

## **LICENSING SUB – COMMITTEE**

13 December 2005

Report of City Secretary and Solicitor

Contact Officer: John Myall. Tel No: 01962 848443

Application to Vary the Premises Licence for:

**Esso Market Service Station  
Andover Road  
Winchester**

<b>Part A.</b>	<b>Report</b>	<i>Buff</i>
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**Part A.****1. Application**

**Applicant:** Esso petroleum Co Ltd.

**Premises:** Esso Market Service Station

**Application for Variation.**

The application is for variation of the Premises Licence, under Section 34 of the Licensing Act 2003, to extend the hours for the sale of alcohol and to provide late night refreshment.

The premises is a fuel filling station with a convenience store, which is licensed for the sale of alcohol for consumption off the premises by virtue of a Premises Licence. The premises is not currently licensed for Late Night Refreshment. The purpose of the application is to permit the sale of alcohol for consumption off the premises for 24 hours every day. It is also to permit the provision of late night refreshment by way of a takeaway service.

Notice of the application was displayed outside of the premises for a period of 28 days until 18 November 2005, and advertised in the Hampshire Chronicle on 28 October 2005.

The Operating Schedule, copied at Appendix 1, proposes the Relevant Licensable Activities.

**Designated Premises Supervisor**

Helen Burt - Frost

**Steps to promote the Licensing Objectives**

Please see Section P Appendix 1

**Notice of Hearing**

Notices of the hearing were sent to all Parties on 22 November 2005.

**Relevant Representations****2. Responsible Authorities**

All of the Responsible Authorities have been served with a copy of the application and make the following representations:

**Director of Communities**

No representations received.

**Hampshire Constabulary**

The Police have submitted representations concerning the Prevention of Crime and Disorder. (See appendix 2.)

**Hampshire Fire and Rescue Service**

No representations received.

**Child Protection Team**

No representations received.

**Director of Development**

No representations received.

**Head of Safety Standards**

No representations received.

**3. Interested Parties**

1. Ms K Whelan

#### **4. Observations**

The Sub-Committee is obliged to determine this application with a view to promoting the Licensing Objectives:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

In making its decision, the Sub-Committee is also obliged to have regard to the National Guidance and the Council's Licensing Policy.

The Sub-Committee must have regard to all of the representations.

The Sub-Committee must take such of the following steps it considers necessary to promote the Licensing Objectives:

1. Grant the application as per the application, or
2. Modify the conditions of the licence by alteration or addition, or
3. Reject the whole or part of the application.

Decisions made under 2 or 3 above must actually be necessary to promote the Licensing Objectives.

#### **Terminal hours.**

The Sub-Committee should take account of the National Guidance and the Council's Licensing Policy with regard to terminal hours and take such steps as it considers necessary to promote the Licensing Objectives.

(Licensing Policy A8)

#### **Licensing Objectives.**

##### Crime and Disorder

The Sub-Committee should consider any necessary conditions to prevent crime and public disorder relating to the premises having regard to the observations of the Police and the interested parties.

(Licensing Policy 1.6, 2.11, 2.17)

##### Public Safety

The Sub-Committee should consider any necessary conditions relating to public safety having regard to the Operating Schedule and the Council's Licensing Policy.

(Licensing Policy B3, B4)

### Public Nuisance

The Sub-Committee should consider any necessary conditions to prevent public nuisance caused by noise pollution, disturbance and litter from persons frequenting the premises having regard to the observations of the Interested Parties, the Operating Schedule and the Council's Licensing Policy.

(Licensing Policy Section C)

### Protection of Children

The Sub-Committee should consider any necessary conditions for the Protection of Children having regard to the Operating Schedule and the Council's Licensing Policy.  
(Licensing Policy D6, D7)

### **Human Rights**

It is considered that Articles 6 (right to a fair trial) 8 (right to respect for private and family life) and Article 1 of the First Protocol (right to peaceable enjoyment of possessions) may be relevant. As there is a right of appeal to the Magistrates' Court, it is considered that there would be no infringement of Article 6. Article 8 is relevant, insofar as the nearby residents could claim that this right would be infringed by disturbance from customers. This should be balanced against the applicants' right to use of their premises under Article 1 of the First Protocol. Interference with these rights is permitted, where this interference is lawful, necessary in a democratic society, and proportionate. Likewise, the residents may argue that their rights under Article 1 of the First Protocol would be infringed. If conditions are imposed, there should be no interference with any convention rights. To the extent that any interference may occur, it would be justifiable in a democratic society, and proportionate.

## 5. Conditions

### Mandatory Conditions

Under the Licensing Act 2003, the following conditions must be imposed on the Premises Licence in any event:-

1. No supply of alcohol may be made under the Premises Licence (a) at a time when there is no designated premises supervisor in respect of the premises licence, or (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. Where individuals are required on premises to carry out security activities, they must be licensed by the Security Industry Authority.

### Possible Conditions

If the application is granted, the Sub-Committee may wish to consider the following conditions to reflect the Operating Schedule:

#### Operating Hours

1. The hours the premises may open for other than Licensable Activities shall be:
  - (i) **Sunday to Saturday 0000 to 0000**
2. The hours the premises may be used for the sale of alcohol shall be:
  - (i) **Sunday to Saturday 0000 to 0000**
3. The hours the premises may be used the provision of late night refreshment shall be:
  - (i) **Sunday to Saturday 2300 to 0500**

### All Licensing Objectives

[Dealt with in relevant sections below].

#### **Crime and Disorder**

1. A CCTV system shall be installed to the satisfaction of the Police with recording facilities, maintained to an acceptable standard. The recordings shall be retained for a period of 30 days and be made available upon request by the Police.

**Public Safety**

1. All staff shall be trained in evacuation procedures and use of fire safety equipment.

**Public Nuisance**

1. Staff shall be given appropriate instructions and training to encourage customers to leave the premises quietly and not to loiter in the vicinity of the premises so as to minimize disturbance to local residents.
2. The applicant shall provide litter bins at the premises for the use of customers.
3. Prominent, clear notices shall be displayed at the point of sale and at the exit to the premises requesting patrons to use the litter bins provided and requesting customers to respect the needs of local residents, to leave the premises and the area quietly.
4. Staff shall regularly check outside the premises and dispose of any litter which may have originated from the premises.

**Protection of Children**

1. The premises shall adopt and implement the Hampshire Constabulary's Challenge 21 Scheme.



## **6. Other Considerations**

### **Corporate Strategy (Relevance To:)**

This report covers issues which affect the Community safety, Economic Prosperity, and Cultural and Leisure Opportunities of the Corporate Strategy.

### **Resource Implications**

None

### **Appendices**

1. Application by Esso petroleum Co Ltd.
2. Representations by Responsible Authorities
3. Representations by Interested Parties
4. Map of premises location.



## 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 ESSO PETROLEUM Co Ltd

(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

<b>Premises licence number</b> NOT KNOWN
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## Part 1 – Premises Details

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>			
ESSO MARKET SERVICE STATION ANDOVER ROAD			
<b>Post town</b>	WINCHESTER	<b>Post code</b>	SO23 7BT

<b>Telephone number at premises (if any)</b>	01962 861827
<b>Non-domestic rateable value of premises</b>	£34750

## Part 2 – Applicant details

<b>Daytime contact telephone number</b>	01372 222000		
<b>E-mail address (optional)</b>			
<b>Current postal address if different from premises address</b>	EXXONMOBIL HOUSE ERMYN WAY		
<b>Post Town</b>	LEATHERHEAD	<b>Postcode</b>	KT22 8UX

05/01724/LAPRMV. 1

**Part 3 - Variation**

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

Please tick yes

If not do you want the variation to take effect from

Day	Month	Year

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

PROVISION OF LATE NIGHT REFRESHMENT BETWEEN 23.00 AND 05.00 HOURS DAILY 7 DAYS PER WEEK

EXTEND THE HOURS FOR THE SALE OF ALCOHOL FOR CONSUMPTION OFF THE PREMISES TO 00.00 TO 24.00 HOURS DAILY 7 DAYS PER WEEK

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 yes

- 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 entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

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

In all cases complete boxes N, O and P

**A**

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 3)		
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Thur					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>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</u></b> (please read guidance note 5)		
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)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed				<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)	
Thur			<b><u>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</u></b> (please read guidance note 5)		
Fri					
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Thur					
Fri					
Sat			<b>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</b> (please read guidance note 5)		
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 4)		
Thur					
Fri			<b><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</u></b> (please read guidance note 5)		
Sat					
Sun					

**G**

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			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 (please read guidance note 5)		
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u></p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>	Both	<input type="checkbox"/>
Wed					
Thur					
Fri			<p><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)</p>		
Sat			<p><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)</p>		
Sun					

<b>Provision of facilities for making music</b> Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>		
			<u>Will the facilities for making music be 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 facilities for making music</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

J

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

**K**

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



L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23.00	05.00	<b>Please give further details here</b> (please read guidance note 3)  THE PROVISION OF HOT PIES, SAVOURIES, SOUP, HOTDRINKS ETC CONSISTENT WITH A TAKEOUT SERVICE FOR CONSUMPTION ON OR OFF THE PREMISES	Both	<input type="checkbox"/>
Tue	23.00	05.00			
Wed	23.00	05.00	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)		
Thur	23.00	05.00			
Fri	23.00	05.00	<b>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</b> (please read guidance note 5)		
Sat	23.00	05.00			
Sun	23.00	05.00			

**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)</b>	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol (please read guidance note 4)</b>					
Mon	00.00	24.00						
Tue	00.00	24.00						
Wed	00.00	24.00						
Thur	00.00	24.00						
Fri	00.00	24.00						
Sat	00.00	24.00						
Sun	00.00	24.00						
						<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)</b>		

**N**

**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)**

O

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon	00.00	24.00	
Tue	00.00	24.00	
Wed	00.00	24.00	
Thur	00.00	24.00	
Fri	00.00	24.00	
Sat	00.00	24.00	<b>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</b> (please read guidance note 5)
Sun	00.00	24.00	

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

RESTRICTIONS IN HOURS FOR THE SALE OF ALCOHOL FOR CONSUMPTION OFF THE PREMISES

Please tick yes

- 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 failed to enclose the premises licence or relevant part of premises licence

THE LICENCE IS YET TO BE ISSUED

**P** 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,e) (please read guidance note 9)**

NONE IN ADDITION TO THOSE STEPS ALREADY IN PLACE WHICH INCLUDE SPIRITS ONLY DISPLAYED BEHIND THE COUNTER, CCTV WITH RECORDING FACILITIES, FULL ALARM SYSTEM WITH PANIC BUTTONS, FULLY TRAINED STAFF WITH ONGOING TRAINING REGIME, CHALLENGE 21 TRADING INITIATIVE WITH PASS ACCREDITED PROOF OF AGE SCHEME AND REFUSALS BOOK PLUS STAFF TRAINED IN THE USE OF FIRE SAFETY EQUIPMENT AND EVACUATION PROCEDURES.

**b) The prevention of crime and disorder**

CCTV, RECORD FACILITY

**c) Public safety**

TRAINED STAFF IN EVACUATION PROCEDURES AND USE OF FIRE SAFETY EQUIPMENT

**d) The prevention of public nuisance**

TRAINED STAFF, ALARM SYSTEM WITH PANIC BUTTONS

**e) The protection of children from harm**

SPIRITS ONLY LOCATED BEHIND THE COUNTER, TRAINED STAFF IN SALE OF ALCOHOL, USE OF PASS ACCREDITED FORMS OF ID WITH PASSPORT AND PICTURE DRIVING LICENCE, CHALLENGE 21 TRADING INITIATIVE, REFUSALS BOOK, ONGOING RECORDED TRAINING REGIME

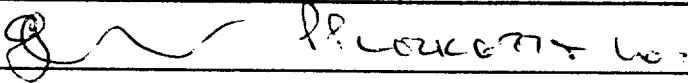
Please tick yes

- 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 CONVICTION TO A FINE UP TO 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	14 <sup>TH</sup> OCTOBER 2005
Capacity	LOCKETT & CO - DULY AUTHORISED AGENT

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.

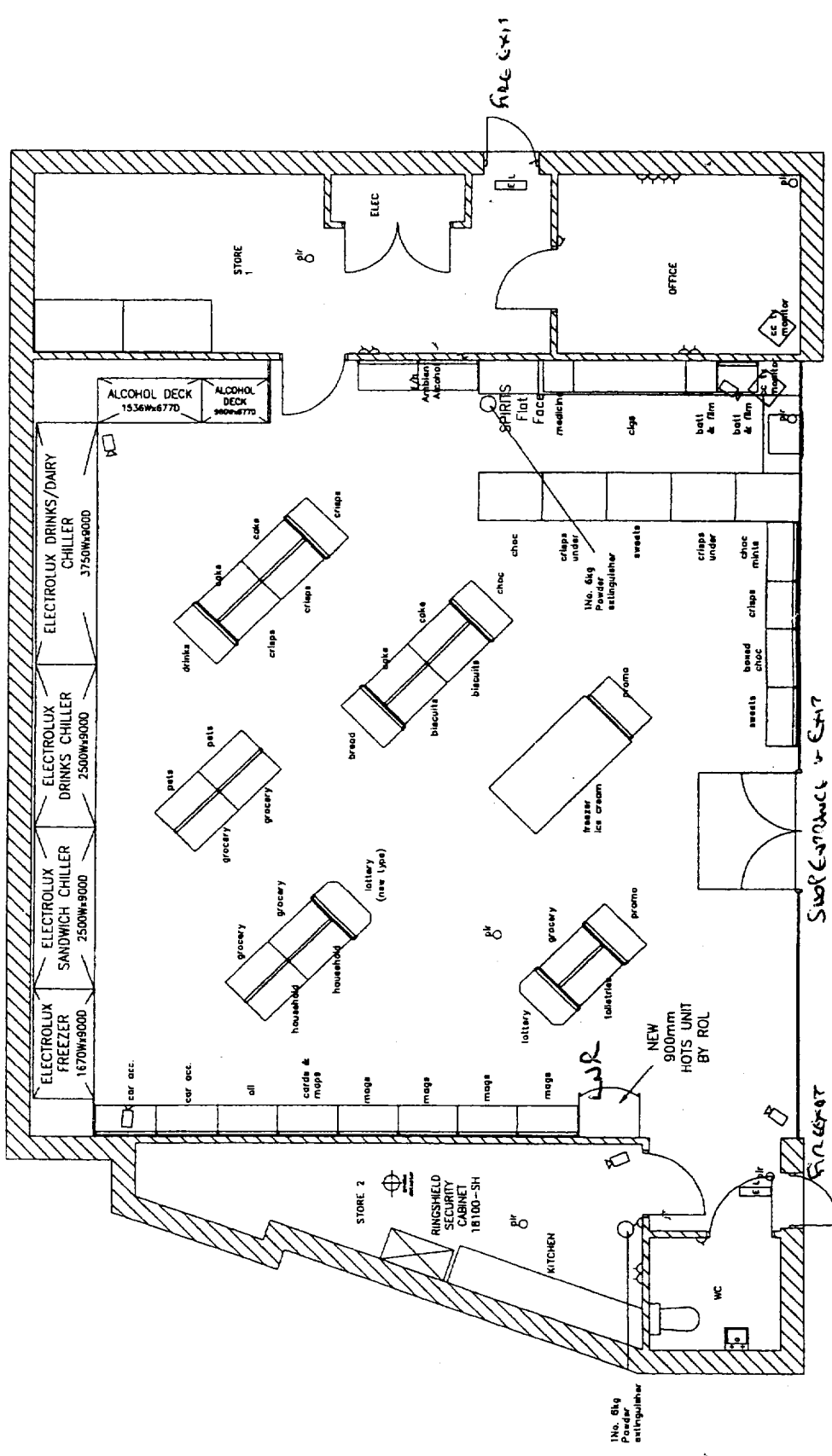
Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

LOCKETT & CO  
LOCKETT HOUSE  
13 CHURCH STREET

Post town	KIDDERMINSTER	Post code	DY10 2AH
Telephone number (if any)	01562 864488		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) info@lockett.uk.com			

ALCOHOL DISPLAY THROUGHOUT STORE WITH SPIRITS BEHIND THE COUNTER. WINE DISPLAY IN JARVIS ALLEN'S OFFICE. PAND FOR SELL THE COUNTER.



NO ADDITIONS  
FIRE EXTINGUISHERS LOCATED IN JARVIS ALLEN'S OFFICE

Shop Entrance to East

## LAYOUT (1:100 @ A3)







# Central Hants

## FORM FOR REPRESENTATIONS FROM HAMPSHIRE CONSTABULARY

Before completing this form please read the guidance notes on page 3.

If you are completing this form by hand please write legibly inside the boxes in black ink and stay within the box provided.

Once completed please send your representation form to your local Licensing Authority.

You must keep a copy of the completed form for police records.

**Hampshire Constabulary wish to make a representation(s)**

**Regarding the granting/variation/transfer/review of the Premises Licence issued under the Licensing Act 2003, for the premises described in Part 1 below.**

### Part 1 – Premises or Club Premises Details

<b>Postal address of premises or club premises</b>	
Esso Market Service Stn Andover Road	
<b>Post town Winchester</b>	<b>Post code SO23 7BT</b>

<b>Name of premises licence holder or club holding club premises certificate (if known)</b>
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## Part 2 – Police Details

Hampshire Constabulary are a responsible authority

Name and address

**Winchester Police Station  
North Walls  
Winchester**

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

Please tick one or more boxes ✓

- |   |                            |
|---|----------------------------|
| 1) the prevention of crime and disorder | x <input type="checkbox"/> |
| 2) public safety                        | <input type="checkbox"/>   |
| 3) the prevention of public nuisance    | <input type="checkbox"/>   |
| 4) the protection of children from harm | <input type="checkbox"/>   |

**Please state the ground(s) for representation (please read guidance note 1)**

This application is to extend the hours for "Off Sales" of Alcohol 24 hrs, 7 days a week and also to provide Hot Food & drinks for consumption on and off the Premises until 0500 7 days a week.

We understand that entry is restricted to Customers after 2230 hrs every night, whereby the entrance door is closed and locked. All transactions and items purchased after this time must therefore be made via the restricted hatch to the Cashier. How therefore can the supply of alcohol be restricted to prevent intoxicated individuals purchasing it who will only be viewed through a screen during the additional proposed hours.

We are concerned as to how the applicants will adequately comply with the prevention of crime and disorder and Public safety objectives. What additional measures are proposed, that don't exist now to prevent disorder when during current trading conditions the door is already locked at 2230 on a nightly basis. The reasons for this presumably include Staff Safety.

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE [AMOUNT], UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS REPRESENTATION**

**Part 3 – Signatures** (please read guidance note 3)

**Signature of Police Licensing Officer**

Signature.....PC 1526 Gary Miller

.....

Date.....02/11/05.....

.....

**NOTES FOR GUIDANCE**

1. The ground(s) for representation must be based on one of the licensing objectives.
2. Please list any additional information or details, for example dates of problems which are included in the grounds for representation if available.
3. The representation form must be signed.

**Ceri Ponzi**

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**From:** KWhelan2K@aol.com  
**Sent:** 16 November 2005 14:30  
**To:** Licensing  
**Subject:** APPLICATION BY ESSEX MARKET SERVICES STATION

To: Licensing Department, Winchester City Council  
Fm: Kathryn Whelan, 22 Andover Road, Winchester

Re: Application by Esso Market Services Station, Andover Road for late night refreshment sales 2300-0500 and alcohol sales 0000-2400.

I live at 22 Andover Road and am writing to you in respect of the above application, which only came to my notice when I saw a copy sellotaped around a pole on the forecourt opposite the car wash. I wish to raise the following objections.

The petrol station and the shop have gradually extended their opening hours and if the above application is granted, they will not be selling petrol from the hours of 2300 hours onwards but serving refreshments and selling alcohol. Both are of great concern to me because of the additional noise, rubbish and anti-social behaviour that will be generated by extending the existing hours for such sales.

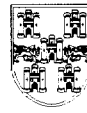
In recent years it is noticeable, in particular during the lighter summer months, that more people make purchases from the shop and sit outside my house, and number 23 next door, at all hours of the night and rubbish is just thrown into my garden or on the pavement for me to clear away. The garage provides large bins behind the shop but these are usually ignored. The situation will obviously not be improve by extended hours and more anti-social behaviour.

At most weekends when people are walking home along Andover Road, presumably after having spent a long time drinking in the City bars, there is some disturbance usually by loud and unwanted noise and arguments, which on a couple of occasions have resulted in a skirmish between the people outside. If the garage is selling alcohol around the clock this will give the same people the opportunity to purchase more drink and the problems will only get worse, i.e. the noise, rubbish and disturbance under the added influence of alcohol. It is not realistic to imagine that all alcohol will be consumed in the City (during extended hours there) because the garage is obviously a good point to stop off for additional supplies on the way up the road.

I do understand that Andover Road is a main and very busy route in and out of the City but during the years that my family have lived there, a number of changes have been imposed upon us which have affected the quality of our life and we have not had a say in the matter. This is one more change, if the application is granted, that will reduce the quality of life again and affect my enjoyment and the upkeep of my home.

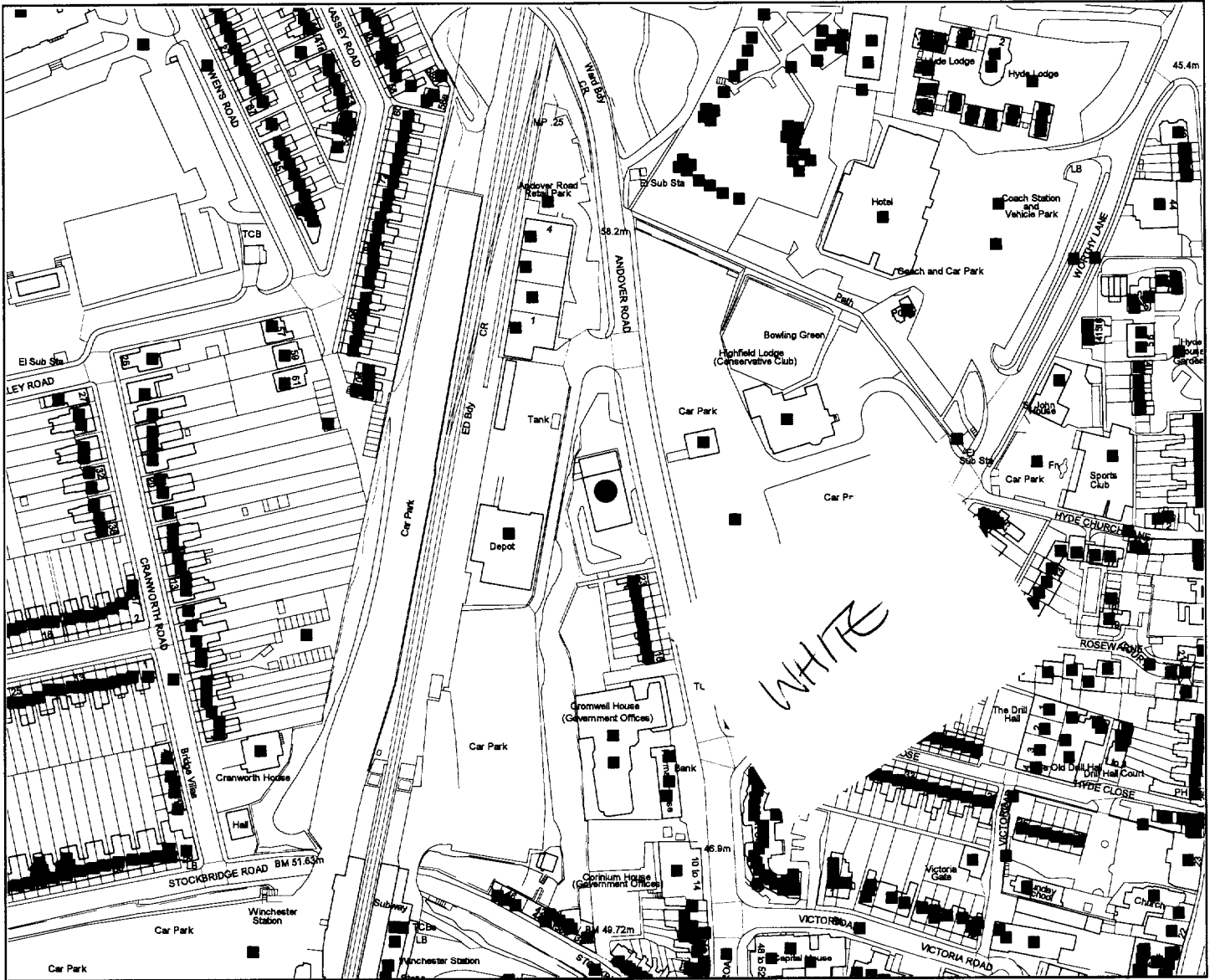
Regards  
Kathryn Whelan





# Appendix 4

## Esso Market Service Station



**Legend**

Scale: 1:2500

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<b>Organisation</b>	Winchester City Council
<b>Department</b>	City Secretary and Solicitor
<b>Comments</b>	Premises Licence Variation
<b>Date</b>	29 November 2005
<b>SLA Number</b>	00018301

