



Chelmsford City Council Licensing Committee

Date: 21st March 2025

LICENSING ACT 2003 – APPLICATION FOR A NEW PREMISES LICENCE: 129-133 SUNRISE AVENUE, CHELMSFORD, CM1 4JW

Report by: Director of Public Places

Officer Contact:

Kate Kober, Licensing Officer, Katherine.kober@chelmsford.gov.uk, 01245 606446.

Purpose

The purpose of this report is for members to consider a Premises Licence Application given by Murat Koc, made under section 17 of the licensing act 2003, for a new premise licence in respect of 129-133 Sunrise Avenue, CM1 4JW having regard to representations received and the requirement to promote the four licensing objectives. These are:

- a) The prevention of crime and disorder.
- b) Public Safety
- c) The prevention of public nuisance
- d) The protection of children from harm

Recommendations

Members are advised that they have the following options when determining this application.

- Grant the application, on the terms and conditions applied for

- Grant the application on the terms and conditions applied for, modified to such extent as considered appropriate to promote the licensing objectives.
- Refuse the application in whole or in part.

An appeal in respect of any determination made in connection with this application may be made to the Magistrates Court, within 21 days of the notification given by the licensing committee, by the licence holder, Chief officer of police, or any other person making relevant representation.

1. Background

- 1.1 The premises is situated in Sunrise Avenue and is surrounded by residential properties with one current neighbouring business at the location. A google image map showing the location of the premises in satellite and road view are attached as **Appendix A**.

2. Application

- 2.1 The application has been properly given in accordance with The Licensing Act 2003 and all procedures correctly followed. The completed application form as well as the operating schedule are attached as **Appendix B**.
- 2.2 A complete application was submitted on the 3rd February 2025, and correctly advertised by placing blue public notices at the premises and by publication in a local paper and on Chelmsford City Council's website.
- 2.3 The new premises licence application provides for the following licensable activities as detailed below:
Sale or supply of Alcohol Monday – Sunday 08:00 – 23:00
- 2.4 Please find attached plans of the proposed licensable area as **Appendix C**.
- 2.5 Mr Murat Koc has been nominated as the designated premises supervisor having obtained a personal licence from the City of Westminster.
- 2.6 Members are asked to note that as this report is available in the public domain, personal details have been redacted from some documents, however, both Authority and the applicant have received complete copies of all documents.

3. Representations

- 3.1 During the course of the application, Chelmsford City Council, in line with the Act, sent a copy of the application to all responsible authorities.

3.2 During the consultation period nine representations were received from members of public objecting to the application and 3 representations were made in support of the application. A copy of these objections is shown as **Appendix D**.

3.3 Councillors Chris Davidson and Lynne Foster, two of the ward councillors for Patching Hall, have submitted representations on behalf of their constituents which is also included in **Appendix D**.

3.4 Essex Police made no representations for this application.

4. Conclusion

4.1 In conclusion, the application for a new premises licence for the establishment in Sunrise Avenue has been properly submitted and advertised in accordance with The Licensing Act 2003, resulting in 9 objections and 3 supportive representations. The application has been reviewed by the Licensing Authority and shared with all responsible authorities. The evidence provided should be carefully considered to ensure a balanced and justifiable decision is made in the interest of promoting the licensing objectives.

4.2 The Statement of Licensing Policy is brought to the attention of members and includes the following: Section 13, primarily concerns committees. [This can be seen as a background paper.](#)

4.3 This application has been correctly submitted.

4.4 At the conclusion of this hearing members are advised to consider the options as previously recommended at the start of this report.

Appendices:

- Appendix A – Google map image and satellite view
- Appendix B – application form - redacted
- Appendix C – Plans of licensable area
- Appendix D – representations

Background reading:

Application held by licensing authority

[Statement of Licensing Policy](#)

Corporate Implications

Legal/Constitutional: The application has been dealt with in compliance with the Licensing Act 2003 and The Licensing Act 2003 (Hearing Regulations) 2005.

Financial: None

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management: None

Equality and Diversity: None

Health and Safety: None

Digital: None

Other: None

Consultees: As per that required by legislation

Relevant Policies and Strategies: Statement of licensing policy

Elit Express, 129-133 Sunrise Avenue, CM1 4JW

Appendix A



Elit Express, 129-133 Sunrise Avenue, CM1 4JW

Appendix A





Chelmsford City Council
Application for a premises licence
Licensing Act 2003

For help contact
licensing@chelmsford.gov.uk
 Telephone: 01245 606727

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

*Continued from previous page...***Address**

* Building number or name	<input type="text"/>
* Street	<input type="text"/>
District	<input type="text"/>
* City or town	<input type="text"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text"/>
* Country	<input type="text"/>

Agent Details

* First name	<input type="text"/>
* Family name	<input type="text"/>
* E-mail	<input type="text"/>
Main telephone number	<input type="text"/>
Other telephone number	<input type="text"/>

Include country code.

 Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Your Address

Address official correspondence should be sent to.

* Building number or name	<input type="text"/>
* Street	<input type="text"/>
District	<input type="text"/>
* City or town	<input type="text"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text"/>
* Country	<input type="text" value="United Kingdom"/>

Section 2 of 21**PREMISES DETAILS**

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

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

Section 4 of 21**INDIVIDUAL APPLICANT DETAILS****Applicant Name**

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

MURAT

Family name

KOC

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name	ELIT EXPRESS, 129-133
Street	SUNRISE AVENUE
District	
City or town	CHELMSFORD,
County or administrative area	
Postcode	CM1 4JW
Country	United Kingdom

Further Details

Telephone number	
Non-domestic rateable value of premises (£)	

*Continued from previous page...***Current Residential Address**

Is the address the same as (or similar to) the address given in section one?

 Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name Street District City or town County or administrative area Postcode Country **Applicant Contact Details**

Are the contact details the same as (or similar to) those given in section one?

 Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail Telephone number Other telephone number * Date of birth / /
dd mm yyyy* Nationality

Documents that demonstrate entitlement to work in the UK

Right to work share code

Right to work share code if not submitting scanned documents

Section 5 of 21**OPERATING SCHEDULE**When do you want the premises licence to start? / /
dd mm yyyyIf you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

Continued from previous page...

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.

Off-License Shop

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

Section 6 of 21**PROVISION OF PLAYS**

See guidance on regulated entertainment

Will you be providing plays?

Yes No

Section 7 of 21**PROVISION OF FILMS**

See guidance on regulated entertainment

Will you be providing films?

Yes No

Section 8 of 21**PROVISION OF INDOOR SPORTING EVENTS**

See guidance on regulated entertainment

Will you be providing indoor sporting events?

Yes No

Section 9 of 21**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

Yes No

Section 10 of 21**PROVISION OF LIVE MUSIC**

See guidance on regulated entertainment

Will you be providing live music?

Yes No

Section 11 of 21**PROVISION OF RECORDED MUSIC**

See guidance on regulated entertainment

Continued from previous page...

Will you be providing recorded music?

 Yes

 No
Section 12 of 21**PROVISION OF PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Will you be providing performances of dance?

 Yes

 No
Section 13 of 21**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

 Yes

 No
Section 14 of 21**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

 Yes

 No
Section 15 of 21**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

 Yes

 No
Standard Days And Timings

MONDAY

Start End Start End

TUESDAY

Start End Start End

WEDNESDAY

Start End Start End

THURSDAY

Start End Start End

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.

Continued from previous page...

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

None

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

None

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

Name

First name

Family name

Date of birth / /
dd mm yyyy

*Continued from previous page...***Enter the contact's address**

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text"/>
Issuing licensing authority (if known)	<input type="text"/>

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

None

Section 17 of 21**HOURS PREMISES ARE OPEN TO THE PUBLIC****Standard Days And Timings**

MONDAY

Start

End

Start

End

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.

Continued from previous page...

TUESDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

--

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

--

Section 18 of 21**LICENSING OBJECTIVES**

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

a) General – all four licensing objectives (b,c,d,e)

Continued from previous page...

List here steps you will take to promote all four licensing objectives together.

The proposed location will be providing OFF selling of alcohol to be sold between hours 08:00 to 23:00 from Monday to Sunday. The applicant is willing to accept possible conditions from police and from responsible authorities. The alcohol will only be sold during operation hours and the alcohol will be consumed OFF the premises. CCTV will be installed to the premises. Installed CCTV systems will meet the standard in 'UK police requirements for digital CCTV system'. The premises operates the "challenge 25" the proof of age scheme. The premises will open and shut at its permitted hours and the sale of alcohol or any other permitted licensing activity will not be carried out at any other time than its permitted opening hours. The premises shall install and maintain a CCTV system as per the minimum requirements of a Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorized officer throughout the preceding 31 day period. An alarm system that meets a minimum standard of BSEN50131 grade 1 shall be installed and maintained at the premises. THE CCTV SHALL BE IN OPERATION AT ALL TIME THE PREMISES ARE OPEN TO THE PUBLIC. A MEMBER OF STAFF CAPABLE OF DOWNLOADING IMAGES FOR THE POLICE OR AUTHORISED COUNCIL OFFICERS SHALL BE ON DUTY AT ALL TIMES THE PREMISES ARE OPEN TO THE PUBLIC.

NOTICES WILL BE DISPLAYED ADVISING CUSTOMERS OF THE PERMITTED HOURS.

ALL STAFF WILL BE TRAINED FOR THEIR ROLE ON INDUCTION AND AT REGULAR INTERVALS OF SIX MONTHS THEREAFTER. TRAINING WILL INCLUDE IDENTIFYING PERSONS UNDER 25, MAKING A CHALLENGE, ACCEPTABLE PROOF OF AGE, MAKING AND RECORDING A REFUSAL, AVOIDING CONFLICT AND RESPONSIBLE ALCOHOL RETAILING.

WRITTEN TRAINING RECORDS WILL BE KEPT.

THE PREMISES WILL ACTIVELY ENGAGE WITH AND WORK WITH THE POLICE SAFER NEIGHBOURHOOD TEAM.

the premises will keep strong management controls and train all staff so they are aware of the licence and its requirement. In particular:

No service of alcohol to underage people.

Being vigilant to prevent disorderly behavior.

THE PASSPORT CHECK WILL BE IN PLACE FOR ALL EMPLOYEES BEFORE THEY START ON THEIR FIRST WORKING DAY TO EMPLOY PERSONS WITH THE RIGHT OF WORK IN THE UK.

b) The prevention of crime and disorder

Cctv will be installed to the premises for safety and crime prevention. Will not serve alcohol who already drunk in the premises. The DPS will undertake routine monitoring of the refusals records and record that this is being done. All staff that makes sales of alcohol receives regular training (induction and refresher). Installed cctv systems that meet the standard in 'uk police requirements for digital cctv systems' shall operate and record video images at all times that premises are open to the public and any recordings made will be retained for not less than 31 days and made available to a police officer on request. A member of staff on premises at the relevant time will be capable of operating the cctv system.

c) Public safety

Emergency light will be installed and fire extinguisher will be installed. The fire exit is free of any impediment or obstacle at all time of the operating hours.

An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:

(a) all crimes reported to the venue

(b) all ejections of patrons

(c) any complaints received regards crime and disorder

(d) any incidents of disorder

(e) seizures of drugs or offensive weapons

(f) any refusal of the sale of alcohol

d) The prevention of public nuisance

All occasions when persons have been refused service will be recorded in a refusals book, which shall be kept at the

Continued from previous page...

premises for not less than 12 months. Suitable signage will be displayed at the point of exit advising customers leave the premises quietly. Deliveries to the premises shall only be made during normal working hours.

e) The protection of children from harm

Any alcohol must be sold by DPS or a person authorized by the DPS at all times. All staff who sells alcohol will be trained in the role by the DPS with regular refresher training. Records of training will be kept and made available for examining officers of the relevant authorities. Where a person appears to be under the age 25, identification in the form of passport, photo driving license or a proof of age card bearing the pass hologram will be sought and if not provided service of alcohol will be refused. Suitable signage will be displayed at the point of entry and at the service area advising customers that the premises operates the "challenge 25" proof of age scheme.

Section 19 of 21**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21**NOTES ON REGULATED ENTERTAINMENT**

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

* Fee amount (£)

190.00

ATTACHMENTS**AUTHORITY POSTAL ADDRESS****Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

DECLARATION

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

Date (dd/mm/yyyy)

Add another signatory

Continued from previous page...

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.chelmsford.gov.uk/business/licensing/alcohol-licensing/premises-licence/apply-for-a-new-premises-licence/> to upload this file and continue with your application.

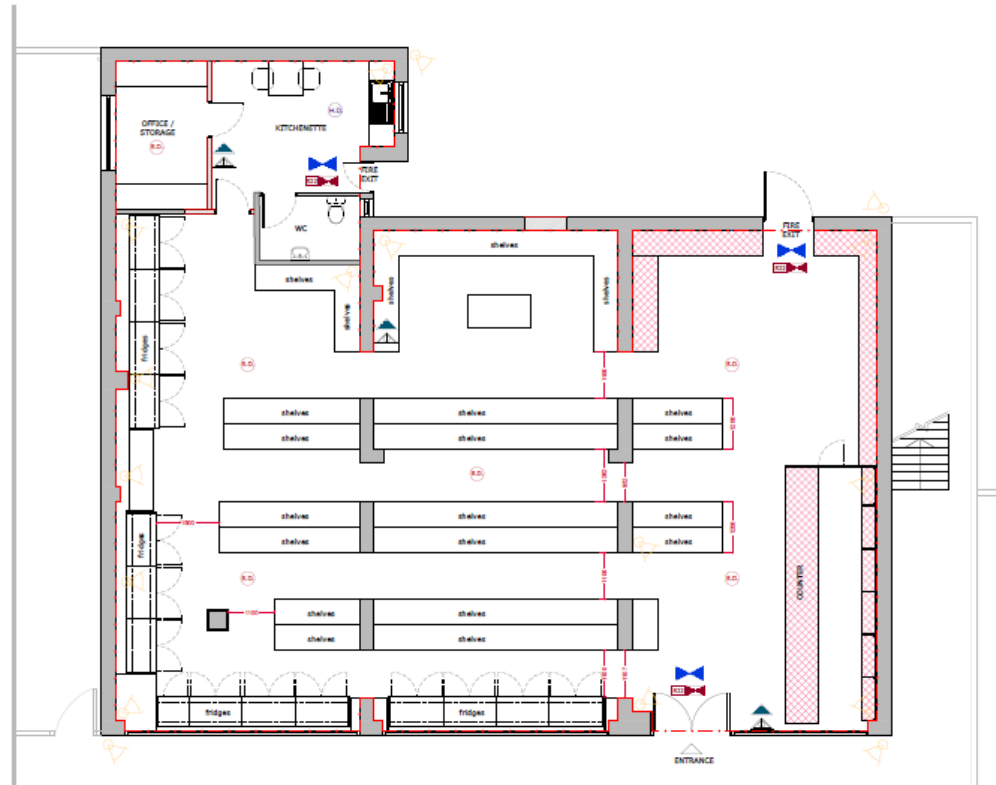
Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

Appendix C

LEGEND	
	AMBIT OF PREMISES
	LIQUOR SALES
	SAFETY LIGHTING
	SMOKE DETECTOR
	HEAT DETECTOR
	CARBON DIOXIDE FIRE EXTINGUISHER
	9 LT. WATER FIRE EXTINGUISHER
	INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)
	CCTV OPERATING SYSTEM



PLEASE NOTE 1. All dimensions to be verification size. 2. All dimensions are in millimeters. 3. No work shall commence until all approvals and agreements have been obtained. These include: Planning, Building Regulations, Water and party Wall. 4. The Copyright of this drawing belongs to Adv Planning Limited T/A Advance Architecture.	Scale (@ A3) 1 : 100 	Drawn By	IE	PROJECT STATUS	LICENSING	PROJECT	129-133 SUNRISE AVENUE CHELMSFORD CM1 4JW	SHEET	PLAN	DRAWING NUMBER	L100	REV	ADVANCE ARCHITECTURE ARCHITECTURE / PLANNING LICENSING 352 Green Lane, Palmers Green, London N12 8TA - 020 8801 9801 info@advancearchitecture.co.uk
		Checked By	KK					JOB NO.	DATE	03/02/2024			
PROPOSED GROUND FLOOR PLAN													

Appendix D

Representation 1

Planning Application

129 to 133 Sunrise Avenue Chelmsford CM1 4JW

Overview

I see from the plans that the application is to convert 3 single shop units into one large food/off license premises that will be open 7 days a week between 8am and 11pm . I believe the green raised area is to be removed to make a larger car park and wider access onto the entrance into Towncroft.

I can understand that these existing 3 retail units have been here for many years and the Hairdresser, Car Parts and Chemist were all of service to the community with day opening hours and closed Sunday's. Obviously from the Planning and Councils perspective you are wanting some form of business occupancy to get revenue from business rates rather than empty units.

Observations and Objections

Whilst I fully appreciate these are retail units and I have been happy we once had a chemist nearby , however the nature , size and opening hours of the proposed outlet raises concerns for objections.

I believe there have been some traffic monitoring devices installed around this area which would seem to imply that this is a concern already , the size and increased car park space would suggest there will be a significant increase in traffic flow. In addition having a larger car park and traffic would cause more issues on what already is a poor corner to negotiate at times with cars in and out.

This area is very residential and residents have gardens backing onto the car park so this along with increased traffic ,deliveries and late opening hours to the store would not be very harmonious.

At present we are increasingly having problems with the alley walk through with perceived drugs etc and a retail outlet that sells alcohol would not help

this. In addition we have many school students who walk this way to school so there may be a bigger litter problem as a result of the store .

In Kings Road there are three alcohol retail establishments so I would raise the question is this application for another needed particularly within a deeper residential area in relation to the others? I do not believe that this shop is needed not just in this vicinity but needed in any other.

I assume that given this is an alcohol licence application that the police need to be consulted ? I would be interested in their response given that they are aware of drug issues in this area and the effect the retail unit selling alcohol on such expansive opening hours 7 days a week might have on this.

Conclusion

The retail unit is too big for the residential environment

The alcohol licence application and late opening hours seven days a week is anti social and may well make the current drug problem worse.

The increased car traffic on a very tight corner will cause issues (please advise on those traffic flow monitoring devices)

Increased litter we already see a problem now .

There is no need or requirement for a retail unit of this size or nature of given the three others we have half a mile away.

The opening hours of 8am to 11 pm seven days a week are unacceptable on what is a very closed in residential area.

Appendix D

Representation 2 – supporting.

My support is offered as I understand that a licence can be revoked if conditions are not met.

I have no reason to believe that the owners are not responsible and wish to trade legally ensuring no alcohol or other products would be served to anyone under the legal age. As part of their licence, if approved, I believe they would wish to work with the community, other partners and agencies to prevent crime, disorder and public nuisance. As they intend to be open between 8am - 11pm they should foster the goodwill of local residents. They could become part of the eyes and ears of the neighbourhood, and therefore a welcome addition to the community.

Representation 3 – objecting

I am writing this in relation to the Licensing Application to sell Alcohol by Elit Express - Sunrise Avenue.

We have been living in this quiet residential area for the last * years and our Family is concerned about this new Alcohol Shop as this may pose risk to our children due to the nature of this shop and the people it may attract as a customer all week through.

This may also cause public nuisance, in this quiet residential area, which is primarily occupied with families and young children.

We do not see a problem if this shop only sells Grocery items but NO ALCOHOL.

Representation 4 – objecting

We wish to object to the sale of alcohol at 129-133 Sunrise Avenue for the following reasons:

- 1: School children are using this route to and from the three secondary schools within a mile from the premise.
- 2: We have had problems recently with people congregating in the carpark, drinking, and leaving empty wine and beer bottles lying around (your colleagues in Environmental Health will be aware of this) and we can see this problem returning with such ready access to alcohol.
- 3: We have noticed the long hours that the shop would be open, 7 days a week. Earlier closing times would be appreciated, were the application to be granted, if this is to be a seven-day opening. The previous shops have always closed on a Sunday giving this community one peaceful day a week, and this would be taken from us. This is a wholly residential area apart from these three shops that this proposal will replace, and more reasonable opening times would be appreciated.

Representation 5 – Objecting

We were rather bothered to hear about the liquor license for the new shop planned in Sunrise Avenue. We are at the moment a quietish street but having that quite so close will not be a plus. Why would you be selling liquor at 8 in the morning, & will we have drunkards filling the street with noise at 11 o' clock at night? Also, what about the flats above the shop will they want the extra noise? It strikes us this area is well served with little shops with liquor licenses, do we need more? We feel these sorts of premises are used by underaged people & perhaps a blind eye might be turned to get the sale.

Representation 6 – objecting

I am writing to formally object to the licensing application for the sale of alcohol in Elit Express 129 to 133 Sunrise Avenue, CM1 4JW. My objections are based on the following points:

This is a revised resubmission from my first representation.

Prevention of Crime and Disorder: Allowing the sale of alcohol in this area could potentially increase the likelihood of crime and disorder. The presence of an alcohol outlet may attract individuals who are prone to disruptive behaviour, leading to a rise in incidents such as vandalism, public brawls, and anti-social conduct.

These behaviours are already evident and problematic in the local area notably Kings Road. Increasing the availability of alcohol especially in the proposed hours will inevitably lead to more Anti social behaviour issues. Also to note that when the premises was a pharmacy it attracted drug addicts to the neighbourhood. Our children would often over hear drug addicts arguing and fighting outside these premises.

Making more alcohol available at these hours is clearly not going to help improve the local situation.

Essex police data for last year show very clearly that local crime hotspots are created where the shops are located.

If we filter the data we see notable levels of crime on Broomfield Road, Kings Road and Melbourne avenue.

Row Labels Count of Crime ID
On or near Broomfield Road 16
On or near Chestnut Walk 2

Elit Express 129-133 Sunrise Avenue, CM1 4JW - representations

On or near Kings Road 12
On or near Melbourne Avenue 6
On or near Sunrise Avenue 6
On or near Town Croft 1

The police data also categorise crime for the whole area

On or near Parking Area 858
On or near Supermarket 742
On or near Nightclub 615
On or near Shopping Area 537
On or near Petrol Station 269

Parking area, shopping areas including petrol stations are three of the top 5 categories of crime in Chelmsford.

Opening a new off licence will increase the amount of crime in this neighbourhood, and for this reason I object to the application. There are plenty of existing shopping options locally.

Public Safety: The safety of residents is of paramount importance. An alcohol outlet could result in an increase in drunk driving incidents, especially when the premises is offering alcohol sales at a convenient time where other outlets are not accessible i.e local problem drinkers, posing a significant risk to pedestrians and other road users. Chelmsford also has an issue with Aggressive begging, creating a new venue for this type of behavior to be trialled is not in keeping with this neighbourhood.

Prevention of Public Nuisance: The establishment of a new alcohol outlet in our quiet residential area will lead to an increase in noise pollution, littering, and general disturbances. Late-night operations and gatherings outside the premises could disrupt the neighbourhood. This is a very quiet neighbourhood with a mix of young families and elderly residents. The proposed licensing hours will create an inevitable increase in public nuisance. Again this is clearly evident on the nearest local shop offering the "convenient" sale of alcohol

Protection of Children from Harm: The sale of alcohol here will inevitably lead to problem drinkers congregating around this area, as it did when Boots dispensed drug addiction medication.

For these reasons, I strongly urge Chelmsford City Council to reject this licensing application. There are zero benefits to local residents from this application and is clearly aimed at profiting from problematic drinkers. Responsible drinkers have enough opportunity to purchase alcohol for consumption in a suitable environment. This application is clearly aiming at selling to problem users.

Thank you for considering my representation.

Representation 7

In principle I have no objections to the application apart from my concerns listed below. Chelmsford licensing have an opportunity stipulate in the approval criteria raised by local residents. I would look to the licensing officers to listen to the local residents and include the concerns in any approval.

1. Local residence have already experienced the late night disturbance which takes place at a similar late night shop situated next to the site of the old Barn Public House in Kings Road. The licensee must take responsibility to keep disturbance to local residence to a minimum.
2. It is unreasonable IMO for the shop to be open until 11pm on a Sunday evening is unreasonable . 9pm seems a good compromise to me, on the basis of noise instance from footfall and vehicle traffic entering and leaving the premises and carpark.
3. Litter is a concern and the license holder must take responsibility for providing bins and ensuring that the local area around the shop is kept clear of rubbish sold by them. Local residents already perform a street litter pick up day in an effort to keep the streets clean.
4. I am unsure who is responsible for the green area and the surrounding brick wall which is dilapidated and requires urgent repairs. This work needs to be completed before any premises is open, otherwise the area will become unsightly and a dumping ground. I evidence this since the latest two units (Boots Chemist and The Sell it again shops have closed)
5. Lastly presumably there will be deliveries to the store from medium sized goods vehicles which again will impact on noise and road/ carpark wear which could be managed by applying restrictions on when deliveries can be made. My suggestion would be 0700-1700 Monday to Friday. 0800 - 1600 at weekends.

I consider all the above to be reasonable and could be incorporated into any licence approval

Representation 8 – supporting

Lack of shops in the area. Only 2 places to buy food and or drink nearby are Tescos on Broomfield Road parade, and Co-op on Kings Road, both over 10minutes walk away.

This won't just serve the Melbourne area, but also the Avenues as well.

Shops that open till later are more beneficial to the local area.

Currently much of the premises is closed and so far better having something that people can and will use.

Representation 9 – objecting

I write to advise of my dissatisfaction regarding the above premises and it being allowed to sell alcohol during the hours of 0800-2300. We have enough problems with drunk and unpleasant thugs in this area that continually cause problems for the residents of the area.

Only the other morning we had drunk idiots who kicked down walls. We have others who think it is ok to kick mirrors off the car doors and others trying to break in on a regular basis to vehicles parked in the area.

This store would not bring any value to the community. There is already Tesco down along the Broomfield Road selling alcohol and another convenience store & COOP along Kings Road that also sells alcohol. There are two convenience stores that sell the same along Woodhall Road, and more down Melbourne Avenue. There is also a pub along the Broomfield Road and along Rainsford Road. I mean, how many alcoholics are there in one area?

Appendix D

Representation 10.

Dear Licensing Officer,

I am writing as formal representation regarding the application for a premise licence for the property located at 129-133 Sunrise Avenue, CM1 4JW. I am a resident residing within 30 meters of the proposed licensed premises

The premise in question is located within a residential estate with many families of primary age children in the surrounding houses. Looking at similar establishments in the city, they are often located on busy thoroughfares, set back from the road and away from residential properties. This location however has gardens backing onto the premise, narrow roads, a blind bend, low volume of passing traffic in the evenings and an entrance adjacent to 2 houses, sharing a drive with one of them.

My concerns are based primarily around the opening hours from 8am to 11pm, seven days of the week on the following grounds:

- We, like other families in the area, have young children, including one with a disability. Having an undisturbed, worry free night is important. They get very anxious when disturbed after their bedtime which would be several hours before the proposed 11pm, there is a concern of additional noise after 11pm in order to close up and leave the premises secure. Having disturbances is not good for their wellbeing, and I worry about an increase in anxiety and the impact this will have on their schooling. As we are on the corner, looking towards the shop location, all our bedrooms are road side and we don't have the option of moving them away from any noise.
- Whilst the proposed opening hours may not seem typically antisocial for a city centre or high traffic area, this is a quite residential estate and therefore the decision should be based on the specifics of the local area rather than as a broad brush judgement.
- The wall and grass area allow people to sit and congregate and we have had to ask people gathering on the corner, talking late at night to kindly consider their surroundings and move on. We feel a late license will increase this type of disturbance. This is particularly a concern in the summer months when windows are open and the risk of causing harm to our children due to inappropriate language and disturbed sleep is greater.
- A number of residents have already had to put in complaints to the police and council due to late night anti-social behaviour at this location relating to excess noise, excessive drinking and laughing-gas canisters being found, along with revving of cars

and erratic driving causing concern and scaring children. I would request restrictions on parking be put in place as part of any licence agreement.

Other grounds for concern are regarding increasing the impact of existing public nuisances & on the amenity of the area.

- The address is located on a very tight corner, with a narrow entrance allowing for only one car to enter or exit at a time. It is common for cars to cut the corner as they pull in, or not look before pulling out and we have witnessed a number of collisions and near misses. Despite restrictions in place, there is still parking on the double yellow lines as there is little capacity to monitor it.
- The main passing footfall in the area is school children. With the designs showing the alcohol as the main prominence as you enter the store, I am concerned with the responsibility of promoting alcohol to children.
- The removal of the public waste bin has already had an impact on the litter in the area. I hope providing new facilities and a clause that means responsibility for the litter in the vicinity will be a condition of granting any licence.
- We would request that as part of any license agreement that deliveries and trade waste removal be made within daylight hours to minimise disturbance.

I understand that each application is considered on its individual merits, but I believe that the granting of this licence in its current form would have a detrimental effect on our family and the local community. I urge the Licensing Authority to carefully consider my representation and at the very least, impose stricter conditions on the licence, such as reduced opening hours, a condition requiring the implementation of a noise management plan, traffic monitoring and responsibility for litter in the vicinity.

I would be grateful if you could inform me of the next steps in the licensing process, including the date of any licensing committee hearing.

Thank you for your time and consideration.

Representation 11

28 February 2025

New Premises Licence – 129-133 Sunrise Avenue

As Patching Hall councillors, we are submitting the following comments on behalf of our residents. We hope they will assist the committee in arriving at its decision.

Our residents have a range of views. Many were very disappointed at the loss of the pharmacy and saddened that the hairdresser is leaving at the end of this month but also welcome the prospect of the Sunrise Avenue shops being fully utilised again. Many residents have concerns about the impact the new supermarket and off-licence could have on the local community.

Before we expand on some specific matters, we'll summarise these concerns:

- Residents do not see a need for a new off-licence, given the other options within walking distance.
- If the licence is granted, residents foresee various forms of detriment to the local community: noise from customers, delivery lorries and waste disposal; anti-social behaviour from customers; additional litter; traffic problems including inconsiderate driving and parking by customers and also delivery lorries.
- Many residents are concerned about the opening hours.

Opening hours

We ask that the committee consider the reasonableness of the opening hours. The proposal is to open until 11pm on Mondays to Sundays. This would be a radical departure from the opening times of the shops that were on this parade for 40 or more years, which opened Mondays to Saturday until 7.30pm at the latest. In some locations, opening until 11pm would be seen as quite normal; in the night-time economy in the centre of Chelmsford, remaining open even later wouldn't be out of the ordinary.

By contrast, this is a quiet residential neighbourhood. As the attached screenshot shows, Sunrise Avenue parade is completely surrounded by housing, with only a few feet in distance to the nearest. There are 10 residential properties within 20 metres (3 flats and 7 houses). Any noise, let alone the anti-social behaviour many residents fear, will be amplified in these homes in particular.

We submit that:

- allowing significant extra noise until 11pm Monday to Sunday in this location would contravene the licensing objective to prevent public nuisance;
- it is not possible to impose conditions to require customers to avoid excessive noise; and
- consequently, the only way to meet the licensing objective is to shorten the shop's opening times, say to 9pm Monday to Sunday (and at minimum on Sundays).

Condition request: litter

We believe the committee must impose a specific condition regarding litter, preferably that the landlord or shopkeeper must place litter bins outside the shop and make arrangements for them to be emptied at least 3 times a week, including removal of any material that has fallen on the ground around the bins, beginning from the day the shop opens its doors to the public.

The justification for this is that the shop will inevitably lead directly to a significant increase in litter. This is what we have observed at similar locations. For example, the shops in Woodhall Road include two off-licences and a takeaway. There are three bins provided by the landlord and emptied three times a week. This is normally sufficient to keep the area clear of litter. However, there have been occasions when the contractor has failed to turn up and the bins overflow within a day or two, making the area very untidy and potentially attracting vermin. As local councillors, we have had to contact the landlord when this has happened, and it quickly returns to normal once the contractor addresses the problem. Similarly, customers of Tesco on Broomfield Parade generate a large volume of litter. The City Council empties these bins, including at weekends. Even a slightly extended gap between visits by the Street Care team leads to the main bin overflowing and there is litter strewn around, making the area very untidy.

We submit that:

- allowing litter to be generated as a direct result of the shop opening would contravene the licensing objective to prevent public nuisance and, in the extreme, this could lead to public safety hazard if it attracts vermin; and
- the only reasonable way to counter this and achieve the licensing objectives is to impose a condition that the shop make arrangements to collect and remove this litter.

Condition request: noise

We believe the committee must impose a specific condition regarding noise, preferably that the shopkeeper ensure that all deliveries to the shop and collections of trade waste and litter from the shop take place during the hours that the shop is open to the public.

The justification for this is that the shopkeeper will inevitably need commercial vehicles to deliver goods in bulk so they can keep their shelves stocked, and they will also generate trade waste which they will need to pay someone to remove. Deliveries are likely to generate some noise; removal of trade waste may also generate noise, with any glass bottles being noisiest but some other materials can also be noisy. And the vehicles themselves are likely to be noisy. We are aware that on other occasions the committee has seen fit to impose a condition to protect the public from the nuisance of this noise happening at night. Sunrise Avenue shops are surrounded by houses (and 3 flats) which are occupied by all ages from families with very young children through to retired couples and individuals.

We submit that:

- allowing vehicles supplying the shop to generate noise after 23.00 or before 08.00 would contravene the licensing objectives to prevent public nuisance; and
- the only reasonable way to counter this and achieve the licensing objectives is to impose a condition that the shop ensure their deliveries and collections occur during shop opening hours.

Condition request: access for delivery vehicles

We believe the committee should also consider imposing a specific condition regarding delivery vehicles.

As noted above, the shop will need to be resupplied frequently. We are unclear how frequent this will need to be: the storeroom is not large so they may need frequent visits from medium-sized vans which may cause less of a public nuisance. However, use of larger vehicles could easily cause a public nuisance as the access to the shop is quite restricted. Will vehicles be able to reverse into the car park and park down the side of the shop? Or will they park in the road, potentially blocking access for residents? In trying to reverse into the car park, will they drive onto the pavement and/or onto private land?

We have seen from other locations that delivery lorries can be large, for example the lorries that resupply Tesco at both Broomfield Parade and the Bus Station, which park in narrow roads, sometimes obstructing the highway. There may be options to ensure this does not happen in this case, but a real risk that large vehicles will arrive, find they cannot safely reverse into the area behind or at the side of the shop, and cause nuisance to residents and customers whether they wait or try to perform abnormal manoeuvres.

We submit that:

- the responsibility for ensuring that vehicles supplying the shop do not cause public nuisance should fall on the shopkeeper as they have the contract with the supplier.

Other matters

We have commented on the specific matters where we believe we can add value and assist the committee with our comments. We request that the committee also give full consideration and appropriate weight to other points submitted by residents. These are:

- Many residents are fearful of an increase in anti-social behaviour. This is based on their experiences of drunkenness, drug-dealing and drug-taking (with gas canisters being found afterwards).
- There are concerns that the junction is already unsafe, even with relatively little traffic. Residents have experience of bad driving (excess speed, revving of engines, cutting the corner, erratic driving).
- What arrangements will be made for compliance with licensing laws when the licensee is not on the premises?

Elit Express 129-133 Sunrise Avenue CM1 4JW – Representations

- Will the car park be patrolled?
- Are there any plans to address the walled area, which is falling down?

Regards

Cllrs Chris Davidson and Lynne Foster

Objection 12 – supporting.

Chelmsford City
Council
Licensing Section
Duke Street
CM1 1JE

Dear Sirs,

Re Proposed Supermarket & Off Licence
Sunrise Ave

I think its marvelous, there
are many elderly residents without
cars who would be truly appreciative
of this facility.

As regards, anti-social behaviours
this is why we have the police is
it not ???

I do hope it transpires.

Yours faithfully