

RECEIVED
17 OCT 2023
BY: GASTH
SANDSON,

[REDACTED]

Licensing Section
Herefordshire Council
8 St Owen Sreet
Hereford
HR1 2PJ

10 October 2023

Dear Sir,

Re: Planning application by Samy Limited for 38 High Street, Kington, HR53BJ to extend licensing hours to 24/7

Words actually fail me at the prospect of this being considered acceptable. What possible justification can there be for this? There's an alcohol and drug problem already in Kington as undoubtedly there is in most towns so why would this usually quiet town want to allow 24 hour access to more alcohol?

- What profile does Morrison's have of customers requiring to purchase alcohol between eg 1-6am?
- What provisions could the company possibly put in place to protect the staff on night shift in this scenario?
- Is this not massively encouraging alcohol abuse?

The High Street is narrow and echoey and there are residents and guests everywhere trying to get a peaceful night's sleep. This is not the same as a big city centre. Vehicles will be encouraged into the High Street at all hours and be parking there, obviously ignoring parking restrictions. Customers are hardly going to park in car parks at 2am and walk sedately into Morrison's.

I speak as a grandparent who for some months recently looked after a very mentally troubled granddaughter who was constantly trying to obtain alcohol and drugs in Kington by whatever means. It was bad enough that she easily found drug dealers in town in broad daylight, never mind alcohol throughout the night. I doubt she would have survived. In case the council isn't aware, there is an epidemic of mental health issues amongst the young and it can often lead to drug and alcohol dependency.

I urge you to bear these points in mind when making your decision. This is not needed.

Yours faithfully

[REDACTED]

[REDACTED]

Cc Kington Town Council, Kington Chamber of Trade

RECEIVED
10 OCT 2023
BY: GMSH
SCMDDO.



Licensing Team
Environmental Health & Trading Standards
Herefordshire Council
Plough Lane
Hereford
HR4 0LE

8th October 2023

Dear Sir/Madam

Re : Licensing variation application by Samy Ltd at retail premises at 38 High Street Kington HR5 3BJ
– ex-Nisa/Ashby's

Thank you for your letter of 5th October in reply to my representation to yourselves of 27th September 2023.

I really cannot understand your response as

- a) I am a member of the public; of course not the public as a whole, but an individual member who lives in the area likely to be affected and whose concerns are based on regular, frequent behaviours experienced during existing opening hours and
- b) I cannot possibly provide evidence of the problems as a result of 24 hour opening hours as there is no 24 hour opening in this area. Nor can anyone.

But surely our views should be taken into account in your impact assessment.

You ask for evidence from real and reliably witnessed events at the premises. The High Street/lanes & carpark behind ex-Nisa/Samy's are "the premises" likely to be affected. There are so many instances which I and neighbours just get on and deal with regularly, I will give just a few of the latest instances of such problems there I have witnessed:

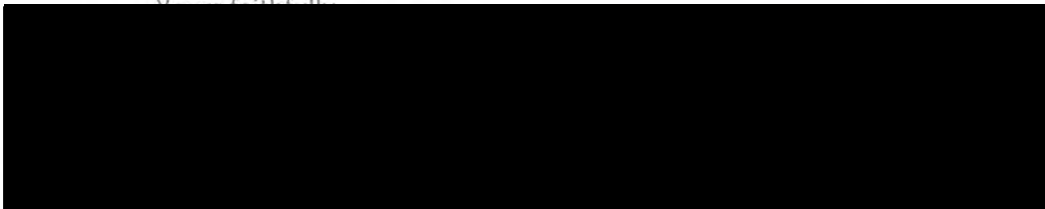
- antisocial driving in the "Nisa" carpark rowdy and erratic – the most recent was this afternoon with the driver then going into Samy's
- drunken behaviour – the most recent was yesterday evening with 2 reeling young men swigging cans and relieving themselves in the hedgerow between the carparks
- clearing human wee from against my house and my gateway – yesterday late afternoon
- clearing cans and food wrappers from carpark and lane to it – I clear it most weeks while taking my bin out. Last Monday there were 5 lager cans, 2 soft drink bottles and 4 food wrappers which had not been there on Sunday afternoon's clear up.

It is on the basis of such experiences already impacting our lives here that I am concerned as to the likely impact of 24 hour alcohol and food sales here.

As far as the police involvement is concerned, the most recent I heard was on Friday evening, though as I had gone to bed early I did not see anything. The most recent time I was woken by police racing after people, torches being waved around including through my gate was in the middle of the night on the last weekend in August. That I did see as well as hear. I am sure the police can inform you in much more detail than I can. How can they police 24 hour opening here as well?

As I said in my previous letter I would also ask that to avoid my being threatened, you keep my details completely confidential. If you cannot do this, then please return this letter to me with a note to that effect. Thank you.

Yours Faithfully



HEREFORDSHIRE COUNCIL
Licensing Act 2003

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.

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**

Your Name: KINGTON TOWN COUNCIL	Contact Telephone No. [REDACTED]
Address: Kington Town Council The Old Police Station Market Hall Street Kington Herefordshire HR5 3DP	E-mail address: clerk@kingtontowncouncil.gov.uk
	Please state your interest in the premises you are making a representation about: eg local resident/local business Town Council representing the interests of the residents of Kington
Name & Address of premises you are making a representation about: Nisa, 38 High Street Kington, Herefordshire HR5 3BJ	

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 Kington Town Council's objection is primarily to the removal of restrictions to the current licence enabling the sale of alcohol on a 24 hour basis. Given that there are few premises within Herefordshire that will allow 24 hour alcohol sales (we believe there are currently just 12 such premises), we believe this will encourage people to drive to the Town to access this store, encouraging the potential for those driving under the influence of alcohol. Public opinion on this particular issue is strong with the Town Council receiving in excess of 85 individual objections to this proposal. Like many small towns, alcohol abuse is evident within the Town and we believe allowing the purchase of alcohol on a 24 hour basis, particularly at night, will exacerbate existing issues of local crime and disorder as a result of alcohol abuse.</p>
<p>Public Safety</p>
<p>To Prevent Public Nuisance The store in question is located on our narrow High Street which has residential dwellings above the majority of independent stores which form Kington's unique High Street. Noise from people accessing any late or overnight sales of alcohol and/or refreshments if this application</p>

is approved would severely disrupt those residents living in the immediate vicinity, whether that access is on foot or by vehicle.
Kington already has a history of vehicles parking (illegally) on the narrow High Street, causing a hazard and resulting in difficulty for emergency vehicles and others to pass at any time of the day or night. Whilst car parking is available at the rear of the store (via a public car park), it is unlikely vehicles will use that car park at night and then walk around to the front of the store to make a purchase, particularly as overnight availability in this car park is very limited.

To Protect Children from Harm

Signed:
Date:



If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 261761

**Representation Form – Interested Parties
Suggested Conditions**

Premises:

Nisa,
38 High Street
Kington, Herefordshire
HR5 3BJ

Your name: Kington Town Council

It would help us with this application if you could suggest conditions you would be happy for the premises to operate under to rectify the problems you are experiencing.

All suggested conditions shall be considered in line with the Herefordshire Council Licensing Policy, the Licensing Act 2003 and the Licensing Objectives.

To Prevent Crime and Disorder

Retention of current licencing terms and conditions including times of operation

Public Safety

16 October 2023

Dear KTC,

I've just been made aware that Nisa (now Morrison's Daily) are applying for a 24-hour alcohol license. I've only been here 6 years, but do feel I do have a unique perspective on the 24-hour workings of the High Street. Not only do I live on the High Street but I also run a retail shop during the day and a B&B the rest of the time. I would therefore like to offer in this letter, multiple reasons as to why we should definitely and collectively oppose their application.

Firstly, in order to oppose something, it's important to understand what we are protecting. In this case, it's important to understand Kington, what we have that's unique, what we need to protect and in turn, envision for the future:

- Kington has remained wonderfully traditional. Our medieval High Street is blessed with gorgeous little independent shops, we've avoided modernization, gentrification and chain stores. This is Kington's charm. Visitors instantly recognise and appreciate its simplicity. People are moving here because of this and visitors return because of this.
- Ironically, because Kington has remained unchanged, I believe Kington is 'on-trend' for the new emerging High Street, that complements rather than competes with the internet. We do and need to continue to offer a shopping experience and be a hub of useful shops for our rural community.
- The High street is already attracting new independent businesses, especially craft and art shops and galleries. The Walking Hub will be moving into its new premises (the old La Gala) in November and we are all succeeding where other businesses have failed. This in turn will attract other small independent businesses, the kind we want. If Kington could shape the High Street with a selection of useful shops, essentially try to recreate the old "high street" experience, we are onto a winner!
- And let's not also forget that the High Street is also residential. This also very important regarding the survival of the High Street and the protection of our medieval buildings. Research has shown that people living above the shops is actually more successful and sustainable than the shopping Mall idea. And indeed, in the USA they are now creating and building our very scenario; we just happen to be the real deal. Totally authentic – lucky us! But again, we have to protect and nurture this. We cannot make rash decisions without thinking how it will affect our residents and in turn our buildings. I've seen time and time again how this is not the case...for example the recent road works hammering away until 02 in the morning. I like the concept of 'coexisting'. We could do with a sign like this on the High Street then we need to honour it!



- Kington is also growing a valuable reputation as a Walking Town. We need to recognize that Offa's Dyke National Trail is a gold mine for us. We have a steady stream of walkers from all over the world arriving in our town just because the path has led them here. Totally free marketing! Walkers are an easy bunch of people to please, requiring food and accommodation. To meet these needs, many of our premises have successful B&B's over the shops. These walkers love Kington and end up revisiting or even moving here.

Morrisons having a 24-hour license will potentially change and effect Kington on all the above levels for the following reasons:

- It will disrupt the balance on the High Street. For residential and commercial to coexist we need to embrace a lively High Street during the day and through the evening, but then we want it to close down (I would suggest by 11pm) so our residents and visitors can sleep peacefully. In the summer there is already a problem with groups of drinkers hanging out on the High Street after hours and see this as only encouraging this behavior.
- An open all-hours shop doesn't really fit with our traditional High Street. Traditionally the shops open early and close early because they are family run. If we want to, we can embrace this and it will continue to make us unique. A lovely balance of understanding what our visitors need and protecting our values.
- 24-hour alcohol access could attract many more people into Kington through the night. Cars speeding down the High Street, not to mention the increased possibility of drunk drivers all adds to the decreased safety in Kington.
- The noise factor is hugely problematic. Noise travels easily along our narrow High Street with shoulder to shoulder historic buildings, most of which have thin walls and ill-filling windows. Speeding cars and groups of drunk people disrupt not only our residents but our B&B guests. This has the potential to ruin our businesses, our reputation as a walking town and ensures that our visitors don't return.
- We need to prevent chain stores and big Corporations such as Morrisons from changing the character of our High Street. Morrisons may very well have targeted Kington because of its low socioeconomic status, assuming that we probably have a higher number of residents with alcohol problems and therefore taking advantage them. After all, who needs to buy alcohol in the middle of the night?
- We need to make sure that Herefordshire council realise our unique identity and that they can't make bad decisions on our behalf as they were going to with the Parking fee debacle.

Thank you for reading. I love living in Kington and having a business here. I'm passionate about community and preserving our High Street and believe strongly that with clever nurturing, it can not only survive but thrive. Decisions that initially seem minor can often have huge ramifications and I believe this is one of them. The enclosed petition show that others here also wish to oppose this license and hope we can therefore depend on the councils support to also oppose.

