

Central Bedfordshire Council

15th February 2019

15 FEB 2019Licensing Team
Central Bedfordshire Council
Watling House
High Street North
Dunstable
Beds LU6 1LF

Public Protection

Dear Sir/Madam

Licensing Act 2003: Application to Vary a Premises Licence

I am writing in response to Malhurst Petroleum Limited's application for a variation to licence for MRH Stotfold, 67 Arlesey Road, Stotfold SG5 4HB (Esso garage) and would like to formally submit our objections to the application.

1. Firstly, we would like to comment on the vagueness of this application to alter the existing license. Some of the statements made are lacking in detail and could be far reaching without giving specific details. We have highlighted some below.
2. The location of the ESSO garage on Arlesey road (SG5 4HB) could be considered unique due to the extreme close proximity of the neighbouring residential properties. The buildings for properties 61 and 63 Arlesey Road and also some in The Gardens to the rear, directly form the petrol station boundaries with little to no screening or protection against noise and light pollution. Please refer to:

Appendix A - Aerial view of ESSO garage showing close proximity of residential housing.

3. Article 8 of The Human Rights Act 1998 covers issues of protection from noise and pollution nuisance and the right to a family life. We believe that by extending the opening times past existing opening times this petrol station would cause sufficient nuisance to be in breach of those human rights in respect of a right to private and family life.
4. We would also like to refer to restrictions imposed on the car washing machine which is only allowed to operate during licensed hours. As a way of reducing noise, doors were fitted to enclose the washing and drying operation. This highlights the sensitivity of noise pollution which was to the detriment of neighbouring properties and was significant enough to consider implementing additional sound proofing and restricted operating hours. The extension of licensed hours to become a 24 hour service will cause nuisance and disturbance to residents including light pollution (flood lights and multiple signage), constant smell of fuel, noise generated by the pumps and from persons attending the premises in the earlier hours. This will have an impact on the quality of life for the immediate neighbouring properties to the point where they would not be able to leave their windows open at night particularly in the summer months.

5. The drawing titled 'MRH STOTFOLD PROPOSED' contains a note stating:

"THE ENTIRE PREMISES MAY BE USED FOR THE SALE OF ALCOHOL AND THE PROVISION OF LATE NIGHT REFRESHMENT"

Additional information is required to establish the extent of the proposed use. We assume the current use class for this property is SUI Generis and therefore does not permit a change to A1, A3, A4 or A5 use class. Further detail and clarification is needed to establish whether a planning application for a change of use is required not just an extension to the existing license.

6. Section K states:

The following request has been made by the applicant:

"The premises sell alcohol and other age restricted products"

Further identification and clarification is required for "other age restricted products" so we may comment and consider the consequences and impact of these products on the neighbouring properties and wider community.

7. Section L states:

The applicant has requested the removal of the following licence condition:

"Any embedded restrictions in the premises license"

The above request looks to be far reaching and further clarification is required. The wider impact of its removal will also need to be considered once further clarification has been provided.

8. Section L states:

The applicant has requested the removal of the following licence condition:

"Outside of permitted hours for the sale of alcohol, all alcohol within the trading area is to be kept behind shutters/screens/grills."

We have real concerns regarding robbery and safety of staff. The garage is in a quiet residential area leaving it vulnerable and an easy target for crime. This is particularly prevalent during the early hours. The garage has previously been targeted by robbers who stole the cash point machine during the night. Even increased CCTV will not guarantee safety of staff and local people. Robberies can cause feelings of vulnerability within a community.

9. Section L states:

The applicant has requested the removal of the following licence condition:

"The sale of alcohol is currently restricted as follows:

0800 to 23.00 Monday to Saturday

10.00 to 2230 Sundays

0800 to 2230 Good Friday

1200 to 1500 and 1900 to 2300 Christmas Day"

We would kindly ask why these restrictions were placed on the existing license. Given that the location and general operations of the petrol station has not changed, are these restrictions still relevant from the issuing of the original license.

10. Section I states:

Referring to late night refreshment taking place indoors or outdoors

"The provision will take place inside the premises but customers may leave the premises with items purchased"

Further clarification of the term 'refreshments' is required so an assessment can be made on the immediate and wider impact on neighbouring properties and the wider community.

Also, we are already experiencing an unacceptable level of litter generated from the garage as can be seen from the attached photos for example a large number of discarded plastic gloves supplied at the petrol pumps. This will most definitely increase with the introduction of fast food.

Introducing more bins will not guarantee that rubbish will be placed in them because people will walk further through the village with their purchase and discard packaging.

One very serious concern is the consistent presence of broken glass along the cycle path opposite the petrol station. Eatonbury Academy is not far from the ESSO petrol station and the cycle path is used everyday by pupils attending the school. Additional sales of alcohol can only contribute to this serious problem.

Please refer to Appendix-B for photographs of existing litter problems

11. The granting of a 24 hour licence at this location is also likely to attract night traffic including Lorries from the bypass seeking refreshments there by increasing noise levels and reducing air quality by pollution throughout the village.

12. Taking a broader view of the potential impact on the local community, we would like to refer to the CBC Community Safety Partnership Strategy 2016 – 2019 (please see below). It highlights the

increase in ASB and the negative impact excess alcohol abuse has on the community and to the person drinking. Approving a 24 hour alcohol licence will only support alcohol abuse and everything associated with it, contradicting your own strategy for tackling this growing issue.

“Drug and alcohol misuse is associated with a wide range of both physical and psychological conditions and consequences affecting the whole of society. Drinking to harmful levels in Central Bedfordshire is increasing with rising rates of admissions to hospital as a result of alcohol.

In Central Bedfordshire, up to a quarter of older adults seen by health professionals have an alcohol problem and about one in three older people with alcohol problems only start drinking excessively in later life. Results from a school survey in Central Bedfordshire showed 5% of year 6 pupils (ages 10-11) reported they have had an alcoholic drink in the last week. This figure increases with age; 2

Protecting our Communities involves dealing with:

- *Anti-Social Behaviour – environmental*
- *Nuisance motorcycles.*

The issue

• *Street drinking is a complex issue which has a negative impact upon the quality of lives of local residents and businesses in Central Bedfordshire. It is classed as ASB predominately due to outcomes from street drinking, such as littering, noise nuisance, abusive and disorderly behaviour. It also has an extremely detrimental impact on the health and well-being of those partaking in street drinking, with at least 12 serious medical conditions being linked to chronic heavy drinking.*

• *Street drinking is a concern to the residents of Central Bedfordshire. Just under 15% of residents surveyed advised the main concern in their area was “people being drunk or rowdy in public places”.*

• *Between October 2014 – September 2015 there were 367 ASB incidents reported to Bedfordshire Police that related to street drinking in Central Bedfordshire. Alcohol related ASB is not currently accurately recorded and it is felt that this number is not a true reflection of the issue in Central Bedfordshire and that accurate recording would raise this number higher.*

“We understand that reducing crime, the fear of crime and dealing with nuisance behaviour is an important element in improving the lives of residents in Central Bedfordshire

Community Safety Aims Community safety aims to reduce crime, disorder, anti-social behaviour (ASB) and other behaviour affecting the local environment, as well as reducing the misuse of drugs, alcohol and other substances, reducing the fear of crime and increasing public confidence in our service.”

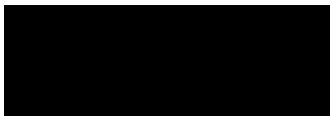
13. We feel granting of a 24 hour licence at this location is likely to make the premises an attractive proposition in the early hours to persons on their way home from one of the other drinking establishments nearby, for instance the fox & duck inn and the new football ground club house which is currently under construction. This would increase the risk of incident or disturbance caused by persons attending the premises who are already under the influence of alcohol and congregating in the vicinity. This would make me fear for my personal safety when returning home late.
14. We have a very high concentration of alcohol availability in the village with several pubs & shops open until 11pm. If people do require out of hours alcohol & refreshments there are already establishments nearby with 24 hour licencing (A1 Baldock service , A505 services at Shefford & Tesco at Baldock)

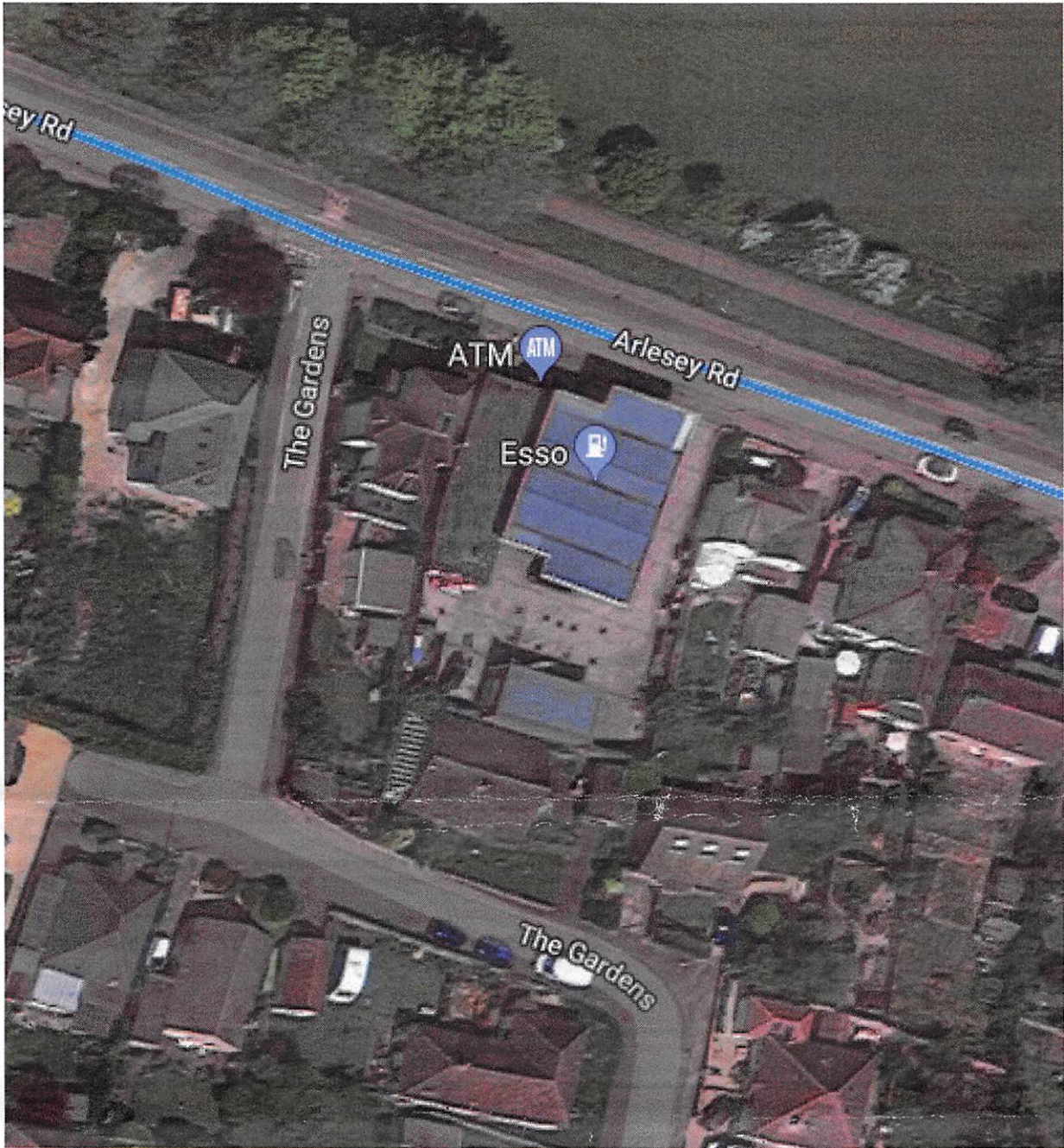
In conclusion:

We feel that the application is lacking in specific information and therefore difficult to make a full and meaningful representation of this application considering the sensitive nature of this license alteration. We kindly ask that careful consideration be given as to the impact of 24 hour operations along with alcohol licensing especially with the very close proximity of neighbouring properties. Also, consideration of the wider impact on the local community.

For reason given above we object to the alterations to the existing license applied for by MRH Petroleum Limited for the premises 67 Arlesey Road, ESSO petrol station.

With kind regards

A large black rectangular redaction box covering the signature area.A smaller black rectangular redaction box covering the name of the sender.



Appendix B – Photographs of existing litter problems

