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BY:

HEREFORDSHIRE COUNCIL
Licensing Act 2003

Please return this form, and any additional information within the statutory period to:
The Licensing Section,
Herefordshire Council,
8 St Owen Street,
Hereford,
HR1 2PJ
licensing@herefordshire.gov.uk

REPRESENTATION FORM – INTERESTED PARTIES

On making your representation please have regard to the 'Making Representations Guidance Notes' which further explains the process and the information that can be considered by the licensing authority.

When completing this form please print clearly and legibly.

| | |
|--|--|
| Your Name: [REDACTED] | Contact Telephone No. [REDACTED] |
| Address: [REDACTED] | E-mail address: [REDACTED] |
| | Please state your interest in the premises you are making a representation about: LOCAL RESIDENT |
| Name & Address of premises you are making a representation about: Marden Post Office and Stores, Marden, Hereford, HR1 3EW | |

DATA PROTECTION ACT 1998. Please indicate by ticking here ...*.. if you are not content for your personal details to be circulated as necessary prior to any hearing .

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

| |
|---|
| <p>To Prevent Crime & Disorder Long licensing hours and early start to drinking are a potential source of problems.</p> |
| <p>To Prevent Public Nuisance The premises in question is a Post Office and food store patronised by local residents including children and the elderly.. It does not appear to be a suitable premises for the consumption of alcohol as drinkers would have to be in the shop to purchase drinks and visit the toilet. The outdoor seating /drinking area is directly adjacent to private housing and the proposed opening hours would cause considerable nuisance through noise and lights. There is already a pub in the village (currently not open) which is much more suitable, and which, I believe, is owned by the same family. Given all of the above, I am opposed to a licence being granted for drinking on the premises.</p> |

To Protect Children from Harm

Unaccompanied children will visit the shop, and it is not appropriate for the to see alcohol being consumed on the premises.

Signed:

[Redacted Signature]

Date:

12th Dec. 2022

[Redacted Box]

[Redacted Box]

MEMORANDUM

To : LICENSING OFFICER

From : Marden Parish Council

Tel : My Ref : PR00397

Date : 16 Dec 2022 Your Ref :

**LICENSING ACT 2003
APPLICATION FOR GRANT OF PREMISES LICENCE
MARDEN POST OFFICE & STORES**

Having assessed the above application, we would like to make the following representation:

| Representation | Industry Guidance |
|---|--|
| <p>2 applications have been made:</p> <p>The First was an application for a variation to the current license from 'Off' sales only to 'Off and On' sale of alcohol. Consultation was from 17th November 2022 until 30th November 2022.</p> <p>The Second, according to the notice in the Hereford Times, is an Application for Grant of Premise Licence/Club Premises Certificate. Consultation is from the 19th November 2022 until the 16th of December 2022. (It is noted that the notice in the Hereford Times indicates the end of the consultation is the 19th of December 2022).</p> | |
| <p>PREVENTION OF CRIME & DISORDER</p> <p>The premises is a large supermarket style shop and a Post Office selling various lottery, chance tickets and Post Office goods. Both areas have 'tills' for cash payments accessible by the staff. These areas will still need to be open to the public during licensing times and will therefore be accessible to all. Should any problems occur the various tills and high value items will be very vulnerable. Late night opening could attract targeted attacks and disruption. Qualified door staff would be required to deter such intrusions.</p> <p>The answers given by the applicant to all of the objectives lack critical detail and any obvious human or physical planning, and assume current staff are authorised and able to deal any problems. There is no indication of the actual use the Premises/Club License is required for.</p> | <p>Licensing Act 2003, 21, 37, 61, 62, 63, 64, 71, 72, 140, 141, 142, 143, 144, 160, 192A, Gambling Act 2005, 33, 178, 278</p> |
| <p>PUBLIC SAFETY</p> <p>As above:</p> <p>Escape Routes: There are 3 possible escape routes:</p> <ul style="list-style-type: none">a. One is through the 'kitchen' to an exit at the back of the building, then through a compound with 2 (probably locked) gates emerging on the left side of the building.b. The other is via the (locked) storeroom emerging through an exit on the left of the building.c. The main door is electrically operated. It would not work if the electricity supply failed. | <p>UK Parliament; Building Regulations; Statement made on 4 July 2022. (Statement UIN HCWS172) 'All public</p> |

| | |
|--|--|
| <p>There is only one 'Access WC' shown on the incorrect plan (a section of the interior wall is missing). This would require anyone consuming alcohol to exit from the drinking area and pass across the whole of the supermarket/Post Office area while other customers are present. Hereford Planning would need to be consulted in regard to the provision of the extra facilities required.</p> | <p>buildings to have separate male and female toilets.' Local Government (Miscellaneous Provisions) Act 1976, Section 20.</p> |
| <p>PREVENTION OF PUBLIC NUISANCE As above: Domestic properties lie within 30m of the proposed site. The proposed site borders the road C1124 and the car park of the premises, it is large outdoor area that cannot be policed from inside the building. There is not a fence between the car park of the road. Sound pollution may be a problem, especially in the Summertime.</p> <p>The carrying of open containers in the street could lead to difficulties with neighbours.</p> <p>Vehicle Parking: With the Marden Primary Academy and current Community Centre in close proximity, safe offroad parking is very limited. Parking at the applicant's site is inadequate for those already attending the premises. Although vehicle parking on the road C1124 is possible it could lead to neighbour's property entrances being blocked and further congestion of the rural village roads that are also used by 30+ ton lorries on a regular basis.</p> <p>The NDP M14 Dark Sky: M1, M7, M12, M14 are also relevant.</p> | <p>The Building Regulations 2010. The Building (Approved Inspections etc) Regulations 2010. Law Commission: Simplification of Criminal Law: Public Nuisance and Outraging Public Decency. Law Com No 358. NDP M1, M7, M12, M14</p> |
| <p>PROTECTION OF CHILDREN FROM HARM The premises are very near to Marden Primary Academy and unaccompanied children use the shop to buy many items. They would have to cross the designated drinking area to enter the shop in contravention of Clause 145. The rest of the drinking area – internal and external - does not have any obvious way of preventing children from entering it.</p> | <p>Licensing Act 2003, 137, 145, 146, 147, 147A, 149, 150, 151, 152, 153,</p> <p>Gambling Act 2005, Part 4,</p> |

REFERENCES

Please Reference the industry guidance from which your representation has been sourced.

THE LICENSING ACT 2003;

THE GAMBLING ACT 2005;

UK Parliament; Building Regulations; Statement made on 4 July 2022. (Statement UIN HCWS172) 'All public buildings to have separate male and female toilets.';

Local Government (Miscellaneous Provisions) Act 1976, Section 20; The Building Regulations 2010.

The Building (Approved Inspections etc) Regulations 2010.

Law Commission: Simplification of Criminal Law: Public Nuisance and Outraging Public Decency. Law Com No 358;

Marden Neighbourhood Development Plan to 2031. Regulation 14.

**OFFICER
POSITION
AUTHORITY**

Marden Parish Council Comment.

While the PC recognise the development of the village shop, the PC has concerns that it is an inappropriate use of a facility that is primarily a rural village store and Post Office; especially when the village pub is empty and unused. The Shop/Post Office is close to the Primary Academy and Pre-School and could have adverse impacts on the children.

Being a rural village, the roads are already inappropriate for the current traffic loads (cars, heavy tractors and very large lorries). Add to this the lack of adequate parking which will only be exacerbated by 90 new houses and a Community Centre to be built on the opposite side of the road.

The main concern is the lack of detail in the application, it appears no thought has been given to the practicality and the PC is left with no idea of what the operation will do.

Unfortunately, although the project appears to be an asset, without details of the intention the PC can only assume the difficulties it may cause and, therefore, cannot support the application.