

Licensing Sub-Committee

16/09/2026



Subject	Application for a new Premises Licence Tesco Express, 6-7 Avenue Parade, Sunbury-on-Thames, TW16 5HS		
Purpose	For determination		
Report of	Deputy Chief Executive	Ward	Sunbury East
Contact	Hannah McCully Licensing Enforcement Officer 01784 444213 (chose option 3)		

Description and Location	The premises is a small supermarket / off licence in a small local parade of shops, surrounded by residential flats and houses above and opposite. Plan at Appendix A
The Application	The application is to permit the sale of alcohol for consumption off the premises and Late Night Refreshment: Late Night Refreshment 23.00 to 00.00 Monday to Sunday Supply of Alcohol 06.00 to 00.00 Monday to Sunday Opening Hours 06.00 to 00.00 Monday to Sunday The Applicant has since agreed to reduced hours: 1. Supply of Alcohol 06.00 to 23.00 Monday to Sunday 2. Removal of Late Night Refreshment 3. Opening Hours 06.00 - 00.00 Monday to Sunday The full application is attached at Appendix B
Representations	Relevant representations received from other persons: 23 valid Letters of representation from other persons - Appendix C

Options	1. The Sub-Committee is requested to consider the application for the grant of a premises licence on its merits. 2. Having had regard to the representations, the Sub-Committee must decide on one or more of the following options as it considers appropriate for the promotion of the licensing objectives: ▪ To grant the application subject only to such conditions as are consistent with the operating schedule and the mandatory conditions; or ▪ To grant the application and modify the conditions of the licence, by alteration, addition or omission or ▪ To reject the whole or part of the application.
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4. Background

5. This application relates to a new premises licence. The unit is currently occupied by Budgens and will continue to operate as a convenience store, including the sale of alcohol for consumption off the premises.

6. Application Summary

- 6.1 Applicant is Tesco Stores Ltd, Tesco House, Shire Park, Kestrel Way, Welwyn Garden City, Hertfordshire, AL7 1GA , registered company no: 00519500. Application was received through the Tesco Licensing Team.
7. Applicant proposal describes the application as a “Retail premises (supermarket) selling a range of goods and services. This includes the sale of alcohol for consumption off the premises and home delivery. Sales of alcohol for consumption off the premises are made from the supermarket sales floor as shown on the enclosed plan”
8. The proposed DPS is Mr. Steven Nicholas Andrzejuk who holds a personal licence with North Herts District Council.

9. History of premises

10. The previous licence holder was B Best Limited following a transfer of the premises in 2006. The premises has been run as a convenience store selling alcohol off the premises:

11. Sale of alcohol on Monday-Saturday 08.00-23.00 and Sundays 10.00-22.30.

12. Opening Hours Monday-Saturday 07.00-21.00 and Sundays 08.00-21.00.

12.1 Licensable activities proposed:

13. Sale by retail of alcohol (off the premises)

13.1 The times proposed for the carrying out of licensable activities

14. Supply of Alcohol 06.00 to 23.00 Monday to Sunday

15. The times proposed for the opening hours are

16. 06.00 - 00.00 Monday to Sunday

16.1 Consultation/notices

17. The application was received by Spelthorne Borough council on the 21 July 2026.
18. The application was served to Responsible authorities on 21 July 2026.
19. The applicant displayed the notice in The Surrey Advertiser newspaper 31st July 2026.
20. The Public statutory blue notice notification was displayed at the premises on 22 July 2026.

21. Promotion of the Licensing Objectives

Box M of the application form (**Appendix B**), details the proposed steps to be taken by the applicant to promote the licensing objectives should the licence be granted. However, the licensing authority have since agreed replacement conditions for the premises licence should it be granted and these are attached at **Appendix D**.

22. Following discussions with Tesco licensing team, it was requested that the terminal hour be reduced to 23:00 to bring it in line with other licensed premises within the vicinity. The applicant agreed to this amendment, and the application was subsequently amended and published on the website and residents who had put a representation in were contacted. The amendment is as follows:

- Sale by retail of alcohol Monday-Sunday 06.00-23.00
- Late night refreshment removed (coffee machine turned off at 2300)

23. Opening Hours Monday-Sunday 06.00-00.00

23.1 The Licensing Objectives together with examples from Government Guidance are set out below for information:

Prevention of crime and disorder

- Criminal behaviour on, or directly attributable to, the premises.
- Under age sales
- Anti-social behaviour on, or directly attributable to, the premises.

Public safety

- E.g. overcrowding, fire safety, emergency exits and anything related to the safety of the public within the premises.

Prevention of public nuisance

- Noise/light or odour nuisance
- Litter

Protection of children from harm

- In relation to off sales of alcohol, the most relevant issue under this licensing objective is the prevention of sales of alcohol to under 18s

24. Section M of the application form, at **Appendix B**, details the proposed steps to be taken to promote the licensing objectives. Should the licence be granted, these will be translated, where appropriate for the promotion of the licensing objectives, into enforceable conditions which will be attached to the licence. These have been negotiated and agreed enforceable conditions can be viewed at **Appendix D**.

25. Representations

25.1 i) Representations from Responsible Authorities

No representations received from responsible authorities

ii) Representations from 'other persons'

Twenty three **(23)** relevant representations have been received from other persons and are attached at **Appendix C**.

25.2 The grounds for objection are summarised below in relation to each Licensing Objective.

Prevention of Crime and Disorder

Residents are concerned that the availability of alcohol sales later into the evening could increase the likelihood of crime and disorder in the area. It is suggested that, once nearby public houses have closed, the premises may attract customers seeking to purchase additional alcohol, leading to people congregating outside the store and in nearby locations, including Orchard Meadow and the adjoining car park. Concerns have also been raised regarding the potential for anti-social behaviour, public drinking, disorderly conduct, vandalism and littering associated with the sale of alcohol. Some residents also express concern that customers purchasing alcohol late at night may be more likely to drink and drive.

Public Safety

Objectors raise concerns that late-night opening and alcohol sales could result in groups of people gathering outside the premises, potentially creating public safety issues for local residents. Concerns have also been expressed regarding increased vehicle movements, traffic congestion and parking pressures within what is predominantly a residential area. Residents consider that the congregation of customers in nearby public spaces and car parks at Orchard Meadow, particularly after other licensed premises have closed, could negatively impact the safety and wellbeing of those living in the vicinity.

Prevention of Public Nuisance

Residents state that the proposed opening hours are not appropriate for a quiet residential area, noting that nearby public houses close at 23:00 and the existing supermarket closes at 21:00. Concerns have been raised that later trading hours would lead to increased noise and disturbance from customers arriving, leaving, or congregating outside the premises, particularly during the late evening and night-time periods. Additional concerns relate to litter, vehicle noise and deliveries taking place too early in the morning or too late at night, all of which are considered likely to adversely affect residential amenity.

Protection of Children from Harm

Representations state that the proposal may have a negative impact on the character of the neighbourhood and could make the area less suitable for families and children. Residents express concern that increased alcohol availability and the potential for anti-social behaviour, public drinking and groups gathering in nearby public areas could expose children and young people to behaviour associated with alcohol consumption.

- 25.3 Issues which are not relevant to the licensing objectives and cannot be taken into account by a Licensing Sub-Committee:

- Objections on the basis of need, or lack of need, for premises to sell alcohol
- Parking, or other issues relating to general amenity rather than licensing objectives

26. Licensing Policy

27. The Sub-Committee must have regard to the Council's own Statement of Licensing Policy when determining this application. The following sections of the Council's Licensing Policy are relevant to this application and are attached at **Appendix E**:

28. Paragraph 15.0 – Licensing hours

29. Paragraph 16.7 – Prevention of Crime and Disorder

30. Paragraph 16.36 – Measures to address Public Nuisance

31. Paragraph 16.41 - Protection of Children from Harm

32. National Guidance

33. The following sections of the Guidance issued by the Secretary of State under section 182 of the Licensing Act 2003 are relevant in the consideration of this application attached at **Appendix F**

- Paragraphs 2.1 – 2.6 (Crime and disorder)

34. Paragraphs 2.15 – 2.21 (Public nuisance)

- Paragraphs 9.31 – 9.44 of Chapter 9 (Determining applications)

35. Making a decision

35.1 In making its decision the Sub-Committee must promote the licensing objectives only, taking into account National Guidance and Spelthorne's Statement of Licensing Policy.

35.2 The Sub-Committee must give reasons for its decision.

35.3 It is only where additional and supplementary measures are appropriate to promote the licensing objectives that there will be a requirement for appropriate, proportionate conditions to be attached.

35.4 Conditions on licences must:

- be precise and enforceable;
- be unambiguous;
- not duplicate other statutory provisions;
- be clear in what they intend to achieve; and,
- be appropriate, proportionate and justifiable.

35.5 It is important in considering the promotion of the licensing objective on prevention of public nuisance, that the Sub-Committee focuses on any disproportionate or unreasonable effect the licensable activities at the premises, have on persons living and working in the area around the premises.

35.6 In determining the application, the Sub-Committee will need to consider whether there is actual evidence of problems in relation to the licensing

objectives at this premises. Where the representations are unable to provide evidence of observed problems, as in the case of a new licence application, the Sub-Committee should be convinced that there is a very real threat of the fears or the dangers described in the representations actually occurring, before applying any conditions to address such fears or dangers.

Appendices:

Appendix A – Location Plan

Appendix B – Full application

Appendix C – Representations from other persons

Appendix D – Replacement Conditions agreed

Appendix E – Licensing Policy

Appendix F – National Guidance