

AGENDA SUPPLEMENT (1)

Meeting: Western Area Licensing Sub Committee

Place: Council Chamber - County Hall, Bythesea Road, Trowbridge, BA14 8JN

Date: Monday 11 December 2023

Time: 10.00 am

The Agenda for the above meeting was published on Friday 1 December 2023. Additional documents are now available and are attached to this Agenda Supplement.

Please direct any enquiries on this Agenda to of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line or email

Press enquiries to Communications on direct lines (01225)713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

6 **Licensing Application (Pages 3 - 18)**

DATE OF PUBLICATION: Friday 8 December 2023

Details of a proposed amendment to the application by the Applicant, comments received by those who made relevant representations, and a withdrawn representation

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Hyde, Emma

From: [REDACTED]
Sent: 07 December 2023 11:15
To: Hyde, Emma
Cc: [REDACTED]
Subject: RE: Asda Express, East Street Service Station, Warminster GTE:00095000002602

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear Emma

I understand from my client that this is Esso's website and the hours are incorrect. The premises trades 24 hours and has done for some time.

I have also been discussing whether there is anything we can do to address the concerns of the residents.

I have received authorisation to amend the hours for alcohol sales to 0600 to 2400 if this means that the representations will be withdrawn and we can avoid a hearing on Monday. Please could you see if the residents would withdraw on that basis.

Furthermore, I have authorisation to limit late night refreshment to hot drinks only – I can offer a condition to that effect.

If this is not acceptable to the residents and a hearing is still required, in the absence of any representations from the Responsible Authorities, my instructions are to proceed with the application to seek alcohol sales for 24 hours, the hours that the premises operates.

I'll call you to discuss.

Kind regards

[REDACTED]

[REDACTED]

Anti-fraud notice – please read carefully: We will not change our bank details during the course of this matter.

If, during the course of this matter, you receive an email or phone call purporting to be from Gosschalks informing you that our bank details have changed, it is likely to be an attempted fraud. If this happens, please report it immediately to our Cashiers Department on 01482 590203 who will verify our bank details and, if necessary, report the matter to the police.

From: [REDACTED]
Sent: Wednesday, December 6, 2023 4:15 PM
To: Hyde, Emma <Emma.Hyde@wiltshire.gov.uk>
Cc: [REDACTED]
Subject: RE: Asda Express, East Street Service Station, Warminster GTE:00095000002602

Hi Emma

Thanks for that – I really appreciate it.

Take care

This page is intentionally left blank

Hyde, Emma

From: Hyde, Emma
Sent: 08 December 2023 11:10
To: [REDACTED]
Subject: RE: Asda Express, East Street Service Station Supermarket, 80 East Street, Warminster, Wiltshire, BA12 9BQ

Good Morning,

Please find the response below;

I've taken instructions. My client is not prepared to reduce the terminal hour for alcohol sales to 2300.

On the basis that the offer to reduce alcohol sales hours to 0600 to midnight is not acceptable to the residents then my instructions are to continue with the 24 hour application on Monday.

The other objector has withdrawn their representation.

Kind regards
Emma

From: [REDACTED]
Sent: Friday, December 8, 2023 8:57 AM
To: Hyde, Emma <Emma.Hyde@wiltshire.gov.uk>; [REDACTED]
Subject: RE: Asda Express, East Street Service Station Supermarket, 80 East Street, Warminster, Wiltshire, BA12 9BQ

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

Good Morning Emma / Lisa

Having had the opportunity to discuss the proposed changes to the Asda Express licence application with my neighbours the consensus of opinion is that we are not objecting to the sale of alcohol it's the hours in which it can be sold, the revised proposal is a step in the right direction but we feel that 11pm is the latest it could be sold.

The reasoning behind this is that the sale of alcohol is restricted prior the local pubic houses close for the evening.

If this could be agreed then there would be no need for the hearing on Monday 11th

I have copied in all parties for reference

Regards

[REDACTED]

Sent from [Mail](#) for Windows

From: [Hyde, Emma](#)
Sent: 08 December 2023 08:12
To: [REDACTED]

Cc: [REDACTED]

Subject: RE: Asda Express, East Street Service Station Supermarket, 80 East Street, Warminster, Wiltshire, BA12 9BQ

Hi [REDACTED]

Thank you for your email. I will inform the agent acting on behalf of the applicant.

I have received your notification to attend, naming [REDACTED] as your represent, however, I have not received a notification to attend from himself, therefore is he attending solely as your represent, or on behalf of his representation also? If he could please clarify and submit the relevant document accordingly.

Thanks
Emma

From: [REDACTED]

Sent: Friday, December 8, 2023 7:38 AM

To: Grant, Lisa <Lisa.Grant@wiltshire.gov.uk>

Cc: Hyde, Emma <Emma.Hyde@wiltshire.gov.uk>; [REDACTED]

Subject: Fw: Asda Express, East Street Service Station Supermarket, 80 East Street, Warminster, Wiltshire, BA12 9BQ

You don't often get email from [REDACTED] [Learn why this is important](#)

Hello Lisa,

I have now had the opportunity to discuss this with other respondents. I remain of the opinion that the cut off time after which alcohol should cease to be sold is 11 PM. My reasons for this are as per my initial submission.

I have copied [REDACTED] on this email. He has kindly agree to respresent my views at the hearing on 11 December 23.

Kind regards,

[REDACTED]

----- Forwarded message -----

From: [REDACTED]

To: Grant, Lisa <lisa.grant@wiltshire.gov.uk>

Cc: Hyde, Emma <emma.hyde@wiltshire.gov.uk>

Sent: Friday, 8 December 2023, 11:59:58 GMT+11

Subject: Re: Asda Express, East Street Service Station Supermarket, 80 East Street, Warminster, Wiltshire, BA12 9BQ

Hello Lisa,

Thank you for your email. Unfortunately, by the time I saw the email it was past the deadline. I don't believe we have been given sufficient time to properly consider this. My objections still stand until I advise otherwise. I will consult with other respondents and respond as soon as possible.

Kind regards,

[REDACTED]

Sent from my iPhone

On 8 Dec 2023, at 00:04, Grant, Lisa <Lisa.Grant@wiltshire.gov.uk> wrote:

Good afternoon

Further to your representation in relation to the above premises and the subsequent hearing booked for Monday 11th December 2023.

The Licensing Authority have today received a response from the solicitors representing the applicant for this application.

The solicitors have been instructed to offer amendments to the application to try alleviating concerns as follows:-

Amendments:

- Amend the hours for alcohol sales to 06:00 hrs to 24:00 hrs (Midnight)
- Limit late night refreshment to hot drinks only.

They have also advised that Esso's website and the hours are incorrect. The premises trades 24 hours and has done for some time. (trading hours are not a licensable activity)

If you believe that these amendments will alleviate your concerns relevant to your representation and will negate the need for a hearing to be held to determine the outcome; please can you advise by reply to this email by the end of today 7th December, if you wish to now withdraw your objection on this basis.

However, If these amendments are not acceptable and a hearing is still required, in the absence of any representations from the Responsible Authorities, the solicitors instructions are to proceed with the application to seek alcohol sales for 24 hours, the hours that the premises operates.

If you have any queries, please don't hesitate to contact me, and I look forward to your response.

Lisa Grant

Public Protection Officer (Licensing)

Wiltshire Council

County Hall

Bythesea Road

Trowbridge

Wiltshire

BA14 8JN

Email: lisa.grant@wiltshire.gov.uk

Direct Dial: 01380 826332

Web: www.wiltshire.gov.uk

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Hyde, Emma

From: [REDACTED]
Sent: 08 December 2023 12:03
To: Hyde, Emma
Subject: Re: Asda Express, East Street Service Station Supermarket, 80 East Street, Warminster, Wiltshire, BA12 9BQ

You don't often get email from [REDACTED] [rn why this is important](#)

Hi Emma, Thankyou for getting back to me. I was away working yesterday so unable to get in touch with all the other residents and just agreed to midnight as it said on the email we needed to reply by the end of that day. I think all the residents agree that they are extremely opposed to 24 hour licence and also that we haven't been given enough time to get together to discuss this. I understand that [REDACTED] will be representing us in person on Monday, I will be unable to attend as I am working, Thankyou [REDACTED]
Sent from my iPhone

On 8 Dec 2023, at 11:46, Hyde, Emma <Emma.Hyde@wiltshire.gov.uk> wrote:

Hi [REDACTED]

I was referring to another objector withdrawing in my email to you all.

I have had sight of the email trail between Lisa Grant and yourself yesterday where you are happy with the amended time of Midnight. Can I please ask how you are proceeding? Updated documents will be circulated later on today with the proposed amendments.

Regards
Emma

From: [REDACTED]
Sent: Friday, December 8, 2023 11:33 AM
To: Hyde, Emma <Emma.Hyde@wiltshire.gov.uk>
Subject: Re: Asda Express, East Street Service Station Supermarket, 80 East Street, Warminster, Wiltshire, BA12 9BQ

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Sorry, I meant I haven't withdrawn my representation, can you get back to me as soon as possible, Thankyou
Sent from my iPhone

On 8 Dec 2023, at 11:30, [REDACTED] wrote:

Hi Emma, I have withdrawn my representation, I only said that if it opened until midnight and I was acting on behalf of my mother who is 88, she would not agree for it to be 24 hours and is fully supportive of Neal Ward and all the other neighbours if they want to protest against the licence. We have a child with severe disabilities who lives in the house with me and my mother and I find it shocking that a company like Asda would even consider applying for 24 hour alcohol license with

this knowledge, please could you get back to me regarding this as soon as possible [REDACTED]
Sent from my iPhone

On 8 Dec 2023, at 11:09, Hyde, Emma
<Emma.Hyde@wiltshire.gov.uk> wrote:

Good Morning,

Please find the response below;

I've taken instructions. My client is not prepared to reduce the terminal hour for alcohol sales to 2300.

On the basis that the offer to reduce alcohol sales hours to 0600 to midnight is not acceptable to the residents then my instructions are to continue with the 24 hour application on Monday.

The other objector has withdrawn their representation.

Kind regards
Emma

From [REDACTED]
Sent: Friday, December 8, 2023 8:57 AM
To: Hyde, Emma <Emma.Hyde@wiltshire.gov.uk>; [REDACTED]
[REDACTED]
Subject: RE: Asda Express, East Street Service Station Supermarket, 80 East Street, Warminster, Wiltshire, BA12 9BQ

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

Good Morning Emma / Lisa

Having had the opportunity to discuss the proposed changes to the Asda Express licence application with my neighbours the consensus of opinion is that we are not objecting to the sale of alcohol it's the hours in which it can be sold, the revised proposal is a step in the right direction but we feel that 11pm is the latest it could be sold.

The reasoning behind this is that the sale of alcohol is restricted prior the local pubic houses close for the evening.

If this could be agreed then there would be no need for the hearing on Monday 11th

I have copied in all parties for reference

Regards

[Redacted]

Sent from [Mail](#) for Windows

From: [Hyde, Emma](#)

Sent: 08 December 2023 08:12

To: [Redacted]
[Redacted]

Subject: RE: Asda Express, East Street Service Station Supermarket, 80 East Street, Warminster, Wiltshire, BA12 9BQ

Hi [Redacted]

Thank you for your email. I will inform the agent acting on behalf of the applicant.

I have received your notification to attend, naming [Redacted] as your represent, however, I have not received a notification to attend from himself, therefore is he attending solely as your represent, or on behalf of his representation also? If he could please clarify and submit the relevant document accordingly.

Thanks
Emma

From: [Redacted]

Sent: Friday, December 8, 2023 7:38 AM

To: Grant, Lisa <Lisa.Grant@wiltshire.gov.uk>

Cc: Hyde, Emma <Emma.Hyde@wiltshire.gov.uk>; [Redacted]
[Redacted]

Subject: Fw: Asda Express, East Street Service Station Supermarket, 80 East Street, Warminster, Wiltshire, BA12 9BQ

You don't often get email from [Redacted] [Learn why this is important](#)

Hello Lisa,

I have now had the opportunity to discuss this with other respondents. I remain of the opinion that the cut off time after which alcohol should cease to be sold is 11 PM. My reasons for this are as per my initial submission.

I have copied Neil Ward on this email. He has kindly agree to respresent my views at the hearing on 11 December 23.

Kind regards,

[Redacted]

----- Forwarded from [Redacted] >

To: Grant, L [Redacted] >

Cc: Hyde, Emma <emma.hyde@wiltshire.gov.uk>

Sent: Friday, 8 December 2023, 11:59:58 GMT+11

Subject: Re: Asda Express, East Street Service Station Supermarket, 80 East Street, Warminster, Wiltshire, BA12 9BQ

Hello Lisa,

Thank you for your email. Unfortunately, by the time I saw the email it was past the deadline. I don't believe we have been given sufficient time to properly consider this. My objections still stand until I advise otherwise. I will consult with other respondents and respond as soon as possible.

Kind regards,

[REDACTED]

Sent from my iPhone

On 8 Dec 2023, at 00:04, Grant, Lisa <Lisa.Grant@wiltshire.gov.uk> wrote:

Good afternoon

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The solicitors have been instructed to offer amendments to the application to try alleviating concerns as follows:-

Amendments:

1. Amend the hours for alcohol sales to 06:00 hrs to 24:00 hrs (Midnight)

1. Limit late night refreshment to hot drinks only.

They have also advised that Esso's website and the hours are incorrect. The premises trades 24 hours and has done for some time. (trading hours are not a licensable activity)

If you believe that these amendments will alleviate your concerns relevant to your representation and will negate the need for a hearing to be held to determine the outcome; please can you advise by reply to this email by the end of today 7th December, if you wish to now withdraw your objection on this basis.

However, If these amendments are not acceptable and a hearing is still required, in the absence of any representations from the Responsible Authorities, the solicitors instructions are to proceed with the application to seek alcohol sales for 24 hours, the hours that the premises operates.

If you have any queries, please don't hesitate to contact me, and I look forward to your response.

Lisa Grant

Public Protection Officer (Licensing)

Wiltshire Council

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Hyde, Emma

From: [REDACTED]
Sent: 08 December 2023 10:05
To: Hyde, Emma
Subject: RE: Asda Express, East Street Service Station Supermarket, 80 EastStreet, Warminster, Wiltshire, BA12 9BQ

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear Emma,

I am sorry I have not replied sooner but have had trouble receiving emails.

The revised hours are more acceptable but 10pm would be better. As I am unable to attend the hearing I will withdraw my objection. I understand neighbours will be attending.

Regards

Sent from [Mail](#) for Windows

From: [Hyde, Emma](#)
Sent: 08 December 2023 09:06
To: [REDACTED]
Subject: FW: Asda Express, East Street Service Station Supermarket, 80 EastStreet, Warminster, Wiltshire, BA12 9BQ
Importance: High

Good morning,

I have not received a response from yourself on the below.

Kind regards
Emma

From: Grant, Lisa <Lisa.Grant@wiltshire.gov.uk>
Sent: Thursday, December 7, 2023 1:04 PM
Cc: Hyde, Emma <Emma.Hyde@wiltshire.gov.uk>
Subject: Asda Express, East Street Service Station Supermarket, 80 East Street, Warminster, Wiltshire, BA12 9BQ
Importance: High

Good afternoon

Further to your representation in relation to the above premises and the subsequent hearing booked for Monday 11th December 2023.

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If you have any queries, please don't hesitate to contact me, and I look forward to your response.

Lisa Grant
Public Protection Officer (Licensing)
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