

Chigwell Parish Council

Officer Report: Premises Licence Application

Tesco Express, 177 High Road, Chigwell, IG7 6NU

Purpose of report

This report is submitted to assist Chigwell Parish Council in considering the above premises licence application and in determining the Council's response to Epping Forest District Council as Licensing Authority.

The application

Tesco Stores Limited has applied for a new premises licence for Tesco Express at 177 High Road, Chigwell, IG7 6NU. The application seeks permission for the sale of alcohol for consumption off the premises and for the opening of the store to the public between 06:00 and 00:00 daily.

The operating schedule accompanying the application relies principally on standard corporate measures, including CCTV, staff training, Think 25 and general management controls. While such measures are relevant, they appear to be generic in nature and do not, in officer view, adequately address the particular risks arising from this location and from the proposed midnight terminal hour.

Character of the locality

The character of the locality is a significant consideration. Epping Forest District Council's own settlement evidence identifies Chigwell as a Large Village and states that Chigwell "operates more as a large village." It is therefore important to distinguish this location from an urban town-centre environment. The Council's evidence further describes Chigwell as primarily residential in character, with shopping mainly limited to Brook Parade and with existing concerns relating to parking and congestion.

This application site is in a particularly sensitive position. The submitted plan shows the premises opposite Station Green Playground and immediately adjacent to residential accommodation, including Brook Mews and the wider residential area associated with Brook Parade. In officer view, this is not a location where late-night trading to midnight can be regarded as routine or neutral in effect. Rather, it is a location where late-evening activity is likely to be experienced directly by nearby residents and where the relationship to a children's playground materially heightens concern.

Existing convenience store provision and comparative trading hours

The area already benefits from existing convenience provision. The Parish Council notes that the MACE convenience store at Brook Parade closes at 9.00pm. Official store information also shows that Morrisons Daily at 3 Brook Parade trades until 8.00pm. Those hours are materially earlier than the hours now proposed.

Nearby Tesco stores likewise trade later than the Brook Parade stores, but still do not extend to midnight. Tesco Express at Manford Way, Chigwell, closes at 11.00pm, and Tesco Express at Theydon Bois also closes at 11.00pm. More broadly, a review of convenience stores in comparable village or residential locations indicates that closing times commonly fall within the range of

10.00pm to 11.00pm, rather than midnight. Officer view is therefore that the proposed terminal hour of 00:00 is beyond the prevailing pattern both locally and in comparable non-urban settings.

Public nuisance

The principal objection relates to the prevention of public nuisance. In a largely residential village location, opposite a children's playground and close to existing homes, the extension of opening and alcohol sales until midnight creates a clear risk of disturbance beyond what residents should reasonably be expected to tolerate. That disturbance is likely to arise not simply from the operation of the store itself, but from customer activity associated with it, including vehicle arrivals and departures, car doors, engines, voices, congregation outside the premises, littering and the wider consequences of late-evening off-sales of alcohol.

The relationship of the store to Station Green Playground is especially important. During the day, the playground is plainly a family-focused amenity. During the evening, however, its open setting and prominence mean that it is capable of becoming a focal point for loitering or congregation. A premises selling alcohol until midnight immediately opposite that location materially increases the risk that the area will attract or retain late-night activity to the detriment of residents.

The Parish Council has also received reports of anti-social behaviour in this locality late at night. That local evidence is significant. It means that the committee is not considering a purely theoretical risk. Rather, there is already a pattern of concern regarding late-night behaviour in the vicinity, and officer view is that a further off-licence operating until midnight would be likely to aggravate that problem.

Crime and disorder

There are also substantial concerns in relation to the prevention of crime and disorder. The application proposes a late-night off-sales operation in a location already associated, from the Parish Council's perspective, with reports of anti-social behaviour. In those circumstances, generic measures such as CCTV and staff training do not, by themselves, amount to a persuasive site-specific response.

Of particular concern is the absence of stronger location-specific controls that might address the risks arising from late-night alcohol sales opposite a playground and close to homes. There appears to be no tailored restriction on alcohol sales hours as distinct from store opening hours, no clear dispersal strategy, and no evident package of enhanced controls directed specifically to congregation and nuisance outside the premises. In officer view, the proposed measures do not sufficiently demonstrate that the licensing objective of preventing crime and disorder will be promoted if the premises is permitted to trade and sell alcohol until midnight.

Protection of children from harm

Although the application includes a Think 25 policy, that addresses under-age sales and is only one aspect of the wider licensing objective of protecting children from harm. In this case the broader context is especially important. The store is directly opposite a children's playground, and the concern is therefore not confined to unlawful sales to minors. It extends to children and families being exposed to the consequences of late-night alcohol-related activity, including nuisance, foul language, litter, broken glass and a general deterioration in the amenity and sense of safety of the area.

The proximity of the site to the playground therefore adds considerable weight to the objection. In officer view, a midnight off-licence in this position is plainly capable of undermining the objective of protecting children from harm.

Assessment

The issue for the Parish Council is not whether a convenience store is acceptable in principle at this location. The issue is whether opening and alcohol sales until midnight are appropriate in this particular setting. Officer view is that they are not.

Chigwell is identified by EFDC as a large village rather than an urban centre. The locality is residential in character. The site is immediately close to homes and directly opposite a children's playground. Existing convenience stores in the locality close materially earlier, with MACE closing at 9.00pm and Morrisons Daily at 8.00pm. Even the nearby Tesco stores at Manford Way and Theydon Bois close at 11.00pm rather than midnight. The broader pattern in comparable village and residential areas is likewise that convenience stores usually close at 10.00pm or 11.00pm rather than 00:00.

Set against that background, and having regard to the Parish Council's existing reports of anti-social behaviour late at night in the area, officer view is that the applicant has not demonstrated that the proposed hours would adequately promote the licensing objectives. The application as submitted is therefore considered objectionable.

Recommendation

It is recommended that Chigwell Parish Council objects to the application. The objection should be made on the basis that the proposed opening and off-sales of alcohol until 00:00 daily are likely to undermine the prevention of public nuisance, the prevention of crime and disorder, and the protection of children from harm.

If Epping Forest District Council is not minded to refuse the application outright, the Parish Council should request that the terminal hour for both store opening and alcohol sales be reduced to no later than 11.00pm daily, together with the imposition of robust additional conditions tailored to this location.

Recommended comments for submission to EFDC Licensing Committee

Chigwell Parish Council objects to the application for a premises licence at Tesco Express, 177 High Road, Chigwell, insofar as it seeks opening and off-sales of alcohol until 00:00 daily.

The Council considers that the application, as submitted, would undermine the licensing objectives of preventing public nuisance, preventing crime and disorder, and protecting children from harm. This is not an urban town-centre location. EFDC's own evidence identifies Chigwell as a **Large Village** and describes it as operating more as a large village than a town. The area is predominantly residential in character, with shopping mainly centred on Brook Parade.

The location of the premises is particularly sensitive. The store is directly opposite Station Green Playground and immediately close to residential property. In the Council's view, permitting alcohol sales and customer activity until midnight at this location would create an unacceptable risk of late-night congregation, noise, disturbance, littering and alcohol-related nuisance. The proximity to a children's playground materially increases those concerns.

The Parish Council has also received reports of anti-social behaviour in this area late at night. The Council therefore asks the Licensing Committee to treat the risk as a real and existing local concern rather than a speculative one. In the Council's view, a further alcohol outlet operating until midnight is likely to add to existing problems.

The Council also notes that existing convenience stores in the area operate materially earlier hours. MACE at Brook Parade closes at 9.00pm, and Morrisons Daily at Brook Parade closes at 8.00pm. Nearby Tesco stores at Manford Way and Theydon Bois both close at 11.00pm. The Council understands that convenience stores in comparable village and residential locations also commonly close at 10.00pm or 11.00pm rather than midnight. In that context, the proposed 00:00 terminal hour is excessive and out of keeping with the character of the locality.

For these reasons, Chigwell Parish Council respectfully requests that the Licensing Committee refuse the application as submitted. If Members are nevertheless minded to grant a licence, the Parish Council requests that the terminal hour for opening and alcohol sales be reduced to no later than 11.00pm daily and that robust additional conditions be imposed to address the risks of nuisance, anti-social behaviour and harm to children.