

Licensing Sub-Committee – 22 May 2026 at 10am

Application for a Premises Licence for Tesco Express, Milford on Sea

Purpose	To determine a licence application for a Tesco Express store, submitted under the Licensing Act 2003 by Tesco Stores Ltd.
Classification	Public
Executive Summary	The report details information to be considered by Members of the Licensing Sub-Committee in determining the premises licence application.
Recommendation(s)	That members of the Sub-Committee determine the premises licence application submitted by Tesco Stores Ltd under the Licensing Act 2003. This decision should be taken in the light of information contained in the report and at provided at the hearing.
Reasons for recommendation(s)	Information as contained in the report and offered by all parties in addition to the legal licensing framework and legislation.
Ward(s)	Milford and Hordle
Portfolio Holder	Cllr Dan Poole - Portfolio Holder for Community, Safety and Wellbeing
Strategic Director	Sophie Sajic – Strategic Director of Housing & Communities
Officer Contact	Gemma Devine - Licensing Manager Environmental and Regulation Gemma.devine@nfdc.gov.uk

Introduction

1. The purpose of the report is to provide the Sub-Committee with information at the hearing to determine a premises licence application made under section 17 of the Licensing Act 2003 (“the Act”) in respect of Tesco Express, 20 Keyhaven Road, Milford on Sea, SO41 0QY

Background

2. The premises is to be built on the derelict site of the former Milford Motors, on Keyhaven Road, Milford on Sea.
3. The building is currently under construction and planning permission has been granted for the store.
4. However, the condition placed on the planning permission at 15. states "*No activity shall take place on the site in connection with the approved ground floor use other than between the hours of 0600 and 2300.*"
5. For information, the planning decision notice 25/10398 is provided as **Appendix 1.**

The application

6. The application seeks the following activities.

The sale of alcohol for consumption off the premises (off sales)

Monday to Sunday 06:00 hrs to 00:00 hrs

Late night refreshment (sale of hot food or drinks)

Monday to Sunday 23:00 hrs to 00:00 hrs

Opening times of the premises

Monday to Sunday 06:00 hrs to 00:00 hrs

7. The premises licence application is provided as **Appendix 2.**
8. The plan of the proposed premises is also provided as **Appendix 3.** Photographs at **Appendix 4** show the site, as it is now.

Objections

9. A public consultation has been carried out, as required under the Act and officers have confirmed that the application has been advertised both at the site and in a newspaper that covers the New Forest area.
10. All Responsible Authorities were consulted and provided with the application and full plan. They include NFDC planning, NPA development control, Hampshire Police and NFDC Environmental Health.

11. The Police Licensing Officer, on behalf of Hampshire Police requested the following conditions, which have been agreed by the applicant and will be included on any licence granted, together with those submitted on the application:

Challenge 25

Challenge 25 age verification policy shall be operated at the premises. All colleagues will be trained to follow Think 25 and any person who appears to be under the age of 25 and who seeks to purchase or be supplied with alcohol must be required to produce acceptable proof of age before any sale or supply of alcohol is made.

Acceptable forms of identification shall include:

A photographic driving licence (including provisional), passport, photographic proof of age card bearing the PASS (Proof of Age Standards Scheme) hologram, Armed Forces ID, and any other proof of identification that's been approved by the home office.

Challenge 25 Posters will be displayed in prominent position around the venue, including the entrance, informing persons that a Challenge 25 policy operates in this venue.

CCTV

The CCTV cameras shall cover the alcohol aisle, checkout area and the entrance and exit to the premises.

The system will be able to cope with all levels of illumination.

The CCTV system must be operating at all times whilst the premises is open for licensable activity. All equipment shall have a constant and accurate time and date generation. The recording system will be able to capture and retain footage for a minimum of 31 days.

The DPS or premises manager must be able to demonstrate that the CCTV system has measures to prevent recordings being tampered with, i.e. password protected.

There shall be sufficient members of trained colleagues at the premises to provide CCTV to Hampshire Constabulary or licensing officers on request.

Any images must be in a format that can be used without the need for specialist software.

In the event of technical failure of the CCTV equipment, the store must report the fault and keep a record of when this report was made.

Training

Colleagues will be trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18, proxy sales, the signs and symptoms of drunk persons and the refusal of sale due to intoxication. Records will be kept of such training.

All colleagues will receive refresher training on age restricted sales twice a year and records of this training are to be kept.

All training records will be made available for inspection by Hampshire Constabulary and any responsible Authority upon request. Training records will be kept for a minimum period of two years. Training records will be made available at the licensed premises.

Incident Record

An incident record either written or electronic, shall be maintained to record any activity of a violent, criminal or anti-social nature.

The record will contain the time and date, the nature of the incident, the people involved (where appropriate/available), the action taken and details of the person responsible for the management of the premises at the time of the incident. This record shall be produced to a police officer or an authorised officer of the local authority on reasonable request. This record shall be retained for a period of 12 months.

12. There are no further comments or objections from any other Responsible Authority.

Representations received

13. During the 28-day representation period, the Licensing Authority received 3 representations. Two from members of the public and one from Milford on Sea Parish Council. These representations are provided as **Appendix 5**.

Requirements for a hearing

14. The Licensing Authority must hold a hearing to determine the application where relevant representations addressing the licensing objectives are made. These objectives being:
 - The prevention of crime and disorder,
 - Public safety,
 - The prevention of public nuisance, and
 - The protection of children from harm.

15. Members are referred to statutory guidance issued by the Home Office under section 182 of the Licensing Act 2003 dated February 2026, in particular, the sections on the licensing objectives and determining applications.

[Revised Guidance issued under section 182 of the Licensing Act 2003](#)

16. In determining the application, the Licensing Sub-Committee must give appropriate weight to:
 - the steps that are appropriate to promote the licensing objectives,
 - The relevant representations presented by all parties,
 - Home Office guidance,
 - The Council's own Statement of Licensing Policy.

Options appraisal

Option 1

17. Grant the application as applied for.

Option 2

18. Grant the application and add further conditions and /or limit the hours of operation and licensable activities.

Option 3

19. Refuse the application as applied for.

Legal implications

20. This hearing is governed by the Licensing Act 2003 (Hearings) Regulations 2005. These Regulations provide that hearings should be held in public unless the Licensing Authority considers that the public interest in excluding the public outweighs the public interest in the hearing taking place in public.
21. The applicant and those parties making representations have been invited to this meeting and have been provided with this report and the procedures to be followed at the hearing.
22. The applicant and those who have made relevant representations are entitled to address the Sub-Committee and to ask questions of the other party, with the consent of the Sub-Committee.

Right of appeal

23. It should be noted that the applicant and those who have made relevant representations may appeal the decision made by the

Licensing Sub-Committee to the Magistrates' Court. The appeal must be lodged with the Magistrates' Court within 21 days of the notification of the decision.

24. In the event of an appeal being lodged, the decision made by the Licensing Sub-Committee remains valid until any appeal is heard and the decision made by the Magistrates' Court

Equalities implications

25. Each application is treated on its own merits.

Crime and disorder implications

26. Licensable activities must be provided under the terms of the Licensing Act 2003

Conclusion

27. The Licensing Sub-Committee must, having regard to the application and any relevant representations, consider which measures are appropriate for the promotion of the licensing objectives.

Appendices

Appendix 1- Planning decision notice 25/10398

Appendix 2- Premises licence application

Appendix 3- Plan of the premises submitted with the application

Appendix 4- Photographs of the site

Appendix 5- Representations received

Background papers

NFDC Licensing Act 2003 Policy

Licensing Act 2003