

# DECISION ITEM



REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	LICENSING COMMITTEE	24 MAY 2016	5
<b>APPLICATION FOR GRANT OF A PREMISES LICENCE: ALDI STORES LIMITED, FLEETWOOD ROAD, WESHAM</b>			

## PUBLIC ITEM

This item is for consideration in the public part of the meeting.

### SUMMARY

The Licensing Authority has received an application for the grant of a premises licence for an Aldi Store at "Fleetwood Road, Kirkham", part of the Mill Farm project. There have been representations from the Medlar with Wesham Town Council and nearby residents, who are "other persons" as defined by the Act. As such a hearing must be held to determine the application.

### RECOMMENDATION

- That the Panel considers the application and determines to either:
  - grant the application subject to the conditions specified in the operating schedule modified to such extent as the panel considers appropriate for the promotion of the licensing objectives, and any mandatory condition,
  - modify the conditions of the licence,
  - refuse to specify a person in the licence as premises supervisor
  - reject the application

### SUMMARY OF PREVIOUS DECISIONS

There are no previous decision relating to this matter.

CORPORATE PRIORITIES	
Spending your money in the most efficient way to achieve excellent services ( <b>Value for Money</b> )	√
Delivering the services that customers expect of an excellent council ( <b>Clean and Green</b> )	√
Working with all partners ( <b>Vibrant Economy</b> )	√
To make sure Fylde continues to be one of the most desirable places to live ( <b>A Great Place to Live</b> )	√
Promoting Fylde as a great destination to visit ( <b>A Great Place to Visit</b> )	√

## **Report**

### **Application**

1. The application is for the grant of a premises licence to Aldi Stores Limited.
2. The matter has been referred to the panel because relevant representations have been received from “other persons”.

### **Papers**

3. The following papers are relevant and have been made available to panel members:
  - The application, including the plan and the operating schedule
  - The statutory guidance for licensing authorities issued by the secretary of state under section 182 of the Licensing Act 2003
  - The council’s statement of licensing policy
  - Copies of relevant representations made by the following responsible authorities:  
None Received
  - Copies of relevant representations made by the following interested parties  
Medlar with Wesham Town Council  
Richard and Linda Nulty  
Jed and Jennifer Bilsborrow  
Roy Whiston  
Joanne and Phil Connelly  
Elaine Hartley

### **Consideration**

4. The licensing objectives are:
  - The prevention of crime and disorder;
  - Public safety
  - The prevention of public nuisance; and
  - The protection of children from harm
5. As relevant representations have been made, it is the duty of the panel to take such of the steps set out below as it considers appropriate for the promotion of the licensing objectives. The steps are:
  - (a) grant the application subject to the conditions specified in the operating schedule modified to such extent as the panel considers appropriate for the promotion of the licensing objectives, and any mandatory condition,
  - (b) modify the conditions of the licence,
  - (c) refuse to specify a person in the licence as premises supervisor
  - (d) reject the application
6. The Guidance issued by the Secretary of State and the Council’s Statement of Licensing Policy will be material in considering the application, but cannot override the licensing objectives.
7. The following parts of the secretary of state’s guidance appear to be particularly relevant to the application and the relevant representations:

8.12	Other persons
9.30	Hearings
9.41	Determining actions that are appropriate for the promotion of the licensing objectives.

10.48 Age verification

However, the parties appearing in the hearing may wish to draw the panel's attention to other parts of the guidance.

8. The following parts of the council's statement of licensing policy appear to be particularly relevant to the application and the relevant representations:

6.1	Planning
9.5	Licensing Panel Hearings
10.3	Conditions that the Licensing Authority May Impose
14.1.1	Underage Drinking

However, the parties appearing in the hearing may wish to draw the panel's attention to other parts of the policy.

**Further Information**

9. Following mediation with the Police (who are a responsible authority) the applicant has agreed a number of conditions as detailed below to be attached to the licence. The Panel is therefore requested to consider attaching the conditions to the licence.

10. Those conditions are:

The following conditions to be added to the operating schedule:

- The Licence holder will enforce the Challenge 25 proof of age policy.  
Any person who looks or appears to be under the age of 25 shall be asked to provide identification that they are over the age of 18. The following are the only forms of identification acceptable:  
i. UK photo driving licence  
ii. Passport  
iii. Proof of Age Standards Scheme Card*
- All staff to have received suitable training in relation to the proof of age scheme to be applied upon the premises. Records to evidence this will be made available to an authorised officer upon request. Refresher training shall be conducted every 6 months as a minimum.*
- Ordinarily a member of management team will be on the premises at all times the premises are open to the public. In exceptional circumstances where this is not the case another member of staff will be given responsibility of the premises and all staff will have knowledge of who this person in responsibility is.*
- CCTV will be installed internally or externally at the premises and will comply with the following:  
The CCTV system shall be installed, maintained and operated to the reasonable satisfaction of Lancashire Constabulary. All public areas of the premises are to be covered by the system. The system will incorporate a camera covering each of the entrance doors and will be capable of providing an image which is regarded as identification standard.  
The system will display on any recording the correct time and date of the recording.  
The system will make recordings during all hours the premises are open to the public.  
VCR tapes or digital recording shall be held for a minimum of 21 days after the recording is made and will be made available to the Police or any authorised persons acting for a Responsible Authority for inspection upon request.  
The system will, as a minimum, record images of the head and shoulders of all persons entering the premises.*

5. *A staff member who is conversant with the operation of the CCTV system will be on the premises at all times the premises are open to the public. This staff member will be able to show recent data or footage with the absolute minimum of delay when requested to a Police Officer or to a Local Authority Enforcement Officer.*
6. *An authorisation of sales, signed and dated by the DPS, shall be kept at the premises showing all persons authorised by them to make sales of alcohol at the premises.*
7. *An incident book will be maintained, in which shall be recorded :*
  - (i) *All incidents of crime and disorder*
  - (ii) *Refused sales to suspected under age/ drunken persons*
  - (iii) *A record of any person refused admission or asked to leave the premises*
  - (iv) *Details of occasions upon which the Police are called to the premises*
  - (v) *The use or discovery of drugs**That book shall be available for inspection by a Police Officer or authorised person*
8. *Refusals forms shall be completed on by staff recording refused sales to under age/drunken persons.*

#### **Procedure**

11. The applicant and the makers of the relevant representations have been invited to attend or be represented at the hearing.
12. The panel is asked to use the attached procedure in the hearing.

<b>IMPLICATIONS</b>	
Finance	No implications arising directly from the report.
Legal	No implications arising directly from the report.
Community Safety	No implications arising directly from the report.
Human Rights and Equalities	No implications arising directly from the report.
Sustainability and Environmental Impact	No implications arising directly from the report.
Health & Safety and Risk Management	No implications arising directly from the report.

<b>LEAD AUTHOR</b>	<b>TEL</b>	<b>DATE</b>	<b>DOC ID</b>
Chris Hambly	01253 658422	4 <sup>th</sup> May 2016	

<b>LIST OF BACKGROUND PAPERS</b>		
Name of document	Date	Where available for inspection
Guidance issued under S182 of Licensing Act 2003	March 2015	<a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418114/182-Guidance2015.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418114/182-Guidance2015.pdf</a>
Statement of Licensing Policy	January 2016	<a href="http://www.fylde.gov.uk/business/licensing/licensingact2003/licensingpolicystatement/">http://www.fylde.gov.uk/business/licensing/licensingact2003/licensingpolicystatement/</a>

#### **Attached documents**

1. Application Form
2. Representations
3. Area Plan

Insert name and address  
of relevant licensing  
authority and its  
reference number  
(optional)

The Licensing Department  
Fylde Borough Council  
Town Hall  
Lytham St Annes  
Lancashire  
FY8 1LW

## Application for a premises licence to be granted under the Licensing Act 2003

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

**X**We Aldi Stores Limited  
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and ~~we~~ are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

### Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Aldi Fleetwood Road	
Post town Kirkham	Post code PR4 3JZ
Telephone number at premises (if any)	01827 710800
Non-domestic rateable value of premises	£ (not yet rated)

### Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- |   |   |
|---|---|
| a) an individual or individuals*                  | <input type="checkbox"/> please complete section (A)            |
| b) a person other than an individual*             |   |
| i as a limited company                            | <input checked="" type="checkbox"/> please complete section (B) |
| ii as a partnership                               | <input type="checkbox"/> please complete section (B)            |
| iii as an unincorporated association or           | <input type="checkbox"/> please complete section (B)            |
| iv other (for example a statutory corporation)    | <input type="checkbox"/> please complete section (B)            |
| c) a recognised club                              | <input type="checkbox"/> please complete section (B)            |
| d) a charity                                      | <input type="checkbox"/> please complete section (B)            |
| e) the proprietor of an educational establishment | <input type="checkbox"/> please complete section (B)            |

- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

\*If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒
- I am making the application pursuant to a
  - statutory function or ☐
  - a function discharged by virtue of Her Majesty's prerogative ☐

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)
Surname			First names	
I am 18 years old or over		<input type="checkbox"/>	Please tick yes	
Current postal address if different from premises address				
Post town			Post code	
Daytime contact telephone number				
E-mail address (optional)				

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)
Surname			First names	
I am 18 years old or over		<input type="checkbox"/>	Please tick yes	
Current postal address if different from premises address				
Post town			Post code	
Daytime contact telephone number				
E-mail address (optional)				

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

<b>Name</b> Aldi Stores Limited
<b>Address</b> Holly Lane Atherstone Warwickshire CV9 2SQ
<b>Registered number (where applicable)</b> 2321869
<b>Description of applicant (for example, partnership, company, unincorporated association etc.)</b> Company
<b>Telephone number (if any)</b> 01827 710800
<b>E-mail address (optional)</b> N/A

### Part 3 - Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
0	1	0	5	2	0	1	6

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD		MM		YYYY			

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

Not Applicable
-------------------

Please give a general description of the premises (please read guidance note 1)

Supermarket selling food, alcohol, toiletries, clothing, hardware and electrical items. The premises have dedicated car parking.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Please tick any that apply

#### Provision of regulated entertainment

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Provision of late night refreshment (if ticking yes, fill in box I)

<input type="checkbox"/>
--------------------------

Supply of alcohol (if ticking yes, fill in box J)

<input checked="" type="checkbox"/>
-------------------------------------

In all cases complete boxes K, L and M



**A**

<b>Plays</b> Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both - please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both - please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both - please tick</u> (please read guidance note 2)		Indoors <input type="checkbox"/>
Day	Start	Finish			Outdoors <input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both - please tick</u> (please read guidance note 2)		Indoors <input type="checkbox"/>
Day	Start	Finish			Outdoors <input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of dance take place indoors or outdoors or both - please tick</b> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)			
Mon						
Tue						
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)			
Thur						
Fri						
Sat			<b>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</b> (please read guidance note 5)			
Sun						

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			<b>Please give a description of the type of entertainment you will be providing</b>			
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both - please tick</b> (please read guidance note 2)		Indoors	<input type="checkbox"/>
Mon					Outdoors	<input type="checkbox"/>
Tue					Both	<input type="checkbox"/>
Wed			<b>Please give further details here</b> (please read guidance note 3)			
Thur						
Fri						
Sat			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 4)			
Sun						
			<b>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 5)			

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both - please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<u>Will the supply of alcohol be for consumption - please tick</u> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon	07:00	23.00	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4) None		
Tue	07:00	23.00			
Wed	07:00	23.00			
Thur	07:00	23.00	<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri	07:00	23.00			
Sat	07:00	23.00			
Sun	07:00	23.00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name Lisa Joanne Gilligan	
Address [REDACTED]	
Post code	LE16 7SU
Personal licence number (if known) HHPER00549	
Issuing licensing authority (if known) Harborough District Council	

**K**

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

N/A

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4) None
Day	Start	Finish	
Mon	07:00	23.00	
Tue	07:00	23.00	
Wed	07:00	23.00	<b>Non standard timings. Where you intend the premises to be open to the public at different times to those listed in the column on the left, please list</b> (please read guidance note 5)
Thur	07:00	23.00	None
Fri	07:00	23.00	
Sat	07:00	23.00	
Sun	07:00	23.00	

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

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

Aldi operate over 500 stores in the UK with licences free of conditions. It is submitted that as a responsible operator, selling alcohol for consumption off the premises only, no conditions need to be attached to the premises licence other than the mandatory conditions specified in the Licensing Act 2003.

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

The applicant is a responsible retailer and takes appropriate measures to deter thieves and shoplifters. There are no other likely crime and disorder issues.

**c) Public safety**

The applicant is a responsible retailer and takes appropriate measures to ensure the safety of those members of the public who visit the store. There are no public safety issues in particular that need to be addressed.

**d) The prevention of public nuisance**

The applicant is a responsible retailer and takes appropriate measures to ensure the prevention of public nuisance. It has not been an issue in any of their other stores.

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

The applicant is a responsible retailer and takes appropriate measures to ensure the protection of children from harm. Procedures are in place to attempt to ensure at all times that no person under the age of eighteen is sold alcohol.

**Checklist:**

**Please tick to indicate agreement**

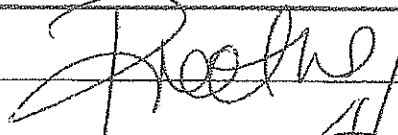
- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that I must now advertise my application. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**



**Part 4 - Signatures** (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	4/4/10
Capacity	Solicitors for the Applicant

For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature			
Date			
Capacity			
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) Freeths LLP One Colton Square			
Post town Leicester		Post code LE1 1QH	
Telephone number (if any)	+44 (0)845 272 5723		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) N/A			

## Notes for Guidance

1. 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.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give 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.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give 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 or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

## Chris Hambly

---

**From:** Jean Priestley  
**Sent:** 03 May 2016 22:56  
**To:** Chris Hambly  
**Subject:** Premises Licence Application 5/4/16 - Aldi, Fleetwood Road, Wesham

The Medlar-with-Wesham Town Council have concerns regarding this application seeks to extend the hours of the licence from those prescribed in the planning permission (13/0655) granted by Fylde Borough Council. The extension of the opening beyond those stated in condition 45, which limited the licence to 22.00 hours Monday to Saturday and 18.30 on Sunday, seems totally unnecessary considering the location and type of outlet.

The basis of the Councillors concerns are the stores close proximity to Fleetwood Road Playing Fields which has features specifically designed to encourage use by teenagers and the increasing number of crimes in Wesham which are committed by juveniles and/or are alcohol related.

Fleetwood Road Playing Field's Skate Board facilities are a focal point for large groups of teenagers from the area. The proximity of a store selling cut price, take away alcohol late at night can only created issues relating to public order and vandalism.

The fast food outlet will also attract young people to the site.

The reduction in Community Policing Staff is throughout the Fylde has lead to an increase in juvenile crime, vandalism and anti-social behaviour in the Town. Adding late night access to alcohol will only add to the public nuisance and general disorder in the area.

As the store is situated "out of Town" many customers will have to drive to make late night purchases of alcohol. There will also be the opportunity to drink whilst eating the fast food from neighbouring outlet. We are concerned are that some drivers may be over the legal limit for blood/alcohol on arrival or when leaving the site.

Alcoholism including under age drinking is an issue in the Town. The situation of the store near to dark open land and without the controlling environment of a the Town Centre will present a danger to certain individuals.

Regards  
Jean Priestley

Town Clerk  
Medlar-with-Wesham Town Council

The individuals listed below wish to see any licence for the sale of alcohol for consumption off the premises at the Aldi Foodstore located on Fleetwood Road, Wesham, restricted to the hours prescribed by the Council in granting Planning Permission – 13/0655: Condition 45.

The Aldi store is in a countryside location on the busy A585 at the edge of Wesham, close to the town's Recreation Ground.

The reasoning for opposing a licence beyond 22.00 Monday – Saturday and 18.30 Sunday is as follows:

1. **Protection of Children and young people:** Teenagers frequently like to meet in groups and experiment with alcohol. The latest statistics produced by the Police show a rise in public order/ low level crime/vandalism occurring in Wesham, particularly since the reduction in Community Policing staff in the Fylde. It is common to see groups of teenagers, particularly around the recreation ground and the rural fringe of the Town, out till late at night. The availability of cut-price out-sales of alcohol, most often purchased by an older sibling is a concern, especially as the location of the new Aldi does not have the close community scrutiny that exists at the Town centre outlets. The development of fast food outlet (KFC) next to this store is further likely to attract young people to this area. The mix of dark open land, cheap alcohol and lack of over-sight will present a clear danger to youngsters, particularly after 10.00pm when most of the proposed local facilities will close.
2. **Public Nuisance:** For many of the reasons set out above, there is an increased risk of public nuisance.
3. **Public Safety:** The store can only be accessed on foot by crossing a 50mph A Road. After 10.00pm traffic levels are light but fast. Whilst traffic light controlled crossings are available, youngsters will mostly not wait for their priority and cross at the shortest point, as they do now at the near-by recreation ground. The public footpath which runs behind the store, gives ready access to open countryside and some unfenced deep ponds.
4. **Crime and Disorder:** The availability of cheap alcohol, late at night in a largely unsupervised location, is likely to give rise to loutish behaviour, disorder and crime, which could be lessened by limiting the licensing hours.

Richard and Linda Nulty – Demmingfield, Fleetwood Road, Greenhalgh

Jed and Jennifer Bilsborrow - 2 Rose Villas, Fleetwood Road, Wesham

Roy Whiston- 1 Rose Villas, Fleetwood Road, Wesham

Joanne and Phil Connelly, Wesham House Farm, Fleetwood Road, Wesham

## Chris Hambly

---

**From:** Richard Nulty  
**Sent:** 03 May 2016 19:12  
**To:** Chris Hambly  
**Subject:** Re: Premises Licence application 5/4/16: Aldi, Fleetwood Road, Wesham

Chris,

Can you please add another name to our group

Elaine Hartley - Pitfield, Fleetwood Road, Wesham

Thanks,

Richard N

----- Original Message -----

**From:** Chris Hambly  
**To:** 'Richard Nulty'  
**Sent:** Tuesday, May 03, 2016 1:42 PM  
**Subject:** RE: Premises Licence application 5/4/16: Aldi, Fleetwood Road, Wesham

Apologies – to confirm the licensing objectives include the prevention of crime and disorder. I wrote protection of children from harm twice.

Many thanks  
Chris

Chris Hambly  
Environmental Health Manager  
Fylde Borough Council

DDI: 01253 658422

Main: 01253 658658

Make sure you cast your vote in Police and Crime Commissioner Elections on  
Thursday 5 May. Polling stations open 7am – 10pm

Visit our website for all the latest information at your fingertips:  
<http://www.fylde.gov.uk>

Fylde Borough Council's email disclaimer can be found at:  
<http://www.fylde.gov.uk/disclaimer>

**From:** Chris Hambly  
**Sent:** 03 May 2016 13:33  
**To:** 'Richard Nulty'  
**Cc:** Licencing <licensing@fylde.gov.uk>  
**Subject:** RE: Premises Licence application 5/4/16: Aldi, Fleetwood Road, Wesham

Good afternoon, thanks your message.

I can confirm that the premises address shown on our webpages is the address given to the Authority on the application form. I acknowledge the premises lies within Medlar with Wesham but would advise that the notes to the application form state "Postal address of premises or, if none, ordnance survey map description or description". In light of all the construction works taking place at the location, we are satisfied that the location of premises has been adequately described.

I note your comments regarding the restriction on operating hours attached via the planning permission but would comment that, although it's not ideal, it is possible for a premises may have different planning and licensing permissions.

Our Statement of Licensing Policy states,

*"6.1 Planning*

*The regular use of premises for licensable activities normally requires planning permission. Conditions attached to planning permissions may set a terminal hour for the use of premises. Where these hours are different to the licensing hours, the premises must close at the earlier time. A licence issued under the Act does not override any restriction placed on the premises by the planning authority. Premises operating in breach of their planning permission may be subject to enforcement under planning law.*

*The grant of a licence by the Licensing Authority does not relieve an applicant of the need to apply for building control authorisation.*

*Key Message*

*Licence applications should normally be from premises where*

- *The activity to be authorised by the licence is a lawful planning use*
- *The hours sought do not exceed those authorised by any planning permission; and*
- *any existing hours are appropriate for the use of the premises.*

*Note – Where the appropriate planning consent has not been obtained in advance and relevant representations are made, applicants will need to demonstrate that the operation of the premises would not be detrimental to the promotion of the licensing objectives."*

Therefore, in order to progress and accept your representation I would be grateful if you could

- a) confirm the names & addresses of the persons you are making representation on behalf of, and
- b) provide additional information as to how the likely effect of the grant of the licence would affect at least one of the licensing objectives of the protection of children from harm, public safety, prevention of public nuisance and the protection of children from harm.

Any responses should be submitted before midnight tonight but should you wish to discuss the matter please do not hesitate to contact me. I look forward to hearing from you in due course.

Regards

Chris

**Chris Hambly**  
**Environmental Health Manager**  
**Extension: 8422**

**From:** Richard Nulty [ \_\_\_\_\_ ]

**Sent:** 03 May 2016 11:33

**To:** Licencing <[licensing@fylde.gov.uk](mailto:licensing@fylde.gov.uk)>

**Subject:** Premises Licence application 5/4/16: Aldi, Fleetwood Road, Wesham

Good Morning Mr Hambly,

On behalf of a number of residents living on Fleetwood Road, I wish to make representations with regard to the application for a licence governing the supply of alcohol for consumption off the premises, Monday to Sunday 07.00 - 23.00.

The location of the premises is wrongly described in your published schedule.

The Aldi Foodstore currently under construction, will have pedestrian access from Fleetwood Road, though the car park will be accessed through the new road servicing the stadium site, named Coronation Way. The post code for Fleetwood Road is PR4 3DE. Both roads and the new store lie in the parish of Medlar with Wesham and NOT Kirkham.

Residents accept that the Aldi store will wish to sell alcohol. However, the concern is that the licence now requested, if granted for the hours listed, will cause upset to the residential amenity of neighbouring properties at unsocial hours.

On the recommendation of the Council's Environmental Protection Team, Condition 45 of the Planning Approval 13/0655 limits the trading hours of the foodstore to:

08.00 - 22.00 Mon - Sat

09.00 - 18.00 Sun - thence as limited by Sunday trading regulations

Reason: In the interests of residential amenity .....

It is therefore requested that for this reason, any licence granted should be limited to the time periods specified in the planning approval.

Yours sincerely,

Richard Nulty,

Demmingfield, Fleetwood Road, Greenhalgh PR4 3HE

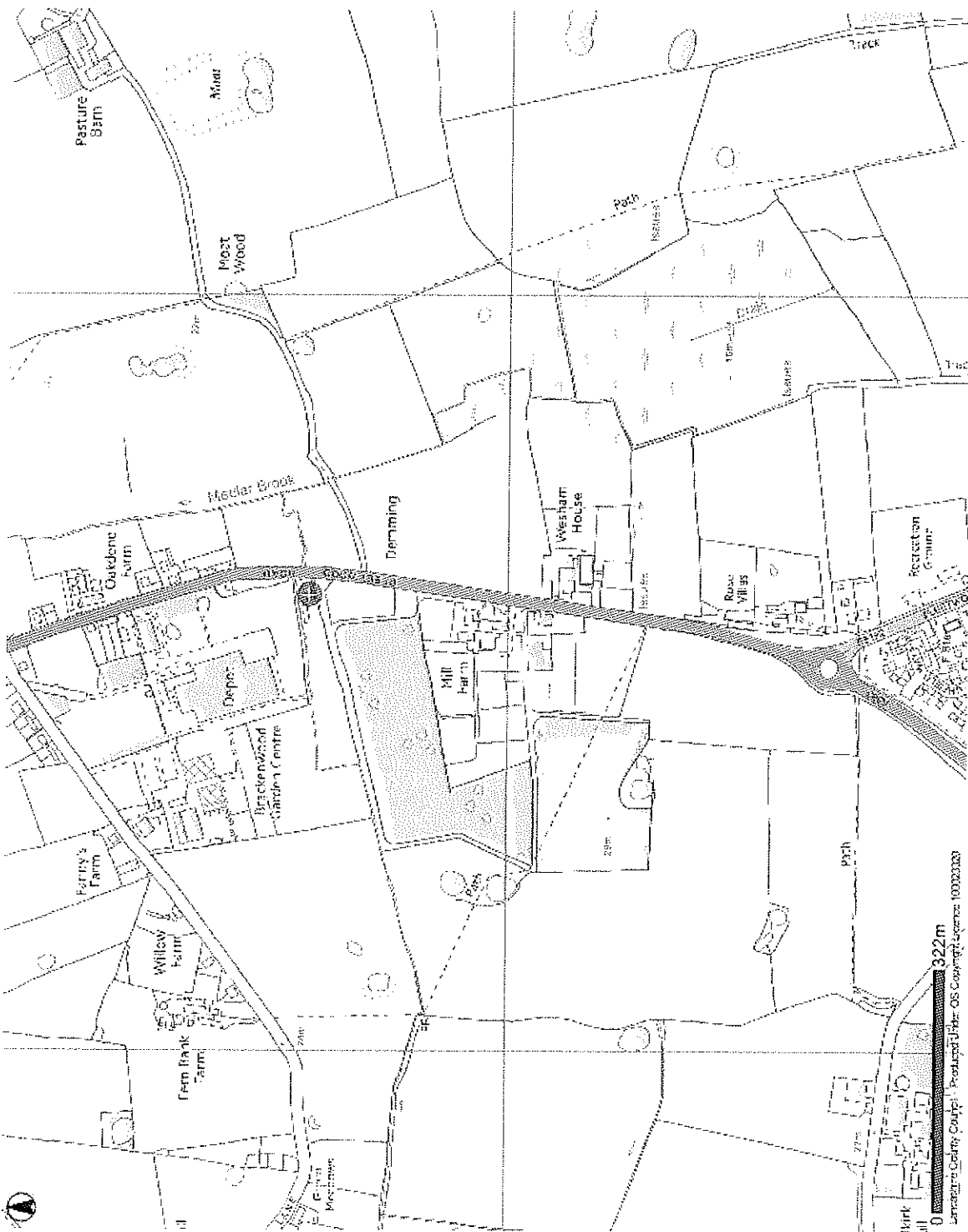
03/05/16

No virus found in this message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 2016.0.7539 / Virus Database: 4565/12154 - Release Date: 05/03/16

Districts  
Other  
District/Unitary  
Authority  
Lancashire  
Districts



Aldi Store

This map is reproduced from Ordnance Survey material with the Permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office (C) Crown Copyright. Unauthorised reproduction may lead to prosecution or civil proceedings. Lancashire County Council - OS Licence 100023320 (C) Centre of map: 341570:434027

Date: 04/05/2016

