee, dependant upon any other representations received from other responsible authorities or interested parties.

Should the applicant not be in agreement with the representations, a Licensing Sub-Committee hearing will take place.

Yours faithfully,

Ann Williams
Eastern Licensing Officer

www.heddlu-gogledd-cymru.police.uk

www.north-wales.police.uk

Cont/.

Swyddog Trwyddedu'r
Gorsaf Heddlu,
Bodhyfryd, Wrexham. LL12 7BW
E [mail-ann.williams@nthwales.pnn.police.uk](mailto:ann.williams@nthwales.pnn.police.uk)
Ffon – 01978 348553
Svmudol - 07896172313

Licensing Officer
Police Station
Bodhyfryd, Wrexham LL12 7BW
E [mail-ann.williams@nthwales.pnn.police.uk](mailto:ann.williams@nthwales.pnn.police.uk)
Tel – 01978 348553
Mobile - 07896172313

cc

Jacqui Dale, Flintshire County Council Licensing Officer
Lanyon Bowdler Solicitors – cindy.darlington@iblaw.co.uk
Ref CJD/CD/002095/1161
A/Inspector Andy Griffiths, North Wales Police, South Flintshire
Sgt 566 Andy Massey, North Wales Police, South Flintshire

APPENDIX 4



Gareth Williams
<garethwilliams_milkretailer
@hotmail.com>
23/01/2013 17:55

To "licensing@flintshire.gov.uk" <licensing@flintshire.gov.uk>
cc "tony.sharps@flintshire.gov.uk"
<tony.sharps@flintshire.gov.uk>
bcc
Fax to
Subject LALPAC

Old Morris garage ,Wrexham Street. Mold

I wish to formally object to the proposed licensing hours at the above site

The proposal is from 6am until 11pm

Given that this is mainly a residential area , with elder folks accommodation adjacent to the application site and also the proximity of several local schools , there is a need to reduce the licensing hours.

Perhaps a 9am until 9pm would be more suited to this location given the comments above

Councillor Gareth Williams
Glan Yr Afon House
Brook Street
MOLD
garethwilliams300@o2.co.uk

01352 754442

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116005



Flat 4, Maes Gannafon,
Brook Street
Mold CH7 2RJ.
January 24th. 2013.

Licensing Officer
Flintshire Licensing Dept.
County Hall, Mold, CH7 6NB.
Dear Sir,

- The Store which is coming to Morris Garage is making an application for an "off licence - bar - 11pm. There was a notice on the fence about it, dated January 9th and have 28 days to protest. I am protesting on the following
- ① This is a residential, built-up area plenty of houses. Next to this Store is a Block of Pensioners Flats. There are 80yrs and 90yrs^{old} residents here - I am here, I am 80yrs. old. There will be a noise problem late at night - pensioners want quietness at this time of their life. The Flats have had trouble with cans etc., and food and packaging and knocking on my window.
 - ② There are two Senior Schools in the area - ~~one~~ only a few yards from the Stores. Children will pass here to and from school every day - there are 18yrs. old pupils in the 6th Forms - so they can buy alcohol and give to youngsters. Parents are concerned about this.
 - ③ A few yards away a Convenience Store + Off licence has just opened - not a good idea to have two

"off licenced" within a few yards of each other, and a
Block of Pensioners Flats between them.

I hope you will give much consideration
to the above items.

Thanking you,
Yours faithfully,
(Miss) Guanwen M. Roberts

From: Councillor
Oddi wrth: Y Cynghorydd

Haydn Bateman,
Cortonwood,
Blackbrook Road,
Sychdyn, Mold, CH7 6LT
E Mail Address:
haydn.bateman@yahoo.co.uk
haydn.bateman@flintshire.gov.uk



Jaqui Dale
Licensing Officer
Flintshire County Council

Your Ref/Eich Cyf
Our Ref/Ein Cyf MS/HB
Date/Dyddiad 29 January 2013
Ask for/Gofynner am Cllr. H. Bateman
Direct Dial/Rhif Unigol mobile: 07714155446
Fax/Ffacs

Dear Ms Dale,

Re: LICENSE APPLICATION RESPONSE - MEMBER
New License Application Former Morris Garage, Wrexham Road, Mold, Flintshire CH7 1HS For The Sale Of Alcohol For Consumption Off The Premises.

As the elected Member for the Mold Broncoed Ward I, on behalf of the residents of my ward, have to object to the hours requested (0600 – 2300) for the above application and suggest a more acceptable time span of 0900hrs – 2100hrs for the following reasons:-

- The site is situated in a very quiet residential area.
- The site is in close proximity to a retirement/sheltered accommodation of 30 apartments.
- The site is next to the entrance to Ysgol Maes Garmon which has a vast footfall of pupils before 0900 hours.

I hope these concerns will be taken into consideration before you come to a decision.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Haydn Bateman'.

Councillor Haydn Bateman
Mold Broncoed Ward



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PETITION

Received 04/02/13
at reception from
Cllr H. Bateman

APPENDIX 7

We the following object to the application by Blakemore Retail Ltd (Spar Stores) for a new premises on the former Morris Garage site to sell alcohol between the hours of 0600 – 2300. We believe that the sale of alcohol until 2300 hours will encourage antisocial behaviour in our quiet residential area

NAME	ADDRESS	SIGNATURE
✓ J A GRIFFITHS	12 CONWAY ST	J A Griffiths
✓ Julie Griffiths	-----	J Griffiths
✓ S W PARRY	7 CONWAY ST.	S W Parry
✓ P. PARRY.	" "	P. Parry
✓ JOHN. BOSWELL	1 CONWAY ST	J. Boswell
✓ RAY PIERS	13 CONWAY ST, MOLD	R. Piers
✓ ANN PIERS	" " "	A. Piers
✓ CHRIS COLLETT	16 Conway Street, Mold	C. Collett
✓ ANDY GARSIDE	17 CONWAY ST. MOLD	A. Garside
✓ SOPHIE McKEAND	" "	S. McKeand
✓ DAVID WILSON	1A CONWAY STREET	D. Wilson
✓ Julie Wilson	" "	J. Wilson
✓ ANDREW DAVIS	3 CUNLIFFE ST (hours 100 LATER FOR ALCOHOL)	A. Davis
✓ SARAH DEEVEN	" "	S. Deeven
✓ Ian Evans	5 Cunliffe street	I. Evans
✓ Crystal Brewster	" "	C. Brewster
✓ Sean Edwards	10 Cunliffe Street	S. Edwards
✓ R. EDWARDS	" " "	R. Edwards
✓ Debbie Eison	13 Llys Pont y Garreg	D. Eison
✓ Caroline Sanders	12 Llys Pont y Garreg	C. Sanders
✓ Nicola Fitzjohn	10, Llys Pont-y-Garreg Mold	N. Fitzjohn

PETITION

We the following object to the application by Blakemore Retail Ltd (Spar Stores) for a new premises on the former Morris Garage site to sell alcohol between the hours of 0600 – 2300. We believe that the sale of alcohol until 2300 hours will encourage antisocial behaviour in our quiet residential area

NAME	ADDRESS	SIGNATURE
✓ Paul Fitzjohn	10 LLYS PONT Y GARREG, MOLD	<i>[Signature]</i>
✓ ROB WEATHERHEAD	8 LLYS PONT Y GARREG, MOLD	<i>[Signature]</i>
✓ Judy Hughes	7 Llys Pont-y-Garreg mold	<i>[Signature]</i>
✓ Joan Coultmars	6 Llys Pont-y-Garreg mold	<i>[Signature]</i>
✓ Myrionie Walley	4 Llys Pont-y-Garreg Mold	<i>[Signature]</i>
✓ V. SCARFF	2 Llys Pont-y-Garreg Mold.	<i>[Signature]</i>
✓ JAYNE WILLIAMS	2 Conway St, Mold	<i>[Signature]</i>
✓ G. BOOKE	3 BANWAY ST. MOLD.	<i>[Signature]</i>
✓ Peter Jung	1 Stryd Henardd MOLD	<i>[Signature]</i>
✓ David Wright	3. GLAN ALUN MOLD	<i>[Signature]</i>
✓ MARGARET WRIGHT	- - - - -	<i>[Signature]</i>
✓ Helen Carter	1 Glan Alun, Mold	<i>[Signature]</i>
✓ I JACKSON	5 RAN U NFFON BROR ST MOLD.	<i>[Signature]</i>
✓ Sid Wynn	4 WALKER AFBW BROR ST MOLD	<i>[Signature]</i>
✓ DAN JONES	94 WEXHAM ST, MOLD	<i>[Signature]</i>
✓ A G PARRY	24, ALEXANDRA ROAD	<i>[Signature]</i>
✓ S PARRY	" "	<i>[Signature]</i>
✓ K. HUGHES.	15. CONWAY ST. MOLD.	<i>[Signature]</i>
✓ J. Hughes	" "	<i>[Signature]</i>
✓ G. Hughes	" "	<i>[Signature]</i>
✓ M. TO'RAY	5 CONWAY ST, MOLD	<i>[Signature]</i>
✓ G. RUSSELL	5 CONWAY ST, MOLD	<i>[Signature]</i>
✓ Joan FURTER	6 CONWAY ST, MOLD	<i>[Signature]</i>
✓ A. Evans	6 CUNLIFFE ST, MOLD	<i>[Signature]</i>
✓ D. EVANS	" "	<i>[Signature]</i>
✓ M ROBERTS	7 CUNLIFFE ST MOLD	<i>[Signature]</i>
✓ A ROBERTS	" "	<i>[Signature]</i>

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**Wrexham Road
Mold, Flintshire
CH7 1EP**

**Ffordd Wrecsam
Yr Wyddgrug
Sir y Fflint
CH7 1EP**

Tel: 01352 750755
Fax: 01352 707131

**Headteacher
Mr. A. Jones**

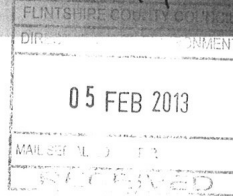
**Deputy Head
Mrs. J. Cooper**

**Assistant Heads
Mr. J. Colclough
Dr. T. Erasmus
Mr. C. Ellis**



Alun School 116125

Jacqueline Dale
Licensing Officer
Environment Department
Flintshire County Council
CH7 6ND



4th February 2013

Blakemore Retail Ltd. application for Wrexham Road / Conwy Street, Mold

I write to raise concerns regarding the proposal to open a convenience store in the location above.

As you will be aware, the entrances to four local schools (Ysgol Bryn Coch, Ysgol Maes Garmon, Ysgol Glanrafon, Alun School) are all within a minute's walk from this site.

The Welsh Government is currently implementing their 'Appetite for Life' agenda in schools which encourages the young people of Wales to adopt a more healthy approach to the consumption of food and drink. We are concerned that having a store so close to all four schools will potentially undermine this government initiative by giving students the means to access unhealthy choices on their way to/from school. In England similar healthy eating and drinking initiatives have included avoiding having retail outlets for food/drink near to school entrances.

Allowing the sale of alcohol so near to the schools would also present a range of problems. Those who are underage may be tempted to try making purchases themselves or, alternatively, ask those over the age of 18 to purchase on their behalf. We have over four hundred students in our Sixth Form, the majority under the age of 18 but with a sizeable minority over the age of 18. We can anticipate a major difficulty in having those young people with easy access to a store selling alcohol whilst they are gathered together in large groups, for example on the way home at the end of a school day.

In conclusion, we have significant concerns that the opening of such a store on this site would have a detrimental impact on our school, other schools, and local residents, and ask that such concerns be taken into account when considering the progress of such a proposal.

Yours sincerely,

Mr. A. Jones – Headteacher

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