STROUD DISTRICT COUNCIL
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LICENSING ACT 2003

APPLICATION FOR A NEW PREMISES LICENCE

PREMISES NAME	STONE GARAGE
PREMISES ADDRESS	STONE, BERKELEY, GL13 9LA
APPLICANT NAME/S	DEANSBROOK GARAGES LTD
APPLICATION TYPE	APPLICATION FOR A PREMISES LICENCE
APPLICATION REFERENCE	26/00936/LAPRNW
DATE OF HEARING	06 NOVEMBER 2026
DATE OF DECISION	06 NOVEMBER 2026
DECISION	APPLICATION GRANTED SUBJECT TO CONDITIONS

BACKGROUND

Stone garage is to trade as a convenience store on a garage forecourt site. This premises is seeking 24 hour trading Monday to Sunday inclusive, with store doors to be open 24 hours a day. The retail premises will operate as a 24-hour convenience store and customers will be permitted access to the shop throughout the authorised opening hours.

Stroud District Council ('the Council'), being the relevant Licensing Authority, received an application for a new premises licence as below:

The application is for the following licensable activities:

• Sale of alcohol for consumption off the premises - Every Day 00:00 to 24:00 (24 hours)

• Late Night Refreshment - Every Day 23:00 to 05:00 (Refreshment is only licensable between the hours of 23:00 and 05:00)

• Opening Hours: Every Day 00:00 to 24:00 – (24 hours)

The applicant has stated in the application that there will be no consumption of alcohol, or hot food and/or drink, on the premises, and that there is to be no inside seating provided.

An Application Plan was attached to the application which shows the area proposed to be licensed.

The applicant also volunteered a number of conditions as below:

a. All relevant staff shall receive appropriate training and refresher training. A written or electronic record of staff training shall be maintained and made available for inspection by an authorised Officer of the Licensing Authority or Police upon reasonable request.

b. A digital CCTV system shall be installed and maintained in effective working order at the premises. The CCTV shall operate at all times the premises are open to the public and shall provide coverage of:

- all public areas within the convenience store
- the entrance and exit
- the alcohol display area
- the till payment area and
- the petrol forecourt where reasonably practicable.

The CCTV to be of sufficient quality to enable identification of persons and shall be retained for a minimum period of 31 days. At all times the premises are open to the public there shall be a member of staff present who is able to operate the CCTV system and download recordings.

c. Between 23:00 and 06:00 a minimum of two staff shall be on duty at the premises whenever the premises are open to customers.

d. An incident log shall be maintained at the premises. It shall record

- Incidents of crime and disorder
- Incidents of anti-social behaviour
- Refusals of alcohol sales
- Persons refused entry or asked to leave
- Occasions where police are called
- Complaints relating to operation of the premises
- Any significant malfunction of the CCTV system

The incident log shall be retained at the premises and made available to an authorised officer of the Licensing Authority or Police upon reasonable request.

e. Alcohol purchased from the premises shall not be consumed anywhere within the petrol forecourt or other external areas forming part on the licensed premises

f. Prominent notices shall be displayed advising customers that consumption of alcohol on the forecourt is prohibited.

g. Notices shall be prominently displayed at the exit requesting customers to leave the premises and surrounding area quietly and to have consideration for neighbour residents

h. No waste glass or bottles shall be emptied into external receptables between 23:00 and 7:00.

The Council received seven representations against the application that link to the licensing objectives of crime and disorder and public nuisance. Six were from local residents, and one was from the Parish Council. There was one representation in support of the application.

There were no representations form any responsible authorities.

HEARING

The Licensing Panel consisted of Cllr Brown (Chair), Cllr Robinson and Cllr Hamilton. No interests were declared.

The Applicant was not in attendance, however he was represented by an Agent who attended on his behalf. There were five parties present against the application and no parties in support.

There were no apologies.

The first issue that the panel considered was whether the proposed premises may be an excluded premises due to it being used as a garage. The panel were provided with documentation ahead of the hearing as requested by the Licensing Manager to assist in determining the primary use of the proposed premises. This documentation was of a commercially sensitive nature and therefore was not made available to the public. furthermore, the panel proposed a motion which was passed unanimously to hold part of the hearing in confidence when considering this issue and the information.

The Licensing Manager took the Panel through her report summarising the application being made.

The Licensing Manager confirmed that the Applicant had volunteered various conditions.

OTHER PERSONS' REPRESENTATIONS

The panel heard from all of the other persons in attendance that were against the application as well as considering the written representations. Concerns were raised around crime and disorder and public nuisance. Particular concerns were raised in respect of noise, increase traffic and road safety, litter, lack of toilet facilities, anti social behaviour, under age drinking and crime.

APPLICANT'S REPRESENTATIONS

The panel heard from the applicant's agent in response to the issues raised within the objections. It was confirmed that the applicant was an established business owner with similar premises and did not take his responsibilities under the licensing act lightly.

Furthermore, that the concerns of those objecting to the application were taken into consideration. The Agent responded to particular concerns by referencing the proposed mitigations put in place by way of the volunteered conditions as well as proposing a further five conditions. The Agent also confirmed that the late night refreshment was proposed to be a modest offering, such as a pasty and cup of coffee.

The panel raised questions around the layout of the shop, toilet facilities, litter and waste management as well as around the operating hours. Discussion took place around the use of a serving hatch during nighttime hours.

The panel and the Licensing Manager advised that matters of planning and commercial need were not matters that they could take into consideration. The Licensing Manager also reminded the parties of the review procedure.

DECISION

The Panel had due regard to:

1. The provisions of the Licensing Act 2003 which confer the powers of the Licensing Authority to deal with the application;
2. The obligation to promote the four licensing objectives as set out in Section 4(2) of the Licensing Act 2003; and
3. The relevant sections of the Council's Statement of Licensing Policy and Statutory Guidance.

The Panel considered that it must carry out its functions with a view to promoting the four licensing objectives, as set out in Section 4(2) of the 2003 Act. The Panel cannot take into account Representations which do not relate to one or more of those licensing objectives, and acknowledged that any Representations which are received must be relevant and evidence-based. Any irrelevant representations are disregarded.

The Panel considered the oral and written representations received both against and in support of the application and noted the concerns that have been raised.

The Panel noted the explanations given by the Applicant's agent in addressing these concerns.

The Panel were encouraged that the applicant agreed to undertake litter sweeps regularly, not just on the immediate premises but also the surrounding area. Approx 100m from the forecourt/premises boundary.

The Panel were disappointed that no toilet facilities would be available to the public as this was an ongoing concern of the local community.

The panel were satisfied that the licensing objectives have been met and therefore decided to GRANT the Application subject to the conditions set out in Schedule 1. The full list of activities with timings granted and conditions to be added to the licence are shown in Schedule 1.

The Panel are satisfied that the intended primary use of the premises would not mean it was an excluded premises under the Act. However, reminds the applicant that if the primary use changes and the sale of fuel becomes the primary activity, then the premises would be operating illegally and would be open to prosecution and/or revocation of the licence.

APPEAL

All parties are reminded of their rights of appeal against the Licensing Authority's decision pursuant to Section 181 of and Schedule 5 to the Licensing Act 2003. An appeal must be made to the Magistrates' Court and commenced within 21 days of notification of the authority's decision.

REVIEW

All parties are reminded of the procedures contained within the Licensing Act 2003 relating to the potential review of a premises licence.

This provision allows the public, businesses or Responsible Authorities to apply for a review of a premises licence where problems arise, such as: crime and disorder, risks to public safety, public nuisance or failure to protect children from harm.

The Licensing Authority respectfully reminds all parties that for any review to be successful in restricting a licence, evidence would need to be collected of incidents occurring that demonstrated that the licensing objectives were not being adequately promoted. The Council's Environmental Health Service can be contacted to report complaints of excessive noise nuisance.

Schedule 1

Licensable Activities and Timings

Sale of alcohol for consumption off the premises - Every Day 00:00 to 24:00 (24 hours)

Late Night Refreshment - Every Day 23:00 to 05:00

Opening Hours: Every Day 00:00 to 24:00 – (24 hours)

Conditions

a. All relevant staff shall receive appropriate training and refresher training. A written or electronic record of staff training shall be maintained and made available for inspection by an authorised Officer of the Licensing Authority or Police upon reasonable request.

b. A digital CCTV system shall be installed and maintained in effective working order at the premises. The CCTV shall operate at all times the premises are open to the public and shall provide coverage of:

- all public areas within the convenience store
- the entrance and exit
- the alcohol display area
- the till payment area and
- the petrol forecourt where reasonably practicable.

The CCTV to be of sufficient quality to enable identification of persons and shall be retained for a minimum period of 31 days. At all times the premises are open to the public there shall be a member of staff present who is able to operate the CCTV system and download recordings.

c. Between 23:00 and 06:00 a minimum of two staff shall be on duty at the premises whenever the premises are open to customers.

d. An incident log shall be maintained at the premises. It shall record

- Incidents of crime and disorder
- Incidents of anti-social behaviour
- Refusals of alcohol sales
- Persons refused entry or asked to leave
- Occasions where police are called
- Complaints relating to operation of the premises
- Any significant malfunction of the CCTV system

The incident log shall be retained at the premises and made available to an authorised officer of the Licensing Authority or Police upon reasonable request.

e. Alcohol purchased from the premises shall not be consumed anywhere within the petrol forecourt or other external areas forming part on the licensed premises

f. Prominent notices shall be displayed advising customers that consumption of alcohol on the forecourt is prohibited.

g. Notices shall be prominently displayed at the exit requesting customers to leave the premises and surrounding area quietly and to have consideration for neighbour residents

h. No waste glass or bottles shall be emptied into external receptables between 23:00 and 07:00

i. Prominent notices shall be displayed at the exit requesting customers not to congregate outside the premises or in the immediate vicinity and to leave the area quietly with due consideration for nearby residents.

j Where staff become aware of customers associated with the premises congregating immediately outside the premises and causing unreasonable noise, disturbance or antisocial behaviour, staff shall take reasonable steps to discourage such behaviour and, where appropriate contact the police.

k. Prominent notices shall be displayed requesting customers attending the premises not to sound vehicle horns, play amplified music from vehicles at an unreasonable volume, or leave vehicle engines running unnecessarily while on the premises.

l. During the period 11:00 PM to 6:00 AM, staff shall undertake periodic inspections of the external areas forming part of the premises and the immediate frontage, where it is safe and lawful to do so, and shall remove litter reasonably identifiable as arising from the operation of the premises.

m. Any external lighting under the control of the premises licence holder shall be positioned, operated and maintained so as to minimise unreasonable light intrusion into neighbouring residential premises.