

DECISION-MAKER Licensing (Licensing and Gambling) Sub-Committee
SUBJECT Hearing to Consider an application for Variation of a Premises Licence –
 Manor Service Station, 123 Bitterne Road West, SO18 1AR

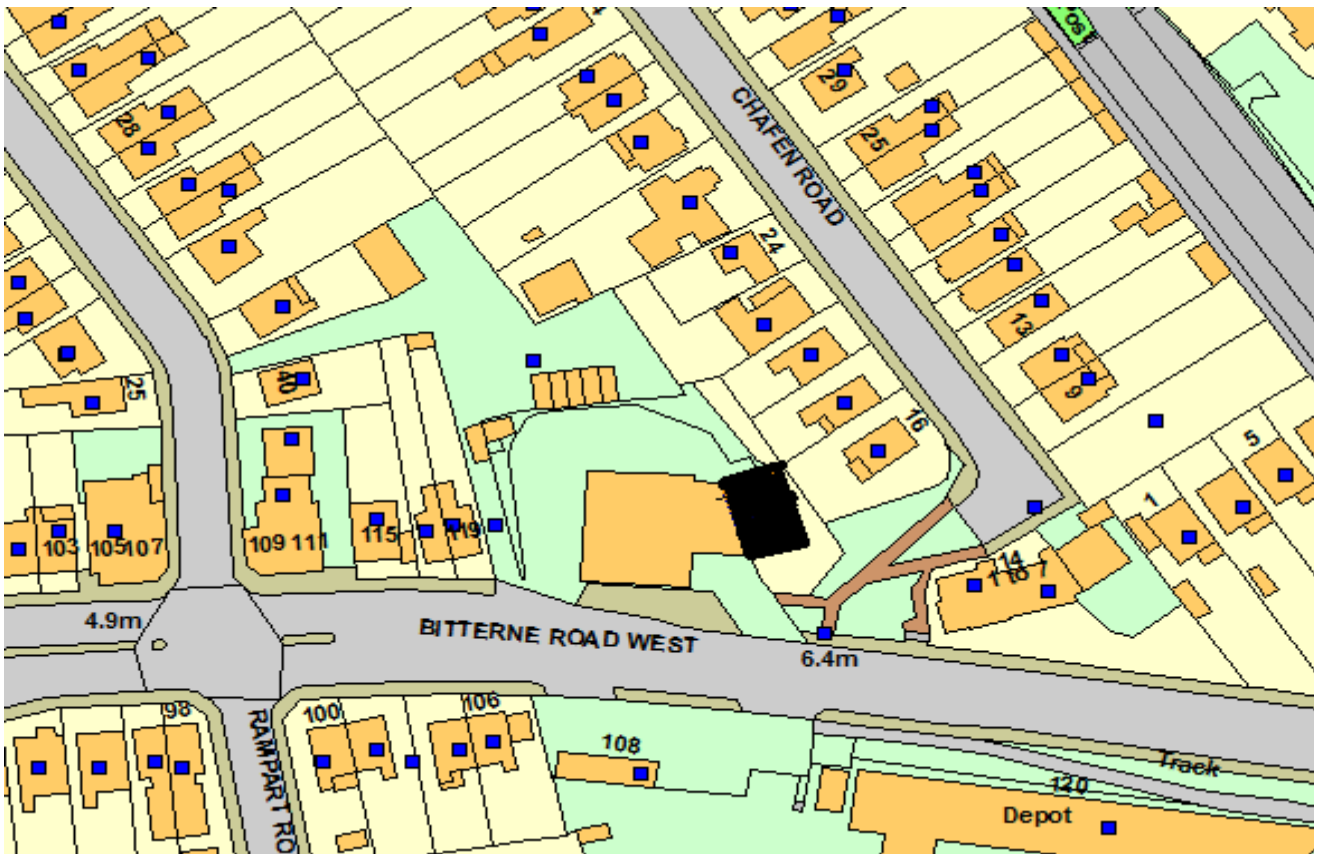
DATE OF HEARING Thursday 19th March 2015

REPORT OF Head of Legal and Democratic Services

E-mail licensing@southampton.gov.uk

Application Date : 20th January 2015 Application Received 20th January 2015

Application Valid : 20th January 2015 Reference : **2015/00223/01SPRV**



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Representations from Responsible Authorities

Responsible Authority	Satisfactory?
Local Safeguarding Children Board	No response Received
Hampshire Fire And Rescue	Yes
Environmental Health - Licensing	Yes

Planning & Sustainability	No Response Received	
Public Health	No Response Received	
Hampshire Constabulary	No however conditions agreed after consultation period had expired.	
Trading Standards	Yes	
<i>Other Representations</i>		
Name	Address	Contributor Type
Mr. R Foley	11 Chafen Road Southampton SO18 1BD	Resident
Miss Nina Williams	3 Chafen Road Southampton SO18 1BD	Resident
Mr. Tony Messon	9 Chafen Road Southampton SO18 1BD	Resident
Ms. Kath Dawkins	9 Chafen Road Southampton SO18 1BD	Resident

Legal Implications

1. The legislation specifically restricts the grounds on which the sub-committee may refuse an application for variation of a premises licence, or impose conditions. The legislation provides for a presumption of grant of an application for variation of a premises licence, subject to the determination of the application with a view to promoting the licensing objectives in the overall interests of the local community. In doing so the sub-committee must give appropriate weight to:
 - the steps that are appropriate to promote the licensing objectives;
 - the representations (including supporting information) presented by all the parties;
 - its own statement of licensing policy
 - the Statutory Guidance
2. An application may be refused in part and thereby only permit some of the licensable activities sought.
3. An applicant for variation of a premises licence whose application has been refused, or who is aggrieved by conditions imposed, may appeal against the decision to the Magistrates' Court. Any other person, who made a valid representation, may appeal to the Magistrates' Court against the decision to grant the application or against any conditions imposed.
4. In considering this application the sub-committee will sit in a quasi-judicial capacity and is thus obliged to consider the application in accordance, in particular, with both the Licensing Act 2003 (Hearings) Regulations 2005 (as amended) and the rules of natural justice. The practical effect of this is that the sub-committee must make its decision based on evidence submitted in accordance with the legislation and give adequate reasons for reaching its decision.
5. The sub-committee must also have regard to:
 - *The Crime and Disorder Act 1998*
Section 17 of the Crime and Disorder Act 1998 places the sub-committee under a duty to exercise its various functions with due regard to the likely effect of the

exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

- *The Human Rights Act 1998*

The Act requires UK legislation to be interpreted in a manner consistent with the European Convention on Human Rights. It is unlawful for the sub-committee to act in a way that is incompatible (or fail to act in a way that is compatible) with the rights protected by the Act. Any action undertaken by the sub-committee that could have an effect upon another person's Human Rights must be taken having regard to the principle of proportionality - the need to balance the rights of the individual with the rights of the community as a whole. Any action taken by the sub-committee which affect another's rights must be no more onerous than is necessary in a democratic society. The matters set out in this report must be considered in light of the above obligations.

Copies of the application for variation of the premises licence and the representations to it are annexed to this report.

Summary of application

Premises:	Manor Service Station
Licence Holder:	Platinum Retail Limited
Agent for licence Holder:	Winckworth Sherwood LLP
DPS:	Thevamathuram Sritharan
Proposed Variation	

A petrol forecourt store selling a broad range of groceries, household products and alcohol. The variation is as follows.

1: to extend the hours for the sale of alcohol to 24hrs daily

2: To remove the following condition:-

a) It is a condition of your licence that you comply with the extant provisions of the Children and Young Persons Act 1933, as amended.

b) The licence holder shall ensure that all cashiers are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 21 years (or older if the licence holder so elects) for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective technology (for example, thumb print or pupil recognition) is introduced. All cashiers will be instructed, through training, that a sale shall not be made unless this evidence is produced.

Existing hours are: - sale by retail of alcohol 08:00 – 23:00 every day

late night refreshment 23:00 – 05:00 every day

Conditions already attached to the premises licence (excluding mandatory)

- 1 (i) A CCTV System will be installed, or the existing system maintained, such system to be fit for the purpose.
- (ii) The CCTV system shall be capable of producing immediate copies of recordings on site. Copies of recordings will either be recorded on good quality video tape or digitally on to CD/DVD or other equivalent medium.
- (iii) Any recordings shall be retained and stored in a suitable and secure manner for a minimum of 28 days and shall be made available, subject to compliance with Data Protection legislation, to the police for inspection on request.
- (iv) The CCTV system will incorporate a camera covering the entrance door and the alcohol display areas and will be capable of providing an image which is regarded as identification standard. The precise positions of the cameras may be agreed, subject to compliance with Data Protection legislation, with the Police from time to time.
- (v) The system will display, on any recording, the correct time and date of the recording.
- (vi) A system will be in place to maintain the quality of the recorded image and a complete audit trail maintained.
- (vii) The CCTV system will be maintained so as to be fully operational throughout the hours that the premises are open for any licensable activity.

- 2 The licence holder shall ensure that all cashiers are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 21 years (or older if the licence holder so elects) for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective technology (for example, thumb print or pupil recognition) is introduced. All cashiers will be instructed, through training, that a sale shall not be made unless this evidence is produced.

By Special Delivery

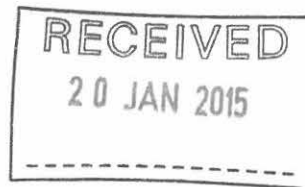
Licensing Team
Southampton City Council
PO Box 1767
Southampton
SO18 9LA

Solicitors and
Parliamentary Agents

Minerva House
5 Montague Close
London
SE1 9BB
DX: 156810 London Bridge 6
Switchboard 020 7593 5000
Direct Line 020 7593 0277
www.wslaw.co.uk

19 January 2015

Our Ref: CVE/34163/5/RPB



Dear Sirs

Application to vary Premises Licence

Applicant: Platinum Retail Limited
Premises: Manor Service Station, 123 Bitterne Road West,
Southampton, SO18 1AR
Premises Licence No: 2014/03433/01SPRD

We enclose the following:

1. Application to vary the premises licence pursuant to Section 34 of the Licensing Act 2003.
2. The premises licence.
3. A cheque for £315 in respect of your fee.

As the application is to vary hours for the sale of alcohol, we have not enclosed a plan.

We are authorised to sign the application on behalf of Platinum Retail Limited.

We confirm that a copy of this application has been sent to each of the responsible authorities.

Please ensure that all correspondence relating to this application is sent to this office and not to the applicant or the premises.

Yours faithfully

[Redacted signature]

[Redacted signature]

[Redacted] 7593 0277
DF 020 7593 5099
[Redacted]

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Platinum Retail Limited

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number 2014/03433/01SPRD

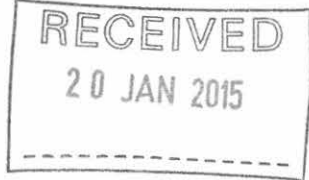
Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Manor Service Station 123 Bitterne Road West			
Post town	Southampton	Postcode	SO18 1AR

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£47,500

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address	The Hollies Chorleywood Road All correspondence to: Winckworth Sherwood LLP (Ref: CVE/34163/5/RPB) Minerva House 5 Montague Close London SE1 9BB		
Post town	Rickmansworth	Postcode	WD3 4ER



Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

Yes

No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY
┆	┆	┆
┆	┆	┆
┆	┆	┆

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

A petrol forecourt store selling a broad range of groceries, household products and alcohol. Situated at Manor Service Station, 123 Bitterne Road West, Southampton, SO18 1AR to be varied as follows:

1. To extend the hours for the sale of alcohol to 24 hours daily.
2. To remove all the embedded restrictions contained in the premises licence.
3. To remove condition 2 set out in Annex 2 of the premises licence.
4. To include in Annex 2 the conditions set out in Section M of the application.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Sale by retail of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Wed			
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon								
Tue								
Wed						State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur								
Fri						Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat								
Sun								

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon								
Tue								
Wed						State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur								
Fri						Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat								
Sun								

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)</u>		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	0000	2400			
Tue	0000	2400			
Wed	0000	2400			
Thur	0000	2400			
Fri	0000	2400			
Sat	0000	2400			
Sun	0000	2400			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

The premises sell alcohol and other age restricted products.

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	0000	2400	
Tue	0000	2400	
Wed	0000	2400	
Thur	0000	2400	
Fri	0000	2400	
Sat	0000	2400	
Sun	0000	2400	

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

1. The hours for the sale of alcohol are currently restricted to:

Monday to Sunday: 0800 to 2300

2. All the embedded restrictions contained in the premises licence.

3. Condition 2 set out in Annex 2 of the premises licence.

The above restrictions and condition would be removed as a consequence of the proposed variation.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

The existing conditions on the premises licence to remain unchanged except for condition 2 set out in Annex 2 of the premises licence.

b) The prevention of crime and disorder

1. All cashiers shall be trained to record refusals of sales of alcohol in a refusals register. The register will contain:

- details of the time and date the refusal was made;
- the identity of the staff member refusing the sale;
- details of the alcohol the person attempted to purchase.

This register will be available for inspection by a police officer on request.

2. An incident book/register shall be maintained to record:

- All incidents of crime and disorder occurring at the premises
- Details of occasions when the police are called to the premise

This book/register will be available for inspection by a police officer on request.

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

1. The premises licence holder will ensure that an age verification policy will apply to the premises whereby all cashiers will be trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form of identification that complies with any mandatory condition that may apply to this licence.
2. All staff engaged or to be engaged in the sale of alcohol on the premises shall receive the following training in age restricted sales:
 - Induction training which must be completed and documented prior to the sale of alcohol by the staff member.
 - Refresher/reinforcement training at intervals of no more than 6 months.

Training records will be kept at the premises available for inspection by a police officer on request.

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	19 January 2015
Capacity	Solicitors duly authorised on behalf of the Applicant

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
-----------	--

Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13) (Ref: CVE/34163/5/RPB) Winckworth Sherwood LLP Minerva House 5 Montague Close			
Post town	London	Post code	SE1 9BB
Telephone	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) [REDACTED]			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.



**New grant or variation of premises licence
Or club premises certificate
Form for representations from Hampshire Constabulary**

Before completing this form, please refer to FPP 07001 (Licensing (Licensing Act 2003))

Hampshire Constabulary is a responsible authority and wish to make a representation regarding under the Licensing Act 2003, regarding the:

<input type="checkbox"/> 1: Grant for a personal licence	(Object within 14 days)
<input type="checkbox"/> 2: Grant for a temporary event notice (TEN)	(Object within 3 days)
<input type="checkbox"/> 3: Transfer of a premises licence	(Object within 14 days)
<input type="checkbox"/> 4: Variation of designated premises supervisor	(Object within 14 days)
<input checked="" type="checkbox"/> 5: Grant/Variation of a premises licence/club prem' certificate	(Object within 28 days)

Name of Applicant:	Platinum Retail Limited
Name of Proposed DPS:	

Details of relevant conviction (Personal Licence Applications ONLY)

Postal address of premises:	Manor Service Station 123 Bitterne Road West Southampton
Postcode:	SO18 1AR

Details of responsible authority applicant

Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other title /Rank:	PC
Surname: Cherry	First Names: Jackie
Current postal address :	Southampton Central Police Station Southern Road Southampton
Postcode:	SO15 1AN
Daytime telephone number:	02380 533368
E-mail address: (optional)	

Hampshire Constabulary is a responsible authority and the applicant has the delegated authority of the Chief Officer of Police in respect of his responsibilities under the Licensing Act 2003



**New grant or variation of premises licence
Or club premises certificate
Form for representations from Hampshire Constabulary**

This application to object relates to the following licensing objective(s)

- 1) The prevention of crime and disorder
- 2) Public safety
- 3) The prevention of public nuisance
- 4) The protection of children from harm

*Please select
one or more
boxes*

Please state the ground(s) for representation:

On behalf of the Chief Officer of Police, I am writing to lodge a representation against the proposed variation on the following grounds:

- 1) The prevention of Crime and Disorder
- 2) Public Safety
- 3) The prevention of public nuisance
- 4) The protection of children from harm

The police have concerns over this proposed variation that the applicant have submitted and therefore object to their request for extending the premises licensing operating hours.

The applicant are requesting the following variation to be added to their premises licence.

"To extend the hours for the sale of alcohol to 24 hours daily"

"To remove all the embedded restrictions contained in the premises licence"

"To remove condition 2 set out in Annex 2 of the premises licence and replace with the new proposed conditions set out in section M of this application".

Police Licensing are in agreement that the embedded restrictions can be removed from the existing premises licence as these are now outdated conditions.

However, with the removal of the existing conditions laid out in Annex 2 this premises is requesting to increase their opening hours to 24 hours which will allow them to sell alcohol during this time with no form of security protecting the premises or staff members during this time either by way of security staff or cctv, this is unacceptable and demonstrates poor practice.

Proposed conditions which assists with prevention of crime and disorder have been submitted to the company for them to view and add to their new premises licence to demonstrate due diligence and promote good practice when working within the licensing objectives. (Annex A).



**New grant or variation of premises licence
Or club premises certificate
Form for representations from Hampshire Constabulary**

Unfortunately at the time of this objection being raised the company has not committed to any of these new proposals.



It is an offence, under section 158 of the Licensing Act 2003 to make a false statement in or in connection with this representation

Police recommendations (including any conditions)
The minimum that Hampshire Licensing would accept for this premises to operate 24 hours are the following conditions: CCTV; Challenge 25; refusal book; incident book; training; kiosk to be closed from 2300hrs with 2 members of staff employed during the night. (exact wording for each condition is attached within Annex A).
Without these conditions applied to the licence Hampshire Licensing will have no confidence that the premises will operate efficiently and safely, therefore we do not feel that the licensing objectives are being supported or the staff protected.

Signature of Officer Completing

Name PC Cherry Collar Number: 24272
Signature:  : 13/2/15

Signature of Authorising Officer

Name PJ 2205 MARTIN CONLAN Collar Number: _____
Signature:  : 13/2/15




ANNEX A

1) To operate a refusals log

A written log shall be kept of all refusals including refusals to sell alcohol. The Premises Licence Holder shall ensure that the refusals log is checked, signed and dated on a weekly basis by the manager.

The refusals log will be kept and maintained at the premises and will be available for inspection immediately upon request by Hampshire Constabulary and any responsible authority.

The record of refusals will be retained for 12 months.

2) to operate an incident log

An incident book will be provided and maintained at the premises. It will remain on the premises at all times and will be available to police for inspection upon request.

Any incidents that include physical altercation or disorder, physical ejection, injury, id seizure or drug misuse will be recorded in the incident book. The entry is to include an account of the incident and the identity of all person(s) involved (or descriptions of those involved if identity is not known). Should there be any physical interaction by members of staff and the public the entry will include what physical action occurred between each party. The entry shall be timed, dated and signed by the author.

If the member of staff creating the entry has difficulties reading or writing then the entry may be written by another staff member. This should however be read back to the person creating the entry and counter signed by the person who wrote the entry.

At the close of business on each day the incident book will be checked by the manager on duty where any entries will be reviewed and signed. If incidents have occurred the duty manager will de-brief door staff at the close of business. Should there be no incidents then this will also be recorded at the close of business in the incident book.

3) Training

Staff will be trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18, the signs and symptoms of drunk persons and the refusal of sale due to intoxication. Records will be kept of such training which must be signed and dated by the member of staff who has received that training.

All staff will receive refresher training every six months as a minimum and records are to be kept of this refresher training which should be signed and dated by the member of staff who received that training.

In addition to their training a written test related to the training given will be conducted before the staff member is permitted to sell or authorise alcohol. The test will consist of a

minimum of ten questions of which the pass rate is 80%. Anyone who fails to reach the prescribed pass rate will be retrained and re-tested. Anyone not attaining the pass rate will not be permitted to sell or authorise the sale of alcohol until the pass rate is attained. There will be a minimum of two sets of questions to be used in the training which will be rotated upon each subsequent six month training session.

All training records will be made immediately 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 kept on the licensed premises to which they relate to.

4) CCTV

CCTV cameras to be installed. These camera need to be located within the premises to cover all public areas including outside of the premises covering the entrance and exit.

CCTV warning signs to be fitted in public places.

The CCTV system must be operating at all times whilst the premises are open for licensable activity. All equipment shall have a constant and accurate time and date generation.

The recording system will be able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of **28 days**.

Records must be made on a weekly basis and kept for inspection to show that the system is functioning correctly and that data is being securely retained.

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 staff at the premises during operating hours to be able to provide viewable copies immediately to police on request when investigating allegations of offences or criminal activity. Any images recovered must be in a viewable format on either disc or VHS. Footage supplied in a digital format on CD or DVD will also have a copy of the CCTV system software enabled on the disc to allow playback.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Hampshire Western Police Licensing Unit within 24 hours.

5) Challenge 25

There will be a Challenge 25 policy operating at the premises. Challenge 25 means that the holder of the premises licence shall ensure that every individual, who visually appears to be under 25 years of age and is seeking to purchase or be supplied with alcohol at the premises or from the premises, shall produce identification proving that individual to be 18 years of age or older.

Acceptable identification for the purposes of age verification will include a driving licence, passport or photographic identification bearing the "PASS" logo and the persons date of birth.

If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person.

'Challenge 25' posters shall be displayed in prominent positions at the premises.

6) Single Cans

Single cans, can I also request at this stage that a condition be added that no single cans of alcohol is sold a minimum of 4 cans per sale.

7) Members of staff

After 2300hrs kiosk to be closed and all sales to be made through the kiosk window. A minimum of 2 members of staff to be employed from this time to 0600hrs for Health and Safety reasons ensuring that the Licensing Objectives are fully met.

8) High strength alcohol products

No beers, ciders or lager of 6.5%ABV or over shall be sold by retail, excluding premium products as agreed in writing, in advance with the police licensing team.

9) Signage

Signage will be displayed outside the premises informing customers they are not to consume alcohol on the forecourt and asking them to leave the premises quietly.

Licensing Team
Southampton & Eastleigh Licensing Partnership
Southampton City Council
PO Box 1767
Southampton
SO18 9LA

11 Chafen Road
Bitterne Manor
Southampton
SO18 1BD
14th February 2015

Dear Sir,

Reference 2015/00223/01SPRV. Platinum Retail Ltd. Manor Service Station 123 Bitterne Road West, Southampton. SO18 1AR. Proposed extension to alcohol licence.

The above BP Service Station has applied for an extension of their alcohol licence for it to be 24 hour, 7 days a week.

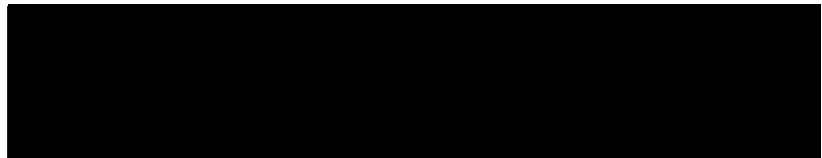
Bitterne Manor always was and should be a quiet residential area. Unfortunately now there is already a problem with unacceptable anti-social behaviour in the area and this application would increase that risk as people would now be in the area all day and all night.

We have a lot of residents who have been here many years, me included, who want to feel safe in our own homes as we get older. We also have many families with young children living in the area, so the sale of alcohol 24 hours a day is not to be encouraged. Being that the garage toilets are not readily available to their customers we already have problems with people using our gardens as toilets!

Please consider this application very carefully before you decide as it will make a big impact on the residents in the cul-de-sac, the rest of the road and the surrounding area.

Thank you.

Yours faithfully



R. FOLEY



Licensing Team
Southampton & Eastleigh Licensing Partnership
Southampton City Council
PO Box 1767
Southampton
SO18 9LA

3 Chafen Road
Bitterne Manor
Southampton
SO18 1BD
12th February 2015

Dear Sir,

Reference 2015/00223/01SPRV. Platinum Retail Ltd. Manor Service Station 123 Bitterne Road West, Southampton. SO18 1AR. Proposed extension to alcohol licence.

The above BP Service Station has applied for an extension of their alcohol licence. The petrol garage backs on to our properties in the Chafen Road cul-de-sac. They have already withdrawn a planning application for increased retail space and a 24 hour "Subway" café included in the design and now it seems that they want a 24 hour, 7 days a week alcohol licence instead.

I don't think that a licence to serve alcohol is at all the right thing to have in a petrol garage situated on the very busy main A3024 road anyway. At present they are encouraging people to drink and drive, so to grant them a 24 hour, 7 days a week alcohol licence would be lethal!

We already have problems with anti-social behaviour in the area so this would increase the risk of encouraging more people to loiter day and night. We have just had a burglary in the house next door to me and a rather nasty assault on another of my neighbours by a man found hiding in the early hours of the morning just outside his house in the cul-de-sac. Also there are no toilets easily available to their customers so you can imagine the disgusting behaviour we already have to endure without it being on a 24 hour basis!

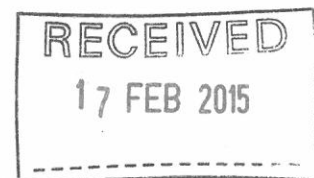
Bitterne Manor is a quiet residential area consisting of three bedroomed family houses so this new proposal would greatly affect me and the other existing residents.

I urge you to consider the adverse affect that granting this would have on the safety and quality of life of the residents in Chafen Road and Bitterne Manor.

Yours faithfully



Nina Williams (Miss)



Licensing Team
Southampton & Eastleigh Licensing Partnership
Southampton City Council
PO Box 1767
Southampton
SO18 9LA

9 Chafen Road
Bitterne Manor
Southampton
SO18 1BD
13th February 2015

Dear Sir,

Reference 2015/00223/01SPRV. Platinum Retail Ltd. Manor Service Station 123 Bitterne Road West, Southampton. SO18 1AR. Proposed extension to alcohol licence.

The above BP Service Station has applied for an extension to have a 24 hour, 7 days a week alcohol licence.

We already have problems with drinking and anti-social behaviour in the area and this would increase the risk dramatically encouraging people to hang around making more noise and mess day and night. We have just had a rather nasty burglary in the close next to us followed by a violent assault so to have more people hanging around in the area is not a good idea.

We do not feel that this is a suitable application for a petrol station to have any alcohol licence let alone a 24 hour, 7 day a week one! What about the offence of drink driving, do you not think that this would increase the risk of this?

So before you decide on this application please consider the impact that this would have on us and on the safety of the residents and their children.

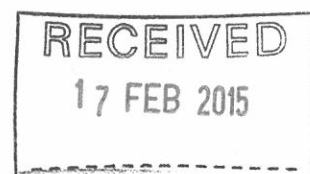
Thank you.

Yours faithfully

① Tony Messom

② Kath Dawkins

(Home owner)



[REDACTED]

From: LICENSING WESTERN Mailbox [REDACTED]
Sent: 24 February 2015 09:55
To: Licensing
Cc: 'Robert Botkai'
Subject: FW: Manor Service Station

The attached email has now been received from the client in respect of their variation for 24 hour opening. Please can the attached wording be added to the existing conditions already imposed on the premises licence.

Once this has been incorporated then Police will have no objection to this variation.

Jackie

From: Robert Botkai [REDACTED]
Sent: 23 February 2015 21:11
To: Cherry, Jaqueline
Cc: Charlotte Edwards
Subject: RE: Manor Service Station

Jackie

As discussed the conditions to be added to the licence would be as follows:

1. CCTV warning signs to be fitted in public places.
2. 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.
3. There will be no sale of single cans or beer, lager or cider.
4. There will be no sale of beer, lager or cider with an ABV content of 6.5% or over excluding premium products as agreed in writing with the police.
5. All cashiers shall be trained to record refusals of sales of alcohol in a refusals register. The register will contain:
 - details of the time and date the refusal was made;
 - the identity of the staff member refusing the sale;
 - details of the alcohol the person attempted to purchase.

This register will be available for inspection by a police officer on request.
The record of refusals will be retained for 12 months.

6. An incident book/register shall be maintained to record:
 - All incidents of crime and disorder occurring at the premises
 - Details of occasions when the police are called to the premise

This book/register will be available for inspection by a police officer on request.

The incident book/register will be checked by the store manager at least once a week.

7. Signage will be displayed outside the premises informing customers they are not to consume alcohol on the forecourt and asking them to leave the premises quietly.
8. The premises licence holder will ensure that an age verification policy will apply to the premises whereby all cashiers will be trained to ask any customer attempting to purchase alcohol, who appears to be

under the age of 25 years (or older if the licence holder so elects) to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form of identification that complies with any mandatory condition that may apply to this licence.

9. Challenge 25' posters shall be displayed in prominent positions at the premises.

10. All staff engaged or to be engaged in the sale of alcohol on the premises shall receive the following training in age restricted sales:

- Induction training which must be completed and documented prior to the sale of alcohol by the staff member. Staff training will include recognising the signs and symptoms of drunk persons. The training must be signed and dated by the staff member.
- Refresher/reinforcement training at intervals of no more than 6 months.

Training records will be kept at the premises available for inspection by a police officer on request. Training records will be kept for 12 months.

11. The shop doors will be locked to customers between the hours of 2300 and 0600 and all sales between such times to be through the night pay window.

Please confirm that we are now in agreement and I will notify the licensing officer.

Thanks

Robert

From: [REDACTED]
Sent: 23 February 2015 10:36
To: Robert Botkai
Subject: RE: Manor Service Station

Thankyou for your reply.

I appreciate that your client has taken on board the suggested conditions; may I ask if they are adopting the wording I proposed along with these conditions as the brief statements below would not be acceptable.

Jackie

From: Robert Botkai [REDACTED]
Sent: 20 February 2015 09:00
To: Cherry, Jaqueline
Cc: Charlotte Edwards
Subject: Manor Service Station

Jackie

I refer to your email to Charlotte Edwards dated 26 January. I am sorry it has taken us a while to obtain instructions.

The applicant has authorised us to amend the operating schedule as follows. These conditions should be read together with those set out in the operating schedule and the existing licence conditions.

Refusals condition

The record of refusals will be retained for 12 months.

Incidents condition

The incident book/register will be checked by the store manager at least once a week.

Training condition

Staff training will include recognising the signs and symptoms of drunk persons. This training must be signed and dated by the staff member.

Training records will be kept for 12 months.

CCTV condition

CCTV warning signs will be displayed.

The CCTV system will be password protected to prevent tampering.

Night pay window

The shop doors will be locked to customers between the hours of 2300 and 0600 and all sales between such times to be through the night pay window.

High strength beer/cider

There will be no sale of beer, lager or cider with an ABV content of 6.5% or over excluding premium products as agreed in writing with the police

Single cans

There will be no sale of single cans of beer, lager or cider

Challenge 25

Challenge 25 posters will be prominently displayed.

Notice to customers

Signage will be displayed outside the premises informing customers they are not to consume alcohol on the forecourt and asking them to leave the premises quietly

Please confirm that on this basis your representation will be withdrawn and I will then notify the licensing officer of the amendments to the application.

Thanks

Robert

Robert Botkai
Partner

Winckworth
Sherwood