

LICENSING SUB – COMMITTEE

11 April 2013

Report of the Head of Legal Services

Contact Officer: John Myall. Tel No: 01962 848443

Application: New premises Licence

Premises: Sainsbury's Bishops Waltham Petrol Forecourt Store
Winchester Road
Bishops Waltham

Part A. Report *Buff*

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Part A.**1. Application**

Applicant: Sainsbury's Supermarkets Ltd.

Premises: Sainsbury's Bishops Waltham Petrol Forecourt Store

- 1.1 This application is for a premises licence under Section 17 of the Licensing Act 2003 for a forecourt store at a new petrol station in Bishops Waltham.
- 1.2 This petrol station is being built on the site of the previous Total petrol station, and will comprise of a petrol forecourt and a convenience store which is to sell a broad range of groceries, household products and alcohol.
- 1.3 The application is to authorise the sale of alcohol for consumption off the premises from 0600 to 0000 every day.
- 1.4 It is also to supply late night refreshment from 2300 to 0000 every day.
- 1.5 The Operating Schedule, copied at Appendix 1, proposes the Relevant Licensable Activities.
- 1.6 Notice of the application was displayed outside of the premises for a period of 28 days until 14 March 2013, and advertised in the Hampshire Chronicle on 21 February 2013.
- 1.7 Copies of the application were sent to all of the responsible authorities.
- 1.8 No representations were received from any of the responsible authorities, however, a set of conditions were agreed between the applicant and the Head of Trading Standards. These are shown in Section 5 of the report.
- 1.9 Representations were received from 11 other persons. These representations are concerned predominately with the crime and disorder and public nuisance objectives. Appendix 2.

Designated Premises Supervisor

Joanne Surguy

Steps to promote the Licensing Objectives

Please see Section Q Appendix 1

Relevant Representations**2. Responsible Authorities**

All of the Responsible Authorities have been served with a copy of the application. The representations received are as follows:

Head of Environment

No representations received.

Hampshire Constabulary

No representations received.

Hampshire Fire and Rescue Service

No representations received.

Child Protection Team

No representations received.

Head of Building Control

No representations received.

Head of Safety Standards

No representations received.

Public Health Manager

No representations received.

Licensing Authority

No representations received.

3. Representations from Any Other Persons

Mrs	L	Edge	Bishops Waltham Parish Council	The Jubilee Hall
Mr and Mrs	AP	Morby	Camelot	Winchester Road
Mr and Mrs	G	Pink	Meon View	Winchester Road
Mr and Mrs	D	Mundy	Clairwood	Winchester Road
Mr	RJ	Littlefield		6 Ponside Terrace
Mr and Mrs	PM	Springer		4 Ponside Terrace
Mr	RJ	Hockin		Fairlawn
Mr	PM	Daniels		32 Mallard Close
Mr and Mrs		Wearn		4 Colehill Gardens
Mr	B	Tanner	Forton	Victoria Road
Ms	M	Pickthorne		6 The Priory

All addresses are in Bishops Waltham.

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 licence subject to conditions in accordance with the operating schedule (modified to such extent as the authority considers necessary for the promotion of the licensing objectives) and the mandatory conditions;
2. exclude from the scope of the licence any of the licensable activities to which the application relates;
3. refuse to specify a person in the licence as the premises supervisor;
4. reject the application.

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 Part 4, 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 persons making representations and the operating schedule.

(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 observations of the persons making representations and the operating schedule.

(Licensing Policy Part 4, B3, B4)

Public Nuisance

The Sub-Committee should consider any necessary conditions to prevent public nuisance caused by noise and light pollution from the premises having regard to the observations of the persons making representations and the operating schedule.

(Licensing Policy Part 4, Section C)

Protection of Children

The Sub-Committee should consider any necessary conditions for the Protection of Children having regard to the observations of the persons making representations and the operating schedule.

(Licensing Policy Part 4, 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

These conditions are imposed on a premises licence in any case.

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.
4. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
8. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
9. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

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 be used for the sale of alcohol shall be:

(i) Monday to Sunday 0600 to 0000

For consumption off the premises.

1. The hours the premises may be used the provision of late night refreshment shall be:
 - (i) Monday to Sunday 2300 to 0000

All Licensing Objectives

[Dealt with in relevant sections below].

Crime and Disorder

1. The licence holder shall ensure that a CCTV system is installed, to the satisfaction of the Hampshire Constabulary, and operated at all times the premises is open for licensable activities.
 - a. The system shall incorporate cameras covering each of the entrance doors and the main alcohol display area.
 - b. The system shall incorporate recording facilities and recordings shall be retained for a minimum of 30 days.
 - c. The recordings shall be made available to the police on request. (Subject to data protection legislation)
 - d. The system shall be able to export recorded images onto removable media and have its own software to enable playback or review of the recordings.
 - e. There shall be a member of staff trained in the use of the equipment available at all times that the premises are open to the public.
 - f. The system shall display the correct date and time on any recording.

Public Safety

None

Public Nuisance

1. Prominent, clear notices shall be displayed at all exits requesting customers to respect the needs of local residents, to leave the premises and the area quietly.

Protection of Children

1. The premises licence holder shall operate a scheme to challenge any person who attempts to purchase alcohol and appears to be under the age of 25 years of age to produce suitable identification. Acceptable forms of identification are;
 - a. Passport, photocard driving licence bearing a holographic mark, or other form of identification bearing the person's photograph, date of birth and the PASS hologram. (Proof of Age Standards Scheme, or similar accredited scheme)

(Mandatory Conditions 8 and 9)
2. All staff engaged or to be engaged in the sale of alcohol on the premises shall receive the following training in age related sales:
 - a. Induction training which must be completed and documented prior to the sale of alcohol by the staff member. This will include due diligence, recognising the signs of drunkenness and refusal of sale due to intoxication.
 - b. Refresher/reinforcement training at intervals of no more than 6 months.
 - c. Training records will be available for inspection by a police officer on request and will be maintained at the premises for a period of 12 months.
3. All cashiers, management and security personnel shall be instructed to record in an incident book/register:
 - a. All incidents of crime and disorder occurring at the premises;
 - b. Details of occasions when the Police are called to the premises.
 - c. This book/register will be available for inspection by a police officer on request.
4. All cashiers shall be trained to record refusals of sales of alcohol in a refusals register. The register will contain:
 - a. Details of the time and date the refusal was made;

- b. The identity of the staff member refusing the sale;
 - c. Details of the alcohol the person attempted to purchase.
5. This register will be available for inspection by a police officer or other responsible authority officer on request.
 6. The licence holder is to ensure that the refusals log is properly maintained and checked on a weekly basis.

6. Other Considerations

Corporate Strategy (Relevance To:)

This report covers issues which affect the principles of a Prosperous Economy.

Resource Implications

A licence fee of £315 has been received. It is anticipated that an appropriate level of officer attendance will be provided within the existing budget.

Appendices

1. Application by Sainsbury's Supermarkets Limited.
2. Representations by Any Other Persons
3. Map of premises location.

**Application for a premises licence to be granted
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 Sainsbury's Supermarkets Ltd

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Sainsbury's Bishops Waltham Petrol Forecourt Store Winchester Road Bishops Waltham			
Post town	Southampton	Post code	SO32 1BE

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£10,500

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick yes

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |

- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Sainsbury's Supermarkets Ltd
Address 33 Holborn London EC1N 2HT
Registered number (where applicable) 03261722
Description of applicant (for example, partnership, company, unincorporated association etc.) Company
Telephone number (if any) 020 7695 6000
E-mail address (optional) N/A

Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year			
1	5	0	3	2	0	1	3

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day		Month		Year			

Please give a general description of the premises (please read guidance note 1)

A petrol forecourt store which is to sell a broad range of groceries, household products and alcohol.

Situated at Winchester Road, Bishops Waltham, Southampton, SO32 1BE.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

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

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

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 type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) The provision will take place inside the premises but customers may leave the premises with items purchased.		
Mon	2300	2400			
Tue	2300	2400	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Wed	2300	2400			
Thur	2300	2400			
Fri	2300	2400	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 (please read guidance note 5)		
Sat	2300	2400			
Sun	2300	2400			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (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	0600	2400			
Tue	0600	2400			
Wed	0600	2400			
Thur	0600	2400			
Fri	0600	2400			
Sat	0600	2400			
Sun	0600	2400			
			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)		

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name Joanne Surguy	
Address 15 Blendon Road Bexley	
Postcode	DA5 1BN
Personal Licence number (if known) 06/00209/BEXLEY/LI	
Issuing licensing authority (if known) London Borough of Bexley	

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 will sell other age restricted products.

L

<p>Hours premises are open to the public Standard days and timings (please read guidance note 6)</p>			<p><u>State any seasonal variations</u> (please read guidance note 4)</p> <p>The opening hours of the store are not a licensable activity and the applicant asks that the hours not be restricted by the premises licence.</p>
Day	Start	Finish	<p><u>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</u> (please read guidance note 5)</p>
Mon	0000	2400	
Tue	0000	2400	
Wed	0000	2400	
Thur	0000	2400	
Fri	0000	2400	
Sat	0000	2400	
Sun	0000	2400	

M Describe the steps you intend to take to promote the four licensing objectives:

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

b) The prevention of crime and disorder

1. The licence holder will ensure that the premises benefit from a CCTV system that operates at all times when licensable activities are taking place.
2. The system will incorporate a camera covering each of the entrance doors and the main alcohol display area 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.
3. The system will incorporate a recording facility and any recording will be retained and stored in a suitable and secure manner for a minimum of 30 days and will be made available, subject to compliance with Data Protection legislation, to the police for inspection on request.
4. * The system must be able to export recorded images to a removable means e.g. CD/DVD and have its own software enabled to allow playback/review.
5. A member of staff trained in the use of the CCTV system must be available at the premises at all times that the premises are open to the public.
6. The system will display, on any recording, the correct time and date of the recording.

c) Public safety

The applicant will at all times maintain adequate levels of staff and security. Such staff and security levels will be disclosed, on request, to the licensing authority and police.

d) The prevention of public nuisance

Signage will be displayed at the exit of the premises requesting customers leaving the premises late at night to do so quietly and with consideration so as not to disturb nearby residents.

e) The protection of children from harm

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 bearing the customer's photograph, date of birth and the Proof of Age Standards Scheme (or similarly accredited scheme) hologram.

Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- 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 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	13 February 2013
Capacity	Solicitors duly authorised on behalf of the Applicant

For joint applications signature of 2nd applicant 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 postal address for correspondence associated with this application (please read guidance note 13)			
Winckworth Sherwood LLP (Ref: EMF/26508/1502/RPB) Minerva House 5 Montague Close			
Post town	London	Post code	SE1 9BB
Telephone number (if any)	020 7593 5155		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) efinlay@wslaw.co.uk			

Notes for Guidance

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 the 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, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. 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, 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, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

FORM OF CONSENT OF INDIVIDUAL TO BEING SPECIFIED
AS PREMISES SUPERVISOR

I, JOANNE SURGUY

of 

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for a PREMISES LICENCE

by SAINSBURY'S SUPERMARKETS LTD

relating to a premises licence no.

for Sainsbury's Bishops Waltham Petrol Forecourt Store,
Winchester Road, Bishops Waltham, Southampton,
SO32 1BE
and any premises licence to be granted or varied in respect of this application made by
SAINSBURY'S SUPERMARKETS LTD

concerning the supply of alcohol at Sainsbury's Bishops Waltham Petrol
Forecourt Store, Winchester Road, Bishops Waltham,
Southampton, SO32 1BE

I also confirm that I am applying for, intend to apply for or currently hold a personal licence,
details of which I set out below

Personal licence number: 06/00209/BEXLEY/LI

Personal licence issuing authority: London Borough of Bexley

Signed:



Name (please print):

JOANNE SURGUY

Date

12/02/13



Bishop's Waltham Parish Council
Clerk to the Council: Mrs L Edge
01489 892323

Parish Council Office
The Jubilee Hall
Little Shore Lane
Bishop's Waltham
Hampshire
SO32 1ED



Licensing Section
Winchester City Council
City Offices
Colebrook Street
Winchester
So32 9LJ

March 6th 2013

Dear Sir

Application from Sainsbury's Supermarkets Ltd for a Premises Licence for Sainsbury's Bishop's Waltham Petrol Forecourt Store, Winchester Road, Bishop's Waltham.

Bishop's Waltham Parish Council has resolved to object to the above application on the following grounds:

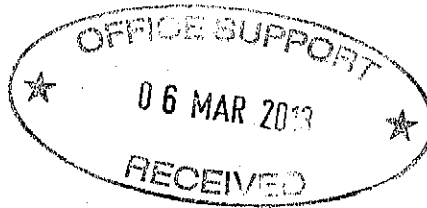
Crime and disorder and public nuisance.

The selling of alcohol at the site would encourage drinking after the public houses have closed which would be detrimental to the neighbours and create a public nuisance. The requested opening hours are outside those agreed under the planning application and would have a detrimental effect on the amenities of the immediate neighbours.

Yours sincerely



Mrs Lindsay Edge
Clerk to the Council



Camelot
Winchester Road
Bishops Waltham
SOUTHAMPTON
Hampshire SO32 1BE

28 February 2013

The Licensing Section
Winchester City Council
City Offices
Colebrook Street
WINCHESTER
Hampshire SO23 9LJ

Dear Sir

**SAINSBURYS PETROL STATION, WINCHESTER ROAD, BISHOPS WALTHAM
APPLICATION FOR AN ALCOHOL AND LATE REFRESHMENT LICENCE**

I write in respect of the above application to permit alcohol to be sold from 0600 hrs to 2400 hrs. Please accept this letter as a formal objection to the licence on the following grounds:-

Such a licence will attract people to the area, congregating in groups after the local licensed premises have closed for the evening and becoming a general nuisance. Indeed the chip shop that was located opposite the petrol station site was well known as a local area to congregate and cause general noise and nuisance.

The local shops and supermarket currently close at 2200 and 2300 hrs and alcohol is accessible from these premises up until these times.

The previous petrol station did not have a licence and closed at 2200 hrs each day which I consider to be adequate bearing in mind Bishops Waltham is located near to Hedge End, and equal distance from Fareham, Winchester and Eastleigh should the need for petrol arise.

The petrol station is located near a roundabout and although traffic passing through the village should only be doing 30mph, frequently they are not and as such any congregation of vehicles and people could have a safety issue on other road users.

Yours faithfully

A large black rectangular redaction box covering the signature area.

A P Morby

Camelot
Winchester Road
Bishops Waltham
SOUTHAMPTON
Hampshire SO32 1BE

28 February 2013

The Licensing Section
Winchester City Council
City Offices
Colebrook Street
WINCHESTER
Hampshire SO23 9LJ

Dear Sir

**SAINSBURYS PETROL STATION, WINCHESTER ROAD, BISHOPS WALTHAM
APPLICATION FOR AN ALCOHOL AND LATE REFRESHMENT LICENCE**

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The previous petrol station did not have a licence and closed at 2200 hrs each day which I consider to be adequate bearing in mind Bishops Waltham is located near to Hedge End, and equal distance from Fareham, Winchester and Eastleigh should the need for petrol arise.

The petrol station is located near a roundabout and although traffic passing through the village should only be doing 30mph, frequently they are not and as such any congregation of vehicles and people could have a safety issue on other road users.

Yours faithfully



B Morby (Mrs)



Meon View
Winchester Road
Bishop's Waltham
Southampton SO32 1BD

28 February 2013

Licensing Section
Winchester City Council
City Offices
Colnbrook Street
Winchester SO23 9LJ

Dear Sirs

**SAINSBURY'S ALCOHOL LICENCE AND LATE NIGHT
REFRESHMENT LICENCE SELLING ALCOHOL - PETROL STATION
WINCHESTER ROAD BISHOP'S WALTHAM**

We wish to object to the above licence application on the grounds that to have the station open to midnight will cause problems for us local residents, not to mention the noise and increased traffic coming to use the facilities. There will be parking issues especially with HGV's pulling up on the road outside of our homes. At the moment HGV's are running past our house (which is almost opposite the petrol station) throughout the night. To have alcohol on the premises from 6 am to midnight will encourage drinking once the pubs have turned out. People will be coming from miles around to use these late night drinking and shopping facilities. **WE DO NOT WANT THIS IN OUR BEAUTIFUL MEDIEVAL TOWN OF BISHOP'S WALTHAM. THIS IS A RESIDENTIAL AREA NOT AN INDUSTRIAL ESTATE!** The previous garage on this site closed at 10 pm and **DID NOT SELL ALCOHOL.** The Esso Garage down the road closes at 10 pm and **DOES NOT SELL ALCOHOL.** This Sainsbury's petrol station will be on a far larger scale than the previous one and will bring more traffic to the area. This is most certainly not a like for like situation. It has snowballed from a small low key petrol station being replaced by a huge petrol station with late night drinking/shopping facilities. **We most strongly object to this.**

Yours faithfully



Mr and Mrs G Pink

Clairwood
Winchester Road
Bishop's Waltham
Southampton SO32 1BD

28 February 2013

Licensing Section
Winchester City Council
City Offices
Colnbrook Street
Winchester SO23 9LJ

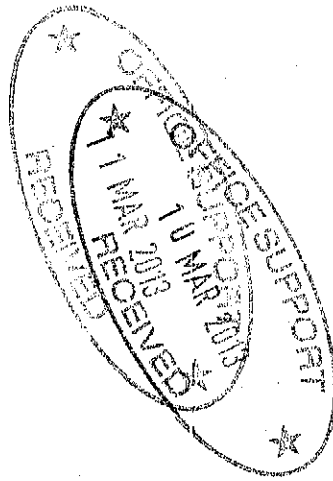
Dear Sirs

**SAINSBURY'S ALCOHOL LICENCE AND LATE NIGHT
REFRESHMENT LICENCE SELLING ALCOHOL - PETROL STATION
WINCHESTER ROAD BISHOP'S WALTHAM**

We strongly object to the above Licence request on the grounds that to have the station open to midnight will cause problems for us local residents, not to mention the noise and increased traffic coming to use the facilities. We are elderly residents in our 80's living across the road from the petrol station and feel that this sort of facility is most unacceptable. We have lived in our house for well over 45 years and the noise we have to put up with from the HGV's driving past all through the evening and night is bad enough but to have to endure the noise and traffic from this added petrol station facility is outrageous. There is bound to be noise issues as there usually are surrounding any sort of late night drinking and of course parking issues outside our homes not to mention an increase in crime that will be as a result of ALCOHOL. HGV's will be parking on the road/pavements outside our homes. To be open until midnight is a disgrace. To have alcohol on the premises from 6 am to midnight will encourage drinking once the pubs have turned out. People will be coming from miles around to use these late night drinking and shopping facilities. The previous garage on this site closed at 10 pm and **DID NOT SELL ALCOHOL**. The Sainsbury's petrol stations at Hedge End and Wallington DO NOT have late night drinking café facilities selling alcohol. They are both sited on industrial sites but this station here in Bishop's Waltham is right in the middle of a residential area. **We urge you to reject this application on the above grounds.**

Yours faithfully


Mr and Mrs D Mundy

6 Pondsides Terrace
Pondsides Lane
Bishops Waltham
Hampshire
SO32 1BB
7 March 2013

Licensing Section
Winchester City Council
City Offices
Colnbrook Street,
WINCHESTER SO23 9LJ

Dear Sir

RE: SAINSBURYS APPLICATION FOR ALCOHOL AND REFRESHMENT
LICENCES AT THE BISHOPS WALTHAM PETROL STATION

It has just been brought to our notice that Sainsburys are applying for an alcohol licence from 0600 to 2400 along with a late night refreshment licence.

We definitely object to this. Living directly opposite we already have disturbances in this lane late at night with revellers using this lane as a right of way to the housing estates and this would only make it worse. We can see no reason for licensing these premises when only a short distance away there will soon be a Sainsburys store as well as existing Budgens Supermarket and two Co-operatives in the village that are licensed to sell alcohol as well as light refreshments until late hours. Surely selling alcohol at a petrol filling station does not make sense, and together with refreshments on sale to midnight will mean more disturbances and call-outs for the police when they have enough anti-social behaviour to deal with now.

The previous petrol station on this site caused no problems but a fish and chip shop opposite (no longer there) attracted a lot of late night drinkers and we had to put up with the litter and disturbances this created. In addition the larger volume of traffic that will be attracted to this filling station selling alcohol and refreshments as well as petrol until midnight will add to the traffic problems in this residential area.

Can you guarantee these will not be the consequences if this latest application is approved.

Yours faithfully

R J Littlefield

Copy to: Mr Steve Brine MP

4 Pondsides Terrace
Pondsides Lane
Bishops Waltham
Southampton
SO32 1BB



8 March 2013

Dear Sirs

Sainsbury's new garage at Winchester Road, Bishops Waltham
planning application for an alcohol / late night refreshment licence

I have become aware of the above application and would appreciate your consideration of the following comments:

1. If the government is trying to combat the problem of alcoholism, should we allow any more late opening of off-licence premises.
2. There are already enough alcohol outlets in Bishops Waltham.
3. The proposed timing of being open until 24.00 will cause a lot of stress in such a confined area. There are three blocks of flats, houses on both sides of the road in that area and an inhabited lane opposite.
4. This will cause a lot of extra noise at night from people as well as from traffic.
5. Pondsides Lane is already used as a through road for pedestrians. At the moment the volume of late people is quite minimal but when there is a further attraction on the main road there will be even more party revellers from Pondsides Estate coming through with the usual verbal noise etc.
5. Apart from the lack of traffic parking, Pondsides Lane will be used once again as a car park and this will inhibit the access for the residents of the lane for normal and emergency facilities. (This is known from past experience when there was a fish and chip shop where the block of flat are now situated. People frequently used the opening at the top of the lane as a car park).

6. Will Sainsburys staff be undertaking to clear up the mess every day after the store is closed? As you will be aware there will be a considerable amount of extra litter left lying in the area. There will be an excess of unwanted food thrown on the ground, wrappers and drink containers, and of course the other unpleasant elements being left on the ground.

7. Please let us have peace from 22.00 hours at least so that the inhabitants can sleep at night.

Thank you



P.M & C.E Springer

Licensing Section
Winchester City Council
City Offices
Colebrook Street
Winchester
SO23 9LJ

Fairlawn
Bishop's Waltham
Hampshire SO32 1 DH

11.3.13

The Licencing Section, Winchester City Council

Dear Sirs

Application for an Alcohol Licence for the Petrol Station on Winchester Road

Bishop's Waltham.

I urge you to REJECT this application.

I suggest it would be quite wrong if a licence to sell alcohol from 6.00am until Midnight was granted in such a heavily populated residential area on a site which previously traded quietly.

It is already possible to buy alcohol in The High Street from 6.00am until 11.00pm and the town is amply provided with Pubs and Restaurants. You will be aware that the ESSO garage nearby on a less densely populated part of the B2177 does NOT sell alcohol at all and closes at 10.00pm,

With the UK slipping down national health ratings partly due to a significant proportion of the population using alcohol to excess, it would be wrong to allow alcohol to start to be sold on this site (it probably shouldn't be sold on any petrol forecourts) thereby encouraging drivers to come from miles around to get a last minute shot of vodka.

Sainsburys promised not to sell petrol at their out of town Superstore in BW and promptly bought the garage almost next door and now they want to sell alcohol on the site 18 hours a day (as well of course in the superstore). All the super markets are pushing their luck like this to the detriment of small town traders and residents living nearby.

I would ask the Licencing section not to fudge this issue by allowing alcohol to be sold for less than the 18 hours applied for. No alcohol should be sold on this site-full stop!

Yours faithfully



Roger Hockin.



John Myall

From: PETER DANIELS [REDACTED]
Sent: 11 March 2013 12:26
To: Licensing
Subject: Premises Licence for Sainsbury's Bishops Waltham Petrol Forecourt Store, Winchester Road, Bishops Waltham, Southampton, Hampshire SO32 1BE

32 Mallard Close
Bishop's Waltham
Southampton
SO32 1LW

11 March 2013

Dear Sir or Madam

Premises Licence for Sainsbury's Bishops Waltham Petrol Forecourt Store, Winchester Road, Bishops Waltham, Southampton, Hampshire SO32 1BE

I am strongly opposed to this application.

While the area has been residential, it has even more dwellings now. The original Little Chef has been converted to flats next door. Likewise, opposite, the original kebab sales has not only been converted to dwellings but all of the land for the car park etc. is now dwellings. The Asphaltic site is now dwellings. Increased noise and disturbance (see below) would be suffered by the increased concentration of local residents.

There are already several responsible outlets, which sell alcoholic drinks in the area. This has dangers both (a) social as well (b) traffic related.

The hours from 0600 to 0000 are completely unacceptable.

1. The prevention of crime and disorder

The Winchester Road is a major thoroughfare in the area. It is inconceivable that people could stop drinking in, say, the Priory public house or other public houses in the town, and then be able to buy alcoholic drinks after 'drinking-up time'. This application could lead to disruptive behaviour in the area. A 'crowd' of drinkers could descend on the service station and continue in their rowdy way without concern for local residents. Their earlier consumption would lower their levels of awareness and responsibility.

Individuals or groups could be at risk from traffic. While there is a 30 mph speed limit, this is rarely adhered to. At whatever time of day or night drivers can think that there is a clear road and drive well in excess of the speed limit. This appears to be worse with traffic coming from the Winchester / Upham direction.

As discussed below, there is also the problem of under-age drinking. (Points 3 and 4 below.)

2. Public safety

This is a main road, which is used by heavy traffic during the day. Not only is there heavy traffic in the mornings and evenings, when people travel to and from work plus the school runs, Bishop's Waltham is used as a short cut from the Portsmouth area to get to the M3 at Winchester by lorry drivers of very big vehicles.

Any link between driving and alcohol consumption should not be allowed to take place. Thoughtless individuals should not be able to take a break, drink alcoholic drinks and then continue driving. (They may purchase the alcoholic drinks and consume them a short distance away from the service station.) There should be no close link between driving and the purchase of alcoholic drinks. A service station, which by definition is used by drivers, should not be such a point.

18/03/2013

As noted above, individuals or groups could be at risk from traffic. While there is a 30 mph speed limit, this is rarely adhered to. At whatever time of day or night drivers can think that there is a clear road and accelerate.

The service station is very close to the roundabout for the B2177 (Winchester, Waltham Chase and Wickham) and the B3035 (Corhampton Road to the A32). There should not be the link between drinking and driving so close to a traffic island, which some drivers do not use responsibly e.g. driving at speed. Other drivers may inadvertently pull out of the service station, when vehicles have just come round the traffic island. There should be no link between drinking and driving at such a site.

3. The prevention of public nuisance

As noted above there is the strong possibility of noisy behaviour from drinkers.

There is the national concern about

- (a) the easy availability of purchasing strong alcoholic drinks from supermarkets (Sainsbury's is the applicant)
- (b) under-age drinking.

While the salesperson may sell to a person, who is eighteen years of age or older, there is no guarantee that it will not be consumed by someone younger than eighteen years of age.

A well lit area, whether it is the service station site or its immediate surrounding area, will be a magnet for young people.

This will lead to noise and nuisance to local residents.

They will also be at risk from the traffic.

4. The protection of children from harm

As noted above, there is a national concern about under-age drinking. It is widely known that alcohol is consumed by under-age drinkers, which is obtained from outlets.

This application should not be an opportunity for the problem to be exacerbated in the area around the service station and beyond

Irresponsible drivers, who may purchase and consume alcoholic drinks could put children at risk, when the drivers' ability to drive has been impaired.

This is an objection to the licence to sell alcoholic drinks. While Sainsbury's as a company may claim that their staff will be responsible, there is the danger that problems will arise in the immediate area and beyond.

There are several outlets in the area, which sell alcoholic drinks responsibly. They also operate in reasonable hours: not 0600 to 0000.

One needs to:

- (a) take a wider view of the social factors, which can arise from an outlet, which sells alcoholic drinks
- (b) there should not be the easy availability of alcoholic drinks to drivers on a very busy road. There is not only for traffic to and from the M3 but the Winchester Road is also a major local thoroughfare from local pedestrians (including older people who may not cross the road quickly and young mothers with babies and young children), cyclists and drivers.

Yours faithfully
Mr Peter Daniels

Click [here](#) to report this email as spam.

John Myall

From: Gaynor Wearn [REDACTED]
Sent: 14 March 2013 15:34
To: Licensing
Subject: Sainsbury Petrol Station Winchester Road Bishop's Waltham

Dear Sir or Madam

Ref EMF/26508/1502/RPB licence application.

We strongly object to the sale of alcohol between the proposed hours of 6am to midnight. The town has adequate facilities to purchase alcohol from its shops with Budgens nearby opening to 10pm.

The petrol station is located adjacent to residential properties and these hours are likely to cause unnecessary disturbance.

We think the licence should be limited to similar hours to Budgens i.e. 8 am to 10 pm.

Mr and Mrs Wearn, September House, 4 Colehill Gardens, Bishop's Waltham SO321NL.
[REDACTED]

Sent from my iPad

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B.E. Tanner
Forton
Victoria Road
Bishops Waltham
Southampton
SO32 1DJ

Winchester City Council
Licensing Section
City Offices
Colnbrook Street
Winchester
SO23 9LJ

5th March 2013

**Re: Application for Alcohol licence for new Sainsburys Petrol Station,
Winchester Road, Bishops Waltham**

Regarding the above application, we object on the following grounds:

This petrol station is within a residential area comprising flats, houses and sheltered accommodation. The previous petrol station on this site closed at 10.00pm, and it seems likely that the extended opening hours, selling alcohol, will increase noise.

There are 4 licensed premises within a 300m radius plus 4 public houses. We cannot see the need for any more.

It is our view that alcohol should not be sold in petrol stations from a road safety point of view. Surely, drinking driving are to be strongly discouraged.

A large black rectangular redaction box covering the signature area.

Barry E Tanner

John Myall

From: Margaret Pickthorne [REDACTED]
Sent: 18 March 2013 16:19
To: Licensing
Subject: Re: Petrol Forecourt Store, Winchester Road, Bishops Waltham

My address is:
6 The Priory, Bishops Waltham, SO32 1GX.
My full name is Mrs Margaret Pickthorne

-----Original Message-----

From: Margaret Pickthorne [REDACTED]
Sent: 08 March 2013 19:01
To: Licensing
Subject: Petrol Forecourt Store, Winchester Road, Bishops Waltham

Dear Sir/Madam

I am writing to object to the application from Sainsbury's Supermarkets Ltd to sell alcohol to take off the premises between the hours of 0600 to 0000 daily.

It is totally unnecessary and totally inappropriate for alcohol to be sold from a petrol station forecourt.

In July 2012 Rowlands Castle Parish Council won a landmark ruling from the High Court against Shell concerning the sale of alcohol from Whichers Gate Garage. The High Court ruled that as it was primarily a garage forecourt this was not acceptable. Sainsbury's are replacing a petrol station with another one they are constructing from new. It will not primarily be a convenience store, but a garage forecourt shop, therefore the same ruling would apply as for Whicher's Gate Garage. Sainsbury's cannot argue that they are constructing a convenience store, since they have acquired the site specifically to sell petrol to customers from their planned supermarket on the Abbey Mill site.

As regards opening hours, I wish to object to the proposal to open from 0600 until 0000. No other retail outlet in Bishops Waltham opens later than the Co-operative which closes at 23.00. This part of Winchester Road has changed greatly in character in recent years. Since the building of several developments of flats, it is now predominantly residential and the local people will not welcome late night disturbance.

Although it may seem that Bishops Waltham is not a particularly difficult area for social problems we have had a continuous problem with bored young people with nowhere to go. Late night retail with the chance of the purchase of alcohol is too tempting for young people looking for entertainment. Recently a great deal of effort has gone into re-opening the Youth hall to try and reduce this problem - easy access to alcohol will undo a lot of that good work.

These are my objections, i hope very much you will turn down this

02/04/2013

inappropriate application, Yours faithfully, Margaret Pickthorne

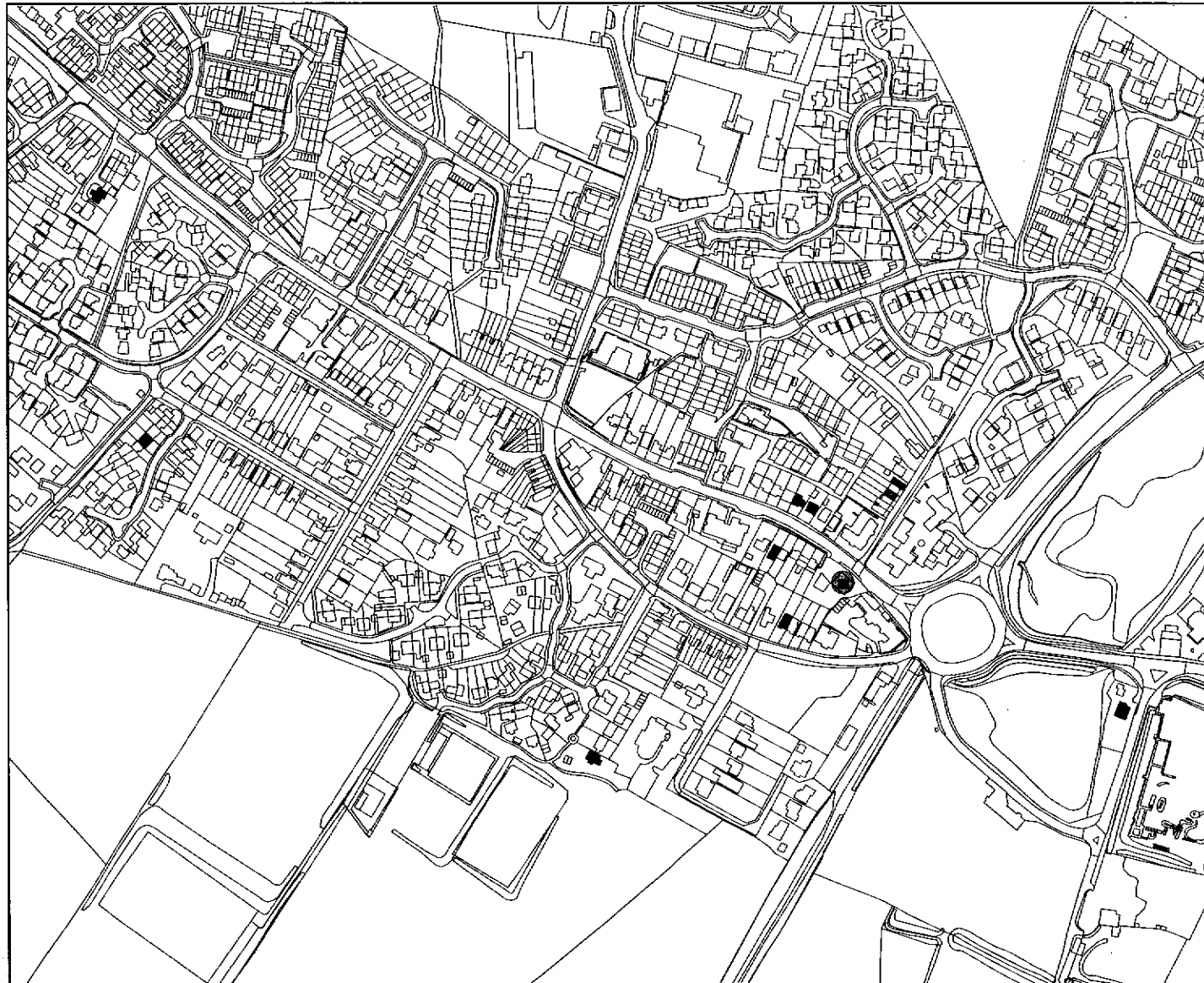
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www.blackspider.com

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Appendix 3

Sainsbury's Supermarkets Limited



Legend

Scale : 1:5000

Organisation	Winchester City Council
Department	Licensing
Comments	Premises Licence - Forecourt Shop
Date	02 April 2013
SLA Number	100019531

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