

LICENSING REPORT NO. ENH_LICSUB_A&E1815

DETERMINATION OF AN APPLICATION FOR
VARIATION OF A PREMISES LICENCE

400 HIGH STREET, ALDERSHOT, HAMPSHIRE GU12 4NE

1.0 INTRODUCTION

- 1.1. This report concerns an application to vary a premises licence made under section 34 of the Licensing Act 2003 (the 'Act'). Representations have been received in respect of the application and invoke a statutory requirement to hold a hearing with members.
- 1.2. The report provides details of, and background to the application, and should be read in conjunction with the Council's licensing policy and Secretary of State's guidance. This, together with information obtained at the hearing should be used to determine the application.

2.0 BACKGROUND

- 2.1. An application for variation of an existing premises licence was submitted on 6th March 2018 by Motor Fuel Limited, in respect of the premises.
- 2.2. A map of the area showing the general location of the premises is given at **appendix A**.

2.3. Existing premises licence

- 2.4. The application requests the variation of the existing premises licence 17/00976/LAPRET, transferred on 15th December 2017. The original premises licence was granted on the 24th November 2005.

- 2.5. A copy of the premises licence is given as **appendix B**.

2.5. Nature of the application

- 2.6. The application seeks to amend the permitted hours for the sale of alcohol to 24 hours on any day and the provision of late night refreshment from 23:00pm to 05:00am on any day. The application also seeks to amend conditions on the premises licence.
- 2.7. A copy of the application form is given at **appendix C**.

2.6. Advertising of the application

- 2.7. I can confirm that each responsible authority (as specified in the Act) has received a copy of the application. I can also confirm that the application was advertised by the applicant in accordance with the requirements of the legislation both at the premises and in a suitable newspaper. The last date for representations was given as the 3rd April 2018.

3.0 APPLICATION AMENDMENTS

3.5. Environmental Health

- 3.6. The applicant has agreed to a number of amendments to the operating schedule of the application in the form of conditions. These changes were made in negotiation with Environmental Health and are set out in the correspondence given at **appendix D**.

4.0 REPRESENTATIONS

- 4.5. Five representations by way of an objection were received in respect of this variation application. Three of the representations made were by responsible authorities, namely, Hampshire Constabulary, The Licensing Authority and Trading Standards. A copy of each representation is given at **appendix E, F and G**.

- 4.6. Two representations were made by members of the public. A copy of each representation is given at **appendix H and I**.

4.7. Relevance of Representation(s)

- 4.8. To be eligible to be considered, the Act requires a(ny) representation(s) to be '*relevant*'. A '*relevant representation*' is one that has been made by a responsible authority or any other person within the prescribed period permitted. Similarly, representations must not be frivolous or vexatious and must be about the likely effect of the grant of the licence on the promotion of the licensing objectives.

- 4.9. The licensing objectives are defined in the Act and include -

- (a) the prevention of crime and disorder;
- (b) ensuring public safety;
- (c) the prevention of public nuisance; and
- (d) the protection of children from harm.

4.10. Relevance of representations

- 4.11. Against the above criteria the representations are considered to be relevant as they were submitted within the prescribed period and concern three of the licensing objectives; namely the prevention of crime and disorder, protection of children from harm and public nuisance.

5.0 DATA PROTECTION ISSUES

- 5.5. As a public document, any personal details, including addresses, contact details and/or signatures submitted on any application, representation or other document contained in this report have been redacted in accordance with data protection requirements.

6.0 DETERMINATION

- 6.5. Further to the receipt of relevant representations and, in accordance with the Act and the Council's scheme of delegation, the Sub-Committee is asked to determine the application.

7.0 RELEVANT CONSIDERATIONS

7.5. Licensing Objectives

- 7.6. In determination of the application, the licensing authority must have regard to the promotion of the licensing objectives. These are set out at paragraph 4.9 above.

7.7. Licensing policy & S182 Guidance

- 7.8. The licensing authority must also have regard to its statement of licensing policy and any guidance issued by the Secretary of State under section 182 of the Act. Details of the parts of the policy and guidance that may be relevant to this application are given in **appendix J** to this report.

8.0 OPTIONS

- 8.5. In determining this application, the Sub-Committee may take any of the following steps as it considers appropriate for the promotion of the licensing objectives; namely -

- (a) to vary the licence as applied for*; or
- (b) to modify the conditions of the licence, or
- (c) to reject the whole or part of the application.

** Subject to any relevant mandatory conditions (as shown on Annex 1 of the premises licence), amendments agreed by the applicant and/or such other conditions that are consistent with the operating schedule which, with the exception of mandatory conditions, may be modified[†] to such extent as may be appropriate to promote the licensing objectives.*

[†] Modifications may include the alteration or omission of a condition or the addition of any new condition(s).

9.0 RECOMMENDATION(S)

9.5. The Sub-Committee is asked to determine the application having regard to -

- (a) the contents of this report;
- (b) any additional information obtained from the hearing;
- (c) the Council's licensing policy;
- (d) guidance issued by the Secretary of State; and
- (e) the promotion of the licensing objectives.

AIMEE VOSSER

Licensing Officer

Environmental Health & Housing Services

licensing@rushmoor.gov.uk

BACKGROUND

PAPERS:

Premises licence application 18/00161/LAPRE

PUBLIC DOCUMENTS:

- 1) **HMSO (2003)**, The Licensing Act 2003
- 2) Guidance issued under Section 182 of the Licensing Act 2003 (April 2018)

CONTACT:

Aimee Vosser, Licensing Officer

Tel: (01252) 398131, Email: aimee.vosser@rushmoor.gov.uk

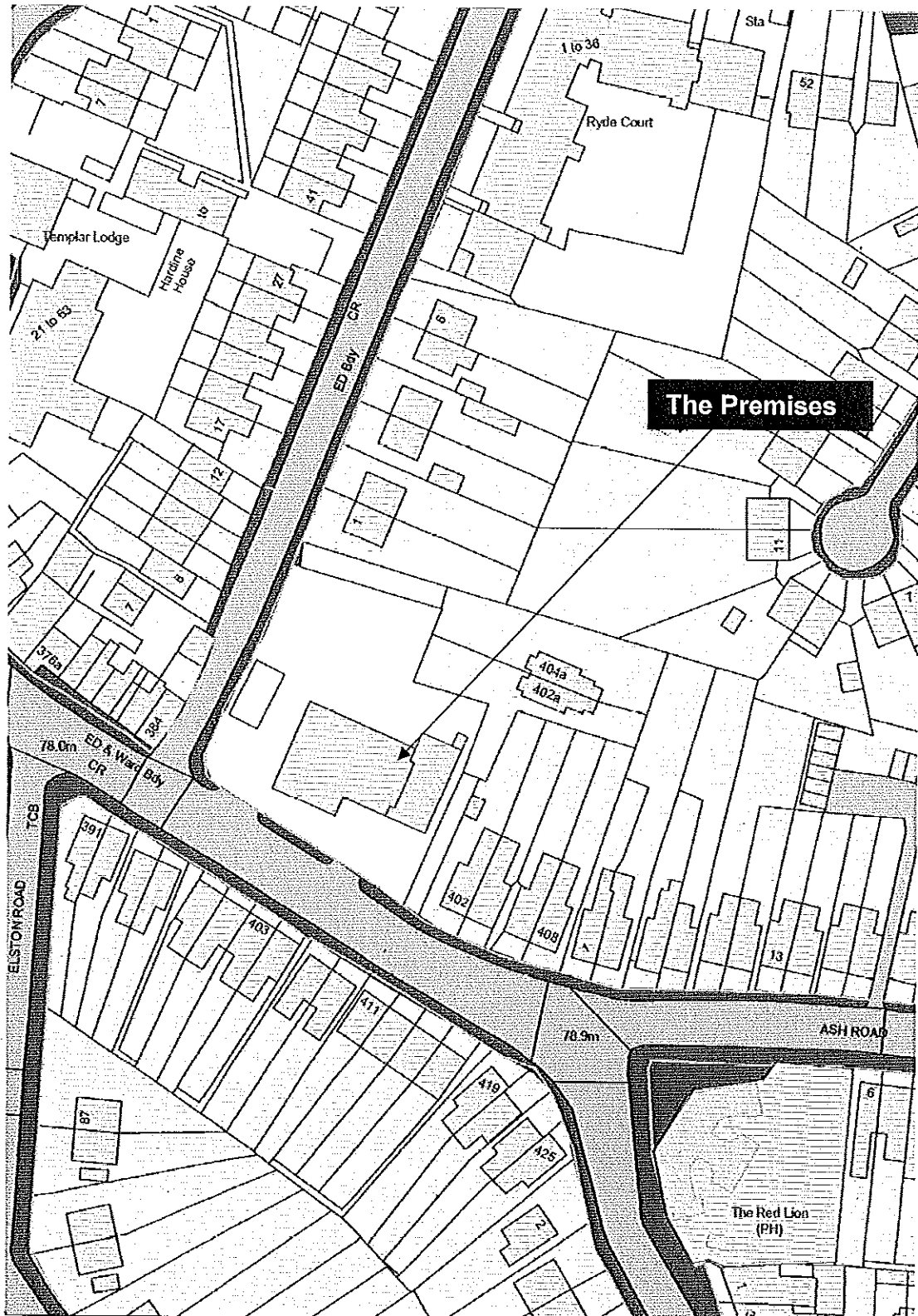
APPENDICES:

| Appendix | Description | Page Ref. |
|----------|--|-----------|
| A | - Map of the area | Page 5 |
| B | - Copy of Premises Licence | Page 7 |
| C | - Application Form | Page 17 |
| D | - Negotiated Conditions – Environmental Health | Page 31 |
| E | - Representation – Hampshire Constabulary | Page 33 |
| F | - Representation – Licensing Authority | Page 37 |
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| H | - Representation – Other Person | Page 45 |
| I | - Representation – Other Person | Page 47 |
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MAP OF THE AREA

400 HIGH STREET, ALDERSHOT, HAMPSHIRE GU12 4NE



APPENDIX B

PREMISES LICENCE

400 HIGH STREET, ALDERSHOT, HAMPSHIRE GU12 4NE

Premises Licence Number
17/00976/LAPRET- 1/9



RUSHMOOR
BOROUGH COUNCIL

PREMISES LICENCE

Licensing Act 2003

Part 1 – Premises Details

| | |
|---|--|
| Postal address of premises, or if none, ordnance survey map reference or description | |
| Address: 400 High Street Aldershot Hampshire GU12 4NE | Map Ref (E): 487289 Map Ref (N): 150048 UPRN: 100062323965 |
| Telephone 01252 326171 | |

| |
|--|
| Where the licence is time limited the dates |
| (1) This licence is NOT time limited |

| |
|--|
| Licensable activities authorised by the licence |
| > The retail sale / supply of alcohol ONLY |

| |
|---|
| Times the licence authorises the carrying out of licensable activities |
| > On any day – 06:00am to 23:00pm |

| |
|--|
| The opening hours of the premises |
| > On any day – 00:00am to 24:00midnight |

| |
|--|
| Where the licence authorises supplies of alcohol whether these are on and/or off supplies |
| > Alcohol may be sold / supplied for consumption OFF the premises ONLY |

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Name: Motor Fuel Limited
Address: Building 2
Abbey View
Everard Close
St Albans
AL1 2QU
Telephone: Not Known
Email: Not Known

Registered number of holder, e.g. company number, charity number (where applicable)

➤ 5206547 (Company Number)

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Name: Manickam Visvanathan
Address:
Telephone: Not Known
Email: Not Known

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal licence number: LN20061147
Issuing authority: The London Borough of Merton

Granted by Rushmoor Borough Council, as licensing authority
pursuant to the Licensing Act 2003 and regulations made thereunder

Date Licence Granted: 14th December 2011
Date Licence Effective: 14th December 2011
Date Last Modified: 18th December 2017
(Transfer & Change of DPS)

SIGNED on behalf of the
Head of Environmental Health & Housing Services
(Authorised Officer)

Annex 1 – Mandatory conditions

- (1) No supply of alcohol may be made under the premises licence:-
 - (i) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (ii) at a time when the designated premises supervisor does not hold a personal licence or his/her 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)
 - (i) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (ii) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (4) 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 either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
- (5) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price. For the purposes of this condition –
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) "permitted price" is the price found by applying the formula –
$$P = D + (D \times V)$$
Where –
 - (i) P is the permitted price
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence –
 - (i) The holder of the premises licence
 - (ii) The designated premises supervisor (if any) in respect of such a licence, or
 - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- (f) Where the permitted price given by Paragraph (b) would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (g) Paragraph (b)(ii) applies where the permitted price given by Paragraph (b) on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (h) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the Operating Schedule

- (1) Alcohol shall not be sold or supplied except during permitted hours.
- (2) The above restriction does not prohibit:-
 - (i) during the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
 - (ii) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
 - (iii) the sale of alcohol to a trader or club for the purposes of the trade or club;
 - (iv) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.
- (3) Alcohol shall not be sold in an open container or be consumed in the licensed premises.
- (4) For the purposes of preventing crime and disorder, suitable and sufficient CCTV cameras shall be operational at the premises throughout the period that the premises are open for any licensable activity. All cameras must be maintained in good working order and shall be operated in conjunction with a recording facility. Recorded footage shall be suitably stored and retained for a period of time to the satisfaction of the police.
- (5) Suitable and sufficient levels of staffing cover shall be provided at the premises during permitted opening hours so as to ensure the promotion of public safety.
- (6) All exit doors shall be easily operable without the use of a key, card, code or similar.
- (7) All exit doors shall be regularly checked to ensure they function satisfactorily. Records of these checks shall be kept and produced on request.

- (8) Notices detailing the actions to be taken in the event of fire or other emergency shall be prominently displayed within the premises and maintained in good condition and up-to-date.
- (9) All fire exits and means of escape shall be signed in accordance with BS5499 (or relevant extant revision thereof).
- (10) The licence holder shall be a signatory to the Portman Group Code of Practice on the Naming, Packaging and Promotion of alcoholic drinks.
- (11) A written log shall be kept of all refusals, including refusals to serve alcohol. The holder of the premises licence shall ensure that the refusals log is properly maintained and this shall involve, but is not limited to, nominating in writing a responsible person to check and sign it on a weekly basis.
- (12) (i) Written records of any refusals shall be maintained at the premises for 12 (twelve) months and be made available to the responsible authorities immediately on request.
- (13) (i) Anyone authorised to sell or supply alcohol at the premises shall request and ensure sight of suitable identification, for proof of age, of any person appearing to them to be under the age of 25 (twenty-five) and who is attempting to purchase alcohol.
 - (ii) For the purposes of this condition, suitable identification is photo driving licence, passport, or any other photographic identification bearing the "PASS" logo and the person's date of birth.
 - (iii) Further to the above, anyone authorised to sell or supply alcohol at the premises shall be instructed that no sale of alcohol shall be made unless suitable identification, for proof of age, can be provided.
 - (iv) Suitable and sufficient warning signs shall be displayed in the premises providing information in respect of the above challenge 25 policy and the request for suitable identification in connection thereof.
- (16) (i) Anyone authorised to sell alcohol at the premises shall (before being permitted to make sales of alcohol) be suitably trained in

respect of the following matters to a level commensurate with their duties and responsibilities:-

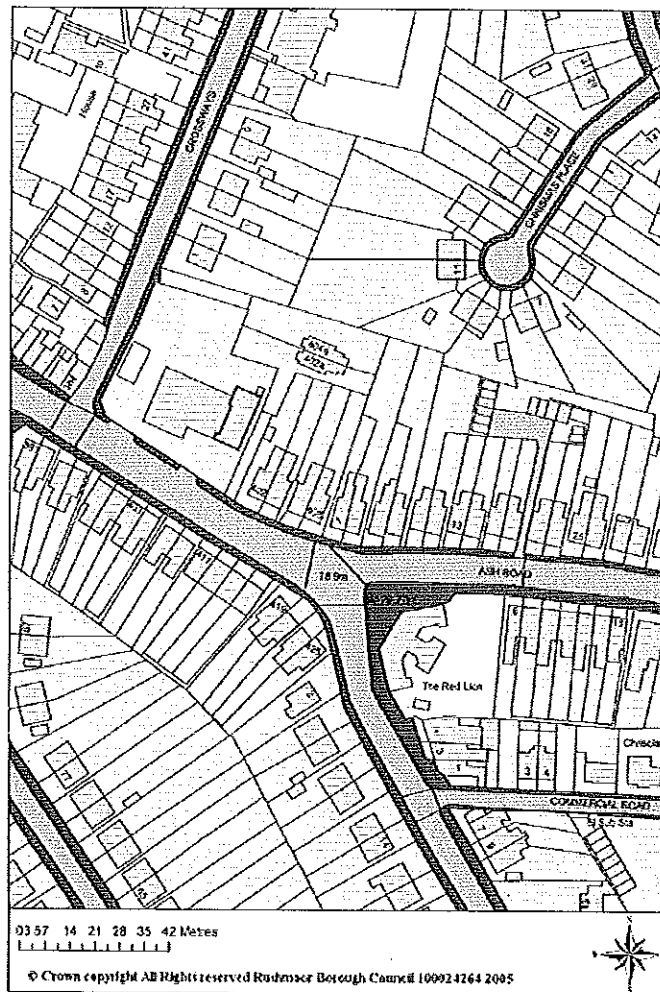
- (a) the refusal of the sale of alcohol to those who appear intoxicated and how to recognise them; and
 - (b) the above Challenge 25 policy.
- (ii) Refresher training shall take place at least every 6 months.
- (iii) Written records of such training shall be produced, and be signed and dated by the member of staff receiving the training. They shall be kept on the premises to which they relate for a minimum of 2 years and be made available to the responsible authorities immediately on request.
- (17) All sales of alcohol must be personally authorised by a Personal Licence Holder. If a Personal Licence Holder is not present at the premises, no sales of alcohol will be made.

Annex 3 – Conditions attached after a hearing by the licensing authority

None

Annex 4 – Plans


This licence permits the licensable activities stated at the premises addressed above and outlined below in accordance with the plan(s) attached and marked 17/00976/LAPRET - 10.



-000-

RUSHMOOR BOROUGH COUNCIL, Environmental Health Services,
Council Offices, Farnborough Road, Farnborough, Hampshire GU14 7JU. Telephone: (01252) 398 398

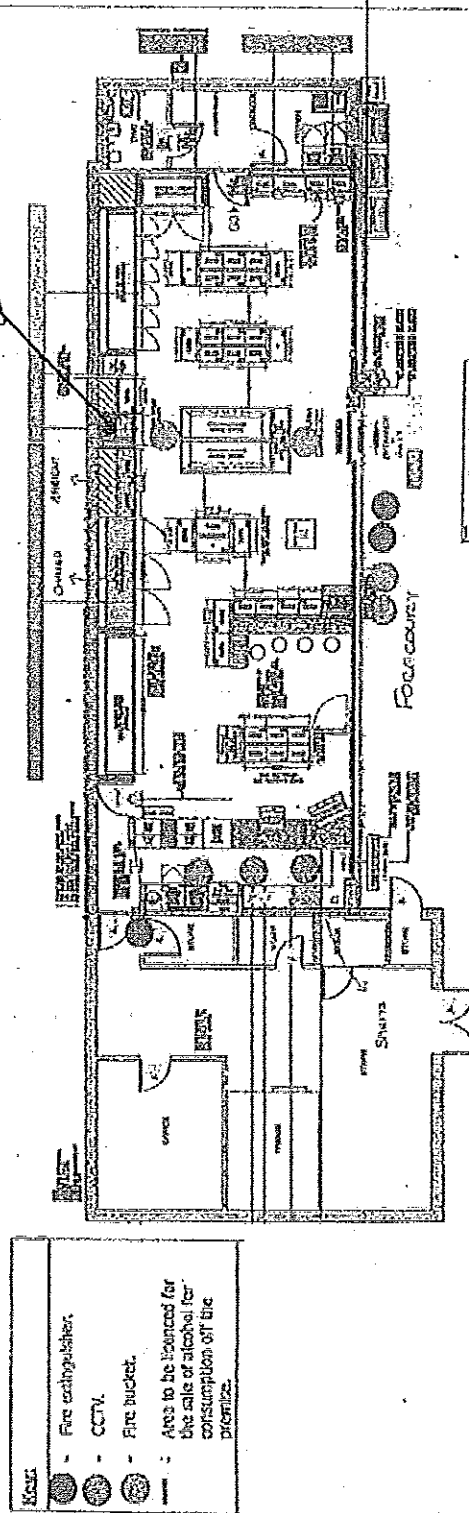
Fax: (01252) 524 017 • Minicom: (01252) 371 233 • Email: licensing@rushmoor.gov.uk • DX 122250 FARNBOROUGH 2



Lockett & Co.
 2700, 11th Street N.E., Building Corporation

Shell Aldershot
400 High Street
Aldershot
Hampshire, GU12 4P

Members of Alcoholics Anonymous are permitted throughout the store, subject to the limited entry to kind this country.

$$\text{LNC} = \cos \alpha \text{ or } \sin \alpha$$


400 High Street
Aldershot
Hampshire

GL12 4NE


Licensing Act 2003

Premises Licence

Reference Number

17/00976/ APRIL - 10




| | | |
|---|--|--|
| <p>MARY</p> <p>1935 PATENT</p> <p>ARTELA</p> <p>2000-2000 1000-1000 1000-1000 1000-1000</p> <p>ARTELA</p> <p>1000-1000 1000-1000 1000-1000 1000-1000</p> |  <p>1000-1000 1000-1000 1000-1000 1000-1000</p> | <p>1000-1000</p> <p>1000-1000 1000-1000 1000-1000 1000-1000</p> |
|---|--|--|

Date: May 2013
Scale: 1:160

APPENDIX C

APPLICATION FOR VARIATION

400 HIGH STREET, ALDERSHOT, HAMPSHIRE GU12 4NE

| | | |
|---|---|---|
|  | Rushmoor Application to vary a premises licence Licensing Act 2003 | For help contact licensing@rushmoor.gov.uk Telephone: 01252 393355 |
| | | |

* required information

Section 1 of 18

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?
☒ Yes ☐ No Put 'no' if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

☒ Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

☒ Applying as a business or organisation, including as a sole trader

☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House? ☒ Yes ☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name If the applicant's business is registered, use its registered name.

VAT number Put 'none' if the applicant is not registered for VAT.

Legal status

Continued from previous page...

| | | |
|---|---|--|
| Applicant's position in the business | <input type="text" value="LIMITED COMPANY"/> | |
| Home country | <input type="text" value="United Kingdom"/> | The country where the applicant's headquarters are. |
| Registered Address | | Address registered with Companies House. |
| Building number or name | <input type="text" value="BUILDING 2 ABBEY VIEW"/> | |
| Street | <input type="text" value="EVERARD CLOSE"/> | |
| District | <input type="text"/> | |
| City or town | <input type="text" value="ST ALBANS"/> | |
| County or administrative area | <input type="text" value="HERTS"/> | |
| Postcode | <input type="text" value="AL1 2QU"/> | |
| Country | <input type="text" value="United Kingdom"/> | |
| Agent Details | | |
| * First name | <input type="text" value="CHRIS"/> | |
| * Family name | <input type="text" value="MITCHENER"/> | |
| * E-mail | <input type="text" value="chris@licensingolutions.org.uk"/> | |
| Main telephone number | <input type="text" value="44 07831 159 450"/> | Include country code. |
| Other telephone number | <input type="text"/> | |
| <input type="checkbox"/> Indicate here if you would prefer not to be contacted by telephone | | |
| Are you: | | |
| <input checked="" type="radio"/> An agent that is a business or organisation, including a sole trader | | A sole trader is a business owned by one person without any special legal structure. |
| <input type="radio"/> A private individual acting as an agent | | |
| Agent Business | | |
| Is your business registered in the UK with Companies House? | <input type="radio"/> Yes <input checked="" type="radio"/> No | Note: completing the Applicant Business section is optional in this form. |
| Is your business registered outside the UK? | <input type="radio"/> Yes <input checked="" type="radio"/> No | |
| Business name | <input type="text" value="LICENSING SOLUTIONS"/> | If your business is registered, use its registered name. |
| VAT number | <input type="text" value="566 4798 82"/> | Put "none" if you are not registered for VAT. |
| Legal status | <input type="text" value="Sole Trader"/> | |

Continued from previous page...

| | | |
|-------------------------------|----------------|---|
| Your position in the business | OWNER | |
| Home country | United Kingdom | The country where the headquarters of your business is located. |
| Agent Business Address | | If you have one, this should be your official address - that is an address required of you by law for receiving communications. |
| Building number or name | 32 | |
| Street | CHURCH ROAD | |
| District | LOCKS HEATH | |
| City or town | SOUTHAMPTON | |
| County or administrative area | HAMPSHIRE | |
| Postcode | SO31 6LU | |
| Country | United Kingdom | |

Section 2 of 18

APPLICATION DETAILS

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.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

| | |
|-------------------------------|---------------------------------|
| Building number or name | SHELL ALDERSHOT SERVICE STATION |
| Street | 400 HIGH STREET |
| District | |
| City or town | ALDERSHOT |
| County or administrative area | HAMPSHIRE |
| Postcode | GU12 4NE |
| Country | United Kingdom |

Premises Contact Details

| | |
|------------------|--------------|
| Telephone number | 01252 317676 |
|------------------|--------------|

Continued from previous page..

Non-domestic rateable
value of premises (£)

75,000

Section 3 of 18

VARIATION

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

☒ Yes

☐ No

Do you want the proposed variation to have effect in relation to the
introduction of the late night levy?

☐ Yes

☒ No

You do not have to pay a fee if the only
purpose of the variation for which you are
applying is to avoid becoming liable to the
late night levy.

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

Describe Briefly The Nature Of The Proposed Variation

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.

GROUND FLOOR CONVENIENCE STORE LOCATED ON A FOARECOURT - EXTEND THE HOURS FOR THE SALE OF ALCOHOL
AND ADD THE PROVISION OF LATE NIGHT REFRESHMENT -> NO CHANGES ARE ENVISAGED TO THE DEPOSITED PLAN -
REMOVE CONDITION 17 ANNEX 2 REQUIRING PERSONAL LICENCE HOLDER TO BE PRESENT FOR ALL ALCOHOL SALES

Section 4 of 18

PROVISION OF PLAYS

See guidance on regulated entertainment

Will the schedule to provide plays be subject to change if this application to
vary is successful?

☐ Yes

☒ No

Section 5 of 18

PROVISION OF FILMS

See guidance on regulated entertainment

Will the schedule to provide films be subject to change if this application to
vary is successful?

☐ Yes

☒ No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

| | |
|--|---|
| Continued from previous page... | See guidance on regulated entertainment |
| Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful? | |
| <input type="radio"/> Yes | <input checked="" type="radio"/> No |
| Section 7 of 18 | |
| PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS | |
| See guidance on regulated entertainment | |
| Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful? | |
| <input type="radio"/> Yes | <input checked="" type="radio"/> No |
| Section 8 of 18 | |
| PROVISION OF LIVE MUSIC | |
| See guidance on regulated entertainment | |
| Will the schedule to provide live music be subject to change if this application to vary is successful? | |
| <input type="radio"/> Yes | <input checked="" type="radio"/> No |
| Section 9 of 18 | |
| PROVISION OF RECORDED MUSIC | |
| See guidance on regulated entertainment | |
| Will the schedule to provide recorded music be subject to change if this application to vary is successful? | |
| <input type="radio"/> Yes | <input checked="" type="radio"/> No |
| Section 10 of 18 | |
| PROVISION OF PERFORMANCES OF DANCE | |
| See guidance on regulated entertainment | |
| Will the schedule to provide performances of dance be subject to change if this application to vary is successful? | |
| <input type="radio"/> Yes | <input checked="" type="radio"/> No |
| Section 11 of 18 | |
| PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE | |
| See guidance on regulated entertainment | |
| Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful? | |
| <input type="radio"/> Yes | <input checked="" type="radio"/> No |
| Section 12 of 18 | |
| PROVISION OF LATE NIGHT REFRESHMENT | |

Continued from previous page...

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start 00:00

End 05:00

Start 23:00

End 24:00

Provide 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.

TUESDAY

Start 00:00

End 05:00

Start 23:00

End 24:00

WEDNESDAY

Start 00:00

End 05:00

Start 23:00

End 24:00

THURSDAY

Start 00:00

End 05:00

Start 23:00

End 24:00

FRIDAY

Start 00:00

End 05:00

Start 23:00

End 24:00

SATURDAY

Start 00:00

End 05:00

Start 23:00

End 24:00

SUNDAY

Start 00:00

End 05:00

Start 23:00

End 24:00

Will the provision of late night refreshment take place indoors or outdoors or both?

☒ Indoors ☐ Outdoors ☐ Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

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.

LNR LIMITED TO THE SUPPLY OF HOT DRINKS ONLY

Continued from previous page...

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start 00:00

End 24:00

Start

End

TUESDAY

Start 00:00

End 24:00

Start

End

WEDNESDAY

Start 00:00

End 24:00

Start

End

THURSDAY

Start 00:00

End 24:00

Start

End

FRIDAY

Start 00:00

End 24:00

Start

End

Provide 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.

Continued from previous page...

SATURDAY

Start End
Start End

SUNDAY

Start End
Start End

Will the sale of alcohol be for consumption?

☒ On the premises ☒ Off the premises ☐ Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 14 of 18

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide 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 etc gambling machines etc.

NONE

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

Continued from previous page..

MONDAY

Start 00:00

End 24:00

Start

End

Provide 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.

TUESDAY

Start 00:00

End 24:00

Start

End

WEDNESDAY

Start 00:00

End 24:00

Start

End

THURSDAY

Start 00:00

End 24:00

Start

End

FRIDAY

Start 00:00

End 24:00

Start

End

SATURDAY

Start 00:00

End 24:00

Start

End

SUNDAY

Start 00:00

End 24:00

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

| |
|--|
| |
|--|

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

| |
|--|
| |
|--|

Continued from previous page...

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

CONDITION RESTRICTING HOURS FOR THE SALE OF ALCOHOL AND CONDITION 17 ANNEX 2

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

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

THE LICENCE IS TO FOLLOW FROM HEAD OFFICE

Section 16 of 18

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

MANDATORY AND OTHER CONDITIONS NOT HIGHLIGHTED AS THOSE TO BE REMOVED TO REMAIN OR ENHANCED INCLUDING ALARM SYSTEM, CCTV SYSTEM WITH RECORDING FACILITIES, TRAINED STAFF WITH RECORDED ONGOING ALCOHOL TRAINING REGIME, CHALLENGE 25 AND PROOF OF AGE INITIATIVE EMBRACED, INSTORE CHALLENGE SIGNAGE, REFUSALS SYSTEM WITH REFUSALS BOOK AND INCIDENT LOG, ACCESS TO THE SHOP AT THE DISCRETION OF THE CASHIER 23.00 TO 05.30, AND SIGNAGE REQUESTING CUSTOMERS RESPECT NEEDS OF LOCAL RESIDENTS AND LEAVE QUIETLY

b) The prevention of crime and disorder

ALARM SYSTEM, CCTV SYSTEM WITH RECORDING FACILITY, TRAINED STAFF, CHALLENGE 25, REFUSALS SYSTEM AND INCIDENT LOG

c) Public safety

STAFF TRAINED IN FIRE SAFETY PROCEDURES AND THE USE OF FIRE SAFETY EQUIPMENT, FIRE FIGHTING EQUIPMENT

d) The prevention of public nuisance

STAFF TRAINED TO DEAL WITH SITUATIONS, USEABLE WASTE BINS PROVIDED ON THE FORECOURT

e) The protection of children from harm

FULL ALCOHOL TRAINING REGIME IN USE, ONGOING RECORDED ALCOHOL TRAINING WITH REFRESHER TRAINING TO BE

Continued from previous page...

CARRIED OUT, CHALLENGE 25 TRADING INITIATIVE EMBRACED, CHALLENGE SIGNAGE, REFUSALS SYSTEM AND REFUSAL'S BOOK

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

In terms of specific regulated entertainments please note that:

- Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 18 of 18

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000-14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

315.00

DECLARATION

I/we understand 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.

☒ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered 'Yes' to the question 'Are you an agent acting on behalf of the applicant?'

Continued from previous page...

* Full name

* Capacity

* Date / /
dd mm yyyy

[Add another signatory](#)

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/rushmoor/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed ☐

< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 Next >

APPENDIX D

NEGOTIATED CONDITIONS – ENVIRONMENTAL HEALTH

400 HIGH STREET, ALDERSHOT, HAMPSHIRE GU12 4NE

Licensing Act 2003
Licensing Objective: Prevention of Public Nuisance

Name and Address of Premises: 400 High Street, Aldershot

Reference: 18/00161/LAPRE

-
1. Sufficient litter bins shall be provided at the premises, including the forecourt exits to enable customers to dispose of waste.
 2. The premises and the public footpaths adjoining the premises shall be cleared of litter on a regular basis, and always at least once a day.

I agree to the following amendments, which may now be included in the Operating Schedule of the premises licence to be granted under the Licensing Act 2003 for 400 High Street, Aldershot.

I also confirm that I am authorised to agree to these amendments on behalf of the applicant.

Signature:



Print Name:

Cathy M. Morgan

Position:

Duty Authorised Agent

Dated:

28/5/18.

REPRESENTATION HAMPSHIRE CONSTABULARY

400 HIGH STREET, ALDERSHOT, HAMPSHIRE GU12 4NE



RESTRICTED

G90

Application for the review of / Representation in respect of a Premises licence or Club Premises certificate under the Licensing Act 2003 .

Page 1 of 3

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

I PC 2373 Steve Ladhams, on behalf of the Chief Officer of Hampshire Constabulary,
(Insert name of applicant)

☐ Apply for the review of a premises licence.

☐ Apply for the review of a club premises certificate.

(Select as applicable)

☒ Make a representation about a premises licence/club premises certificate

Premises or Club Premises details

| | |
|-----------------------------|---|
| Postal address of premises: | 400 High Street Aldershot Hampshire |
| Postcode (if known): | GU12 4NE |

| |
|--|
| Name of premises licence holder or club holding club premises certificate (if known) Shell UK |
|--|

| |
|--|
| Number of premises licence or club premises certificate (if known) |
|--|

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: Ladhams First Names: Steve |
| Current postal address : C/O Aldershot Police Station Wellington Avenue Aldershot |
| Postcode: GU11 1NZ |
| Daytime telephone number: 07880056654 |
| 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

RESTRICTED



RESTRICTED

G90

**Application for the review of / Representation in respect of a
Premises licence or Club Premises certificate
under the Licensing Act 2003**

Page 2 of 3

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

Select one or more
boxes

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

☒
☐
☐
☒

Please state the grounds for review which must be based on one or more of the licensing objectives together with supporting information:

The Chief Officer of Hampshire Constabulary would officially like to object to this variation, specifically the removal of condition 17, all alcohol sales to be authorised by a Personal Licence Holder, on the above grounds for the following reasons.
The premises has failed three test purchases where alcohol has been sold to persons under the age of 18, this culminated in a condition requiring all Alcohol sales to be made by a Personal licence Holder.

The premises licence was transferred in December 2017 with those conditions on the Licence and the new Licence holder is seeking to remove them as part of a variation. With this in mind PC Ladhams attended the premises along with Principal Licensing Officer Shelley Bowman on 13th March 2018 to have a look at how the venue was now running. During the visit a number of non compliance issues were discovered, Staff training records were not available for inspection and the refusals log was not being completed correctly, it was so poor that despite showing us a letter indicating that they had passed a recent Test Purchase, it was impossible to tell if the refusal had been recorded or not as there were no dates in the book, this had been identified by someone with a red pen who had written over the pages in areas that required improvement.

This leaves the Chief Officer of Hampshire Constabulary with little confidence in the management of the premises and surprised that records were in such a state considering this application had been submitted.

A future application following a demonstration of compliance with other conditions on the licence may be looked upon more favourably by hampshire Constabulary who have no objections to the variations requested.

Have you made an application for review relating to these premises before: ☐ Yes | ☒ No

If yes please state the date of that
application:

/ /
Day Month Year

If you have made representations before relating to this premises please state what they were

RESTRICTED



RESTRICTED

G90

**Application for the review of / Representation in respect of a
Premises licence or Club Premises certificate
under the Licensing Act 2003**

Page 3 of 3

Please tick

- ☒ I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- ☐ I have sent a copy of this representation to the principal licensing officer of Council

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

Signature of Officer Completing

Name Steven Ladhams Collar Number: PC 2373
Signature: _____ Date: _____

Signature of Authorising Officer (Inspector or above)

Name _____ Collar Number: _____
Signature: _____ Date: _____

RESTRICTED

REPRESENTATION - LICENSING AUTHORITY

400 HIGH STREET ALDERSHOT GU12
4NE

RUSHMOOR
BOROUGH COUNCIL



Council Offices, Farnborough Road,
Farnborough, Hants. GU14 7JU
Tel: (01252) 398 399

Website: www.rushmoor.gov.uk

Our Ref: 18/00161/LAPRE

Officer: Shelley Bowman

Your Ref:

Tel: 01252 398162

Licensing Solutions
32 Church Road
Locks Heath
Southampton
SO31 6LU

Email: shelley.bowman@rushmoor.gov.uk

Date: 3rd April 2018

Dear Sir,

LICENSING ACT 2003

Representation in respect of an application to vary a premises licence

Shell Aldershot 400 High Street, Aldershot, Hampshire, GU12 4NE.

Individual making representations:

My name is Shelley Marie Bowman and I am employed as Principal Licensing Officer for Rushmoor Borough Council. I have been employed in this capacity for approximately 8 years, and prior to this as a Licensing Officer for approximately 3 years. I hold a Certificate of Higher Education in Licensing Law, a BIIAB National Certificate for Personal Licence holders, a BIIAB National Certificate for Licensing Practitioners and a BIIAB National Certificate for Licensing Practitioners (Gambling).

Capacity and authority of individual making representations:

I am making this representation in the capacity and embodiment of a responsible authority as defined in Section 13(4) of the Licensing Act 2003 (as amended by Section 103 of the Police Reform & Social Responsibility Act 2011). For this purpose, and as outlined above, I represent the relevant licensing authority in whose area the above named premises are situated.

Relevance of representations:

As a responsible authority, I am making this representation in accordance with the procedure for variation of a premises licence detailed in Section 35 of the Licensing Act 2003. I am also making this representation at this time and in respect of the above named premises as it is my opinion that steps are necessary to promote the licensing objective to ensure the prevention of crime and disorder, and the protection of children from harm. The grounds for this opinion are outlined below.

Nature and grounds of representation:

I have no objection to the request for the premises to be licensed to sell alcohol 24 hours, subject to a condition, which has been agreed with the applicant (see appendix 1) as follows, which promotes the licensing objective the prevention of crime and disorder:

- (i) All points of customer access and egress to the premises shall be closed and kept closed (except in an emergency) between the hours of 23:00 and 05:30am on any day.
- (ii) Any sales made during these hours shall be made through a suitable night service hatch.

The application also seeks to remove condition 17 of Annex 2 of the premises licence, which is a requirement for all sales of alcohol to be personally authorised by a personal licence holder. This condition was added on minor variation, in negotiation with the responsible authorities as a result of failed test purchases at the store. Despite the premises licence being transferred and a new DPS being specified in December 2017, I believe that this condition is still necessary to promote the licensing objectives the protection of children from harm and the prevention of crime and disorder at the store, for the reasons outlined below.

The premises concerned have failed 3 test purchases, whereby they sold alcohol to a child (aged 16 years) between July 2016 and June 2017. Prior to this, they also failed a Challenge 25 test purchase, whereby they failed to ask for identification of someone who looked under the age of 25 when purchasing alcohol.

Following the transfer and change of DPS at the store, on 13th March 2018, I carried out a routine licence inspection jointly with PC Ladhams, of Hampshire Constabulary Licensing. At this time, we met with the DPS of the premises. During this visit, there were a number of issues of non-compliance with the conditions of the premises licence identified. In particular, these related to conditions in respect of underage sales. The refusals log at the premises was not being completed and checked correctly, and the training records were not available as required by the licence conditions. A copy of the report of visit left at the store is attached as appendix 2.

This leads me to have little confidence in the management of the premises. Furthermore, where a premises has failed a number of test purchases, and has therefore been a premises whereby underage children are able to obtain alcohol illegally, generally that premises will have a reputation amongst those that are underage, and wishing to purchase alcohol and will therefore be targeted by them. It is likely to take some time, and a number of refusals to serve alcohol underage at the store for this reputation to change. This coupled with a lack of confidence in the management of the premises, leads me to believe that it still remains necessary for all sales of alcohol to be personally authorised by a personal licence holder, until such time as the new owners

and manager can demonstrate that they are able to comply with all of the other, less onerous requirements in respect of underage sales, and that they can pass further test purchases.

Summary of recommended steps / conditions / actions to be taken:

In summary, I feel that the request to remove Condition (17) of Annex 2 of the licence should be refused in order to promote the licensing objectives the protection of children from harm and the prevention of crime and disorder, for the reasons given above.

I feel that the granting of the application to amend the permitted hours for the sale of alcohol with the addition of the following condition to the licence will ensure promotion of the licensing objectives:

- (i) All points of customer access and egress to the premises shall be closed and kept closed (except in an emergency) between the hours of 23:00 and 05:30am on any day.
- (ii) Any sales made during these hours shall be made through a suitable night service hatch.

Supporting documents and references:

In support of this representation and in support of the recommended steps outlined above, I would make reference to the following extracts of the relevant guidance documents:

Guidance issued under S182 of the Licensing Act 2003 (April 2017)

| Paragraph(s) | Page(s) | Content |
|--------------|---------|---|
| 2.32 | 12 | Licensing Authorities are expected to maintain close contact with the police, youth offenders' teams and trading standards officers about the extent of unlawful sales and consumption of alcohol by minors and to be involved in the development of any strategies to control or prevent these unlawful activities and to pursue prosecutions..... |

Yours faithfully



Shelley Bowman
Principal Licensing Officer
Environmental Health and Housing
licensing@rushmoor.gov.uk

**REPRESENTATION
HAMPSHIRE CONSTABULARY**

400 HIGH STREET, ALDERSHOT, HAMPSHIRE GU12 4NE

**Hampshire County Council Trading Standards Service wish to make a
representation**

**regarding the granting of a variation to a Premises Licence issued under the
Licensing Act 2003, for :-**

**Motor Fuel Group t/a Shell
400 High Street
Aldershot
Hants
GU12 4NE**

We are a responsible authority.

(A) REPRESENTATIVE DETAILS (fill in as applicable)

☐ Mr ☐ Other title ☐ Mrs Miss ☐ Ms (for example, Rev) ☐

Surname

First names

Are you over 18

☒ Yes

Hampshire County Council
Trading Standards Service
Montgomery House
Monarch Way
Winchester, Hants

Post Town Postcode

SO22 5PW

Contact telephone number in working hours

01962 833658

Email address
(optional)

Steve.Lawford@hants.gov.uk

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

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

This premises failed three test purchases between July 2016 and June 2017. The current owner Motor Fuel Group applied to transfer the premise licence on 15 December 2017. A number of previous staff remained.

HCC Trading Standards Service (HCCTSS) advised Motor Fuel Group that there were a number of stringent conditions attached to the premise licence, particularly that all alcohol sales must be personally authorised by a personal licence holder.

On 19 December 2017 HCCTSS emailed Motor Fuel Group – "After a year of trading with no test purchase failures we would be happy to consider a minor variation to vary conditions on the premise licence, in consultation with Hampshire Constabulary and Rushmoor Borough Council.

HCCTSS were therefore somewhat surprised to see this variation application.

Therefore Hampshire County Council Trading Standards Service would like all the current conditions to remain on the premise licence.

Regarding the increase in hours to sell alcohol 24 hours a day. The sub-committee may wish to see a period of time where there are no test purchase failures. Clearly the only enforcement agencies authorized (the police and Trading Standards) to carry out test purchases would not do so between 23.00 hours and 05.00 hours. If the sub-committee agree to 24 hour alcohol sales, HCCTSS would ask that all alcohol sales be made through a night-hatch between 23.00 hours and 05.00 hours.

Signature of representee or representee's solicitor or other duly authorised agent. If signing on behalf of the representee, please state in what capacity.

Signature.....

S. Lawford

Date...29/03/18.....

Capacity..... Trading Standards Officer

| | |
|---|------------------|
| Contact name (where not previously given) and address for correspondence associated with this representation (please read guidance note 5) | |
| N/A | |
| Post town | Post code |

REPRESENTATION
OTHER PERSON

400 HIGH STREET, ALDERSHOT, HAMPSHIRE GU12 4NE

Rushmoor Borough Council
Environmental Health Services
Council Offices
Farnborough Road
Farnborough
GU14 7JU

21st March 2018

OBJECTION PERTAINING TO

Applicant – Motor Fuel Limited

Address of Premises – Convenience store
Aldershot Filling Station
400 High Street
Aldershot
GU12 4NE

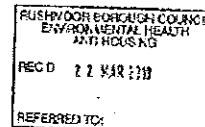
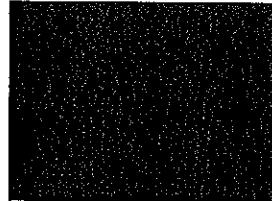
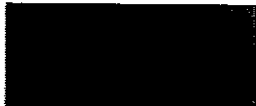
To the Licensing Officer:

I object to the above proposal for a 24 hour alcohol licence at the above premises on the grounds of excessive noise and litter.

Each morning when I go to the service station I take along a carrier bag to pick up the endless bottles/soft drink cans/Costa coffee cups etc which accumulate on an endless basis.

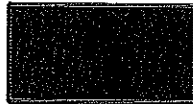
If this proposal is granted I can only see the existing problem getting a whole lot worse. I implore you to deny permission for this proposal

Yours Sincerely



REPRESENTATION
OTHER PERSON

400 HIGH STREET, ALDERSHOT, HAMPSHIRE GU12 4NE



Aimee Vossler
Licensing Officer
Environmental Health
(Delivered by hand)

Reference No 18/00161/LAPRE
Shell Service Station, 400 High Street, Aldershot, Hampshire, GU12 4NE
Application for the variation of a Premises Licence under the Licensing Act 2003.

28th March 2018

Dear Aimee Vossler,

I received your letter dated 8th March 2018. Chris Jones, Planning Officer has visited the site, and should have furnished you with his initial response. For ease of reference, when the Service Station was opened, after being granted permission from RBC under 99/00101/FUL the hours of opening for the service station were, and still remain as:

Monday to Sunday (BDI) 0600 to 2300 hrs daily

The ancillary machines to the garage, a car wash and jet wash were granted permission to operate as follows:

Monday to Saturday 0800 to 2000 hours daily
Sundays and Public holidays 1000 hours to 1800 hours.

No variations in the hours of opening or operating time of the ancillary units have ever been sought. The planning implications as highlighted by Chris Jones have hopefully, been submitted to you. This variation would now allow alcohol sales 24 hours a day, and late night refreshment between 2300 and 0500 hrs daily, this refreshment would be consumed within the kiosk on site, this is for hot drinks only. Alcohol sales can only be consumed off the premises?

I and my wife object to the application, which will now see the service station open 24 hours a day, 365 days a year.

There are two very popular public houses close by, the Red Lion and the Golden Lion. When these pubs close at night, noisy scenes are common place in the area, with alcohol on sale 24 hours from the service station, there will be problems in our residential areas. Rubbish is a common problem on the streets from the service station. It is not at all common for gardens to be used as public conveniences.

There is no mention as to how the site will be controlled; security staff will be required on site, who will control the site after 0500 every morning.



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|---|-------------|
| RUSHMOOR BOROUGH COUNCIL ENVIRONMENTAL HEALTH AND HOUSING | |
| REC'D | 28 MAR 2018 |
| REFERRED TO: | |

RELEVANT CONSIDERATIONS

The Funky End, Station Road, Aldershot GU11 1HT

1.0 Guidance issued under S182 of the Licensing Act 2003 (April 2018)

- 1.1. The sections of the Secretary of State's guidance identified in Table 1 below may be relevant to the consideration of this application.

**TABLE 1 - SECTIONS OF THE SECRETARY OF STATE'S GUIDANCE
WHICH MAY BE RELEVANT TO THIS APPLICATION**

| Section | Other Ref. | Paragraph(s) | | Subject Matter | Page(s) | |
|---------|------------|--------------|-------|---|---------|-----|
| | | From | To | | From | To |
| 1 | | 1.1 | 1.19 | Introduction | 1 | 5 |
| 2 | | 2.1 | 2.6 | The licensing objectives - Crime and disorder | 6 | 7 |
| 2 | | 2.15 | 2.21 | The licensing objectives – Public nuisance | 9 | 10 |
| 2 | | 2.22 | 2.32 | The licensing objectives – Protection of children from harm | 10 | 13 |
| 8 | | 8.1 | 8.110 | Applications for Variations | 49 | 67 |
| 9 | | 9.1 | 9.45 | Determining applications | 68 | 76 |
| 10 | | 10.1 | 10.66 | Conditions attached to premises licences and club premises certificates | 77 | 88 |
| 13 | | 13.1 | 13.13 | Appeals | 103 | 105 |
| 14 | | 14.1 | 14.70 | Statements of licensing policy | 106 | 120 |

2.0 The Council's Licensing Policy

- 2.1. The sections of the Council's Licensing policy identified in Table 2 below may be relevant to the consideration of this application.

**TABLE 2 - SECTIONS OF THE COUNCIL'S LICENSING POLICY
WHICH MAY BE RELEVANT TO THIS APPLICATION**

| Section | Other Ref. | Paragraph(s) | | Subject Matter | Page(s) | |
|---------|------------|--------------|-------|--|---------|----|
| | | From | To | | From | To |
| 3 | Part C | 3.1 | 3.47 | Licensing principals, objectives & General considerations | 16 | 20 |
| 3 | Part C | 3.12 | 3.14 | General licensing principals | 17 | 17 |
| 6 | Part F | 6.1 | 6.42 | Premises Licences | 27 | 33 |
| 18 | Part R | 18.1 | 18.61 | Representations, Responsible authorities & Interested Parties | 67 | 73 |
| 18 | Part R | 18.51 | 18.51 | The weight attached to relevant representations | 73 | 73 |
| 19 | Part S | 19.1 | 19.29 | Conditions and restrictions | 74 | 77 |
| 19 | Part S | 19.10 | 19.15 | General principles of transposition and imposition of conditions | 74 | 75 |

NB: Matters in **bold** indicate main section headings.