

**Item 5                    Application for a new Premises Licence – Esso  
Greatbridge Service Station, Greatbridge Road,  
Romsey SO51 0HB**

**1            The application**

- 1.1    The application is by ROC UK Limited for the premises known as Esso Service Station, Greatbridge Road, Romsey SO51 0HB. The premises have traded as a service station with a forecourt shop for a number of years and currently benefits from a Premises Licence which under the terms of the Licensing Act 2003 permits the licensable activities of provision of late night refreshment from 2300 until 0500 hours and the supply of alcohol for consumption off the premises from 0600 to 0000 hours.
- 1.2    The applicant is in the process of redeveloping the premises and is constructing a new 2000 square foot plus convenience store. As these are new premises a new Premises Licence is required and the applicant has now applied under section 17 of the Licensing Act 2003 for such a licence. This application has attracted representations necessitating the application to be determined at a hearing. The application seeks the same activities during the same times as permitted by the existing licence namely:
- a)    The provision of late night refreshment from 2300 to 0500 hours.
  - b)    The supply of alcohol for consumption off the premises from 0600 to 0000 hours.

A copy of the application is attached as Annex 1 to this report.

**2            Background**

- 2.1    The new premises will be a 2000 square foot plus convenience store sited on the Esso forecourt trading 24 hours a day under the company's own retail format with a range of fresh foods, groceries, dairy products, confectionary, soft drinks and tobacco products on offer. It serves both the local community and those from further a field and there is parking available for customers on the forecourt. The premises currently benefit from a Premises Licence as detailed in paragraph 1.1 above granted at a hearing on 2<sup>nd</sup> December 2005 following an application to vary the previous licence.

**3            Promotion of the Licensing Objectives**

- 3.1    The applicant makes the following comments in relation to the steps taken to promote the four licensing objectives:-

- a) General – alarm system, CCTV system with recording facilities, fully trained staff with recorded ongoing training regime, 'Challenge 21' and PASS accredited proof of age initiative embraced, refusals book, in-store signage and spirits display located behind counter.
- b) The prevention of crime and disorder – alarm system, CCTV system with record facility, in-store signage, access can be controlled into the premises at staff's discretion by means of electronic shunt locks fitted to the shop door and spirits located behind the counter.
- c) Public safety – staff trained in fire safety procedures and evacuation procedures, fire safety equipment located on site with staff trained in its use.
- d) The prevention of public nuisance – staff trained to deal with situations.
- e) The protection of children from harm – staff fully trained in alcohol sales with ongoing refresher training, 'Challenge 21' and PASS accredited proof of age scheme, in-store signage, refusals book and spirits located behind the counter.

The measures to promote the licensing objectives are of relevance when considering the representations received.

#### **4 Relevant Representations – Responsible Authorities**

4.1 **Environment and Health Service** – The Pollution Team have no objection to the application on the grounds of public nuisance.

4.2 **Planning Service** – There are no planning restrictions with regard to opening hours on the planning history for this site. It is noted that an 'acoustic' boundary fence is sited on the southern boundary of the premises. It is noted that there is concern amongst residents and local Councillors with regard to the proposed opening hours. It is also noted that the premises was previously open for 24 hours a day. Given the information before us, and the local concern, the local planning authority would support any objection from the Environment and Health Team with regard to any significant additional nuisance they may consider will occur, and the Police, if it is considered that any additional crime or disorder is likely to occur. If no objections are received from these bodies, the Local Planning Authority are minded not to object.

4.3 **Hampshire County Council Trading Standards** – No representation.

- 4.4 **Hampshire Constabulary** – The Police wish to raise objections to the premises licence application. They believe the proposals are likely to lead to increased crime and disorder and public nuisance. In addition, there does not appear to have been any consideration of the impact of the new smoking ban and public safety in respect of flammable products sold at the premises.
- 4.5 **Hampshire Fire and Rescue Service** – No comments to make.

## **5 Relevant Representations – Interested Parties**

- 5.1 Goulden Properties Limited – Objection to the application on the grounds that objectives of prevention of crime and disorder and prevention of public nuisance will not be achieved. See Annex 2 to this report.
- 5.2 S and B Tomlins – Objection to the application on the grounds that the objectives of prevention of crime and disorder and prevention of public nuisance will not be achieved. See Annex 3 to this report.
- 5.3 M and K Woolley – Objection to the application on the grounds that the objectives of prevention of crime and disorder and prevention of public nuisance will not be achieved. See Annex 4 to this report.
- 5.4 E G and J A Rusher - Objection to the application on the grounds that the objectives of prevention of crime and disorder and prevention of public nuisance will not be achieved. See Annex 5 to this report.
- 5.5 S Whittingham (via Cllr Lamb) - Objection to the application on the grounds that the objectives of prevention of crime and disorder and prevention of public nuisance will not be achieved (and also possibly public safety). NB Comments regarding need for sale of alcohol are not relevant to this application and should be disregarded. See Annex 6 to this report.
- 5.6 L Jones (via Cllr Lamb) - Objection to the application on the grounds that the objective of prevention of crime and disorder will not be achieved. See Annex 7 to this report.
- 5.7 Cllr S Lamb (representing 9 interested parties) - Objection to the application on the grounds that the objectives of prevention of crime and disorder and prevention of public nuisance will not be achieved. See Annex 8 to this report.
- 5.8 B and A Marshall (via Cllr Lamb) - Objection to the application on the grounds that the objective of prevention of crime and disorder will not be achieved. See Annex 9 to this report.

- 5.9 K Dunleavy (via Cllr Lamb) - Objection to the application on the grounds that the objectives of prevention of crime and disorder and prevention of public nuisance will not be achieved (and also possibly public safety). NB: Comments regarding need for sale of alcohol are not relevant to this application and should be disregarded. See Annex 10 to this report.
- 5.10 A and E Daniel (via Cllr Lamb) - Objection to the application on the grounds that the objective of prevention of crime and disorder will not be achieved. See Annex 11 to this report.
- 5.11 B A Conway (via Cllr Lamb) - Objection to the application on the grounds that the objectives of prevention of crime and disorder and prevention of public nuisance will not be achieved. See Annex 12 to this report.
- 5.12 P R Plumley (via Cllr Lamb) - Objection to the application on the grounds that the objectives of prevention of crime and disorder and prevention of public nuisance will not be achieved. See Annex 13 to this report.
- 5.13 M W, D and M Thompson - Objection to the application on the grounds that the objectives of prevention of crime and disorder and prevention of public nuisance (and also possibly public safety) will not be achieved. See Annex 14 to this report.
- 5.14 R Bunney (via Cllr Lamb) - Objection to the application on the grounds that the objectives of prevention of crime and disorder and prevention of public nuisance will not be achieved. See Annex 15 to this report.
- 5.15 A and J James - Objection to the application on the grounds that the objective of prevention of crime and disorder will not be achieved. See Annex 16 to this report.
- 5.16 D and L Miller (via Cllr Lamb) - Objection to the application on the grounds that the objective of prevention of crime and disorder will not be achieved. See Annex 17 to this report.
- 5.17 M and D Jones (via Cllr Lamb) - Objection to the application on the grounds that the objective of prevention of crime and disorder will not be achieved. See Annex 18 to this report.
- 5.18 A Perry (via Cllr Lamb) - Objection to the application on the grounds that the objective of prevention of crime and disorder will not be achieved. See Annex 19 to this report.
- 5.19 K and D Humby - Objection to the application on the grounds that all four licensing objectives will not be achieved. See Annex 20 to this report.

## **6 Policy Considerations**

6.1 It is considered that the following extracts from the guidance issued by the Secretary of State under section 182 of the Licensing Act 2003 are relevant.

2.1-2.18 – Crime and disorder

2.32-2.40 – Public nuisance

5.23-5.25 - Garages

8.28-8.32 – Steps to promote the licensing objectives

9.3-9.7 – Where representations are made

9.19-9.28 – Hearings

10.7-10.8 – Proposed conditions

10.9-10.10 – Consistency with steps described in operating schedule

10.19-10.21 - Hours of trading

6.2 It is considered that the following extracts from the Licensing Authority's own Statement of Licensing Policy are relevant to this application:

Section A: Prevention of Crime and Disorder

Section C: Prevention of Public Nuisance

The Statement of Licensing Policy has either previously been provided for Members of the Committee or will be provided at the hearing. Copies can also be obtained from the Licensing Section of the Administration Service or downloaded from the Council's website.

## **7 Observations**

7.1 The Committee is obliged to determine this application with a view to promoting the four licensing objectives of prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm. In making its decision, the Committee is also obliged to have regard to the national Guidance and the Council's own Statement of Licensing Policy. The Committee must also have regard to all of the representations made and the evidence it hears. The Committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives:

- a) Grant the application as requested
- b) Modify the conditions of the licence, by altering or omitting or adding to them. (The Committee may where appropriate attach different conditions to different parts of the premises concerned and/or to different licensable activities).
- c) Reject the whole or part of the application (in the case of the latter for example by only allowing some of the licensable activities or permitting them to take place at times other than those requested).

The Committee is asked to note that it may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be necessary in order to promote one or more of the four licensing objectives:-

- a. Prevention of crime and disorder
- b. Public safety
- c. Prevention of public nuisance
- d. Protection of children from harm

Background Papers (Local Government Act 1972 Section 100D)

Premises Licence application for Esso Service Station, Greatbridge Road, Romsey and all associated paperwork

Confidentiality

It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.

No of Annexes:	20		
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