

Shell Waitrose Buckland, Reigate Road, Buckland, Reigate RH3 7ET

Decision Notice: Application for a Premises Licence

This notice confirms the decision of the Licensing Sub-Committee made at a meeting on 5th September 2019.

The Application

1. Mole Valley District Council received an application by Shell UK Oil Products Limited acting by their agent Corrigan Lockett Limited (**Applicant**) for a premises licence at the Shell Waitrose Buckland, Reigate Road, Buckland, Reigate RH3 7ET (**the Application**).
2. As relevant representations in respect of the Application were received, a hearing was arranged to take place 5th September 2019 at 11.00am in the Council's Chamber to enable the Council's Licensing Sub-Committee comprising of Councillor Elizabeth Daly, Councillor Alan Reilly and Councillor Tim Loretto to determine the Application. The hearing was chaired by Councillor Elizabeth Daly.

Attendance and Participation

3. The hearing was attended by:

Acting Senior Licensing Officer	Paul Holliday	Mole Valley District Council
On behalf of the Applicant	Ben Williams	Applicant's Counsel, Kings Chambers, Birmingham
	Corrigan Lockett	Applicant's Agent
On behalf of Interested Parties	Sheena Boyce	Representative of Buckland Parish Council
	Mandy Cooper	Tranquil Vale Residents' Representative

4. No representations were received by any Responsible Authorities and therefore they were not in attendance at the hearing.
5. The Sub-Committee were satisfied that notice of the hearing was served on all relevant parties, and that all those entitled to speak at the hearing had an opportunity to do so.

Summary of Discussion

Licensing Officer

6. Mr Holliday presented his report. In summary, he said that since the Applicant had amended their application and additional conditions had been agreed, a further 6 parties had withdrawn their representations leaving just 5 who have not withdrawn.
7. This strengthened his recommendation in the report that the amended application be granted subject to those conditions, as set out in paragraph 5.1 of the report.

The Applicant

8. Mr Williams presented his client's case. Following the initial application and objections there had been extensive discussions. The weight of the objections had been in relation

to the length of the proposed licensing times and request for a late night refreshment licence.

9. The times have been amended and the request for late night refreshment withdrawn.
10. As a result of the continued discussions, the vast majority of those who made representations have responded positively to the agreed conditions leaving a small discreet number who have not responded at all. But for those, this application would be granted without the need for this hearing. There is therefore no reason not to grant the amended application.
11. Councillor Loretto questioned condition 6, namely how the contact details of the Retailer would be made available. In response, Mr Lockett said that a telephone number will be available at the counter at all times.

Interested Parties

12. Sheena Boyce for the Parish Council said that there had initially been safety and public nuisance concerns but that through dialogue with Shell, the application had turned into an opportunity so that the residents now understood how the franchise works. Residents felt in a better position now than before the application.
13. She said that the operator and Lockett & Co will be meeting with the local residents after the licensing hearing and she commended the Applicant's agent.
14. Mandy Cooper added that there had been numerous discussions and that the additional 10 conditions that had been agreed would help them.

Decision

15. Having considered the written and oral representations made by Interested Parties and the Applicant's Counsel and agent, and having considered the Council's own Licensing Policy, the Licensing Sub-Committee decided to grant the Application (with the sale of alcohol hours reduced to 06.00 to 23.00 hours and the request for late night refreshment withdrawn) subject to strict adherence to the additional conditions agreed between the parties attached to this decision, as set out in paragraph 5.1 of the report.
16. The reason for the decision is that the Sub-Committee were satisfied that the parties have entered into positive dialogue and conditions have been agreed. They had regard to the representations of the parties who have not withdrawn their objections and are satisfied that any relevant objections have been addressed by the conditions agreed.
17. The Sub-Committee were extremely impressed with the dialogue that both parties had engaged in and were encouraged that the resulting future relations between the parties would continue to be as positive and co-operative.
18. The Sub-Committee was cognisant of the need to uphold the fundamental licensing objectives of Public Safety, Prevention of Crime and Disorder and Prevention of Public Nuisance in accordance with the Secretary of State's guidance issued under Section 182 of the Licensing Act 2003 in making this decision.
19. The decision will take effect from today.

5th September 2019

Conditions

1. The CCTV system in operation at the premises shall include cameras at the rear and side of the building to cover these external areas. The CCTV shall adequately cover all internal areas.
2. Whenever a closure of the forecourt is required the forecourt entrance/exit shall not be blocked and shall allow for a throughway of traffic to enter and exit the site without having to reverse onto the road.
3. A timer shall be in operation on the large illuminated sign pole at the entrance of the site to ensure that the sign is turned off when the site closes each day.
4. There shall be litter bins installed on site close to the entrance/exit on the grass verge.
5. There shall be a minimum of two litter picks conducted on site each day to include the entire forecourt area.
6. The contact details of the Retailer shall be made available on site to any responsible authority and/or resident that has an issue or concerns relating to the site.
7. The licence shall authorise the opening hours of the premises to the public and the sale of alcohol 6am-11pm seven days per week and shall not authorise the provision of Late-Night Refreshment.
8. All stock and fuel deliveries to site (with the exception of Newspapers) shall be restricted to the following hours: 8:00am-9:00pm Monday-Friday and 10:00am-9:00pm Saturday and Sunday.
9. A notice shall be displayed on the forecourt to advise that No Lorry Parking is Permitted.
10. Staff at the site shall be requested to ensure that they do not dispose of any cigarette butts on any neighbouring property close to the site.