

Name and address of premises to be licensed
Bp Spar Windmill Service Station Salisbury Road Blashford Ringwood BH24 3PB
Name(s) and address(es) of applicants(s)
Peregrine Retail Limited Strand House Strand Street Poole Dorset BH15 1SB

End of Statutory Objection Period: 20 May 2009

Objections received: Yes

Date of Hearing (if applicable) T.B.A.

Resume of application	Location on file
<p>Application for the Grant of a Premises Licence:</p> <p>To provide late night refreshment and the sale and supply of alcohol at the convenience store situated on a forecourt with petrol sales.</p> <p>The hours requested are as follows:</p> <p>Late Night Refreshment</p> <p>Monday to Sunday 23:00hrs to 05:00hrs</p> <p>Supply of hot food and/or hot drink - snacks to be consumed off the premises, no facilities such as seating will be provided for consumption on the premises.</p> <p>Supply of Alcohol (for consumption off the premises only)</p> <p>Monday to Sunday 08:00hrs to 23:00hrs</p>	<p>A</p>

Responsible Authority	Brief details of representations	Location on file
Police	<p>Hampshire Constabulary have requested conditions to be added to the Operating Schedule which have been agreed by the applicants solicitor on the applicants behalf. These are as follows:</p> <p>Licence holders having strong management control. All staff will be conversant with licensing objectives, premises licence conditions and operating schedule. Individual training records will be kept for all members of staff.</p> <p>CCTV will be installed and maintained at the premises to the satisfaction of the Police. As a minimum it will enable surveillance of both internal and external areas of the premises including all entrances and exits. Recordings from the system will be to a standard acceptable as evidence in a court of law and will be securely retained for a minimum of 30 days. The recording will be surrendered in a playable format to Hampshire Constabulary immediately on request.</p>	B
Fire Service	No Representations	
Trading Standards	<p>Trading Standards have requested conditions to be added to the Operating Schedule which have been agreed by the applicants solicitor on the applicants behalf. These are as follows:</p> <p>The holder of the premises licence shall ensure that every individual who appears to be under 21 years of age seeking to purchase or be supplied with alcohol at or from the premises shall produce means of identification acceptable to the Licensing Authority - Passport, photo driving licence or PASS accredited photo I.D. - proving that individual to be 18 years of age or older. If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person.</p> <p>All staff shall be trained to challenge every individual who appears to be under 21 years of age and to refuse service where individuals cannot produce acceptable means of identification. Such training shall be provided not less than every six months and written records shall be kept of all training and refresher training.</p>	B

	<p>A written log shall be kept of all 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.</p> <p>Challenge 21 posters shall be displayed in a prominent position at the premises.</p>	
Social Services	No Representations	
Pollution	No Representations	
Health and Safety	No Representations	
Planning	No Representations	

Licensing Objective	Brief details of representations	Location on file
<p>Prevention of Crime and Disorder</p> <p>Public Nuisance</p> <p>Public Safety</p> <p>Protection Of Children</p>	<p>There are 6 letters making representations, many of which cover several areas of the Licensing Objectives.</p> <p>Objections from members of the public and the Parish Council on the following grounds:</p> <p>The proximity of the site to residential properties already causes disturbance disorder and considerable unpleasantness to the residents. They suffer with loud music late at night, drunken youths urinating against their walls, aggressive, brutish behaviour, revving motors and increase in litter. It is felt that the sale of alcohol at the premises would only encourage this behaviour still further.</p> <p>There is a history of alcoholic and non alcohol related crime and disorder, anti-social behaviour from persons visiting the premises.</p> <p>There have also been past occasions involving the Police as local youths have broken into the premises on Headlands Business Park stealing valuable items and on each occasion entry has been gained through a six foot fence, numerous empty beer cans have been found.</p> <p>The premises does not possess CCTV on the premises.</p> <p>If the premises were to remain open all night and have alcohol on the site, it is likely to become an increased target for serious crime.</p> <p>It is felt that the premises displaying alcohol would be a greater incentive for burglary which has happened in the past.</p> <p>Litter emanates from existing sales of sandwiches and confectionary from the premises. It is also suspected that a lot of the litter finds its way into adjacent farmland frequently used by animals for grazing, which adjoins the River Avon.</p> <p>No notices are displayed on the premises inviting customers to respect neighbouring residential properties.</p> <p>Concerns for a premises intending to sell alcohol on a major road which already has a high fatality record.</p> <p>The original letters with copies of the acknowledgment letters attached are located in Section C</p>	<p>C</p>

Observations of Licensing Services to include any conditions for consideration	Location of any relevant papers on file
<p>A letter dated 21 May 2009 covering outline details of the objections has been sent to the applicant's solicitor, Blake Laphorn asking if they intend to make any adjustment to their application in the light of the objections received during the consultation process.</p>	<p>D</p>

Date report completed: 21 May 2009

Date forwarded to Democratic Services: 21 May 2009

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.

We, Peregrine Retail Limited apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and 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

BP Spar, Windmill Service Station, Salisbury Road, Blashford, Ringwood	
Post town Blashford	Post code BH24 3PB

Telephone number at premises (if any)
Non-domestic rateable value of premises

Not known at present
£27250.00

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"/> |
| b) A person other than an individual | <input type="checkbox"/> |
| i. as a limited company | <input checked="" type="checkbox"/> |
| ii. as a partnership | <input type="checkbox"/> |
| iii. as an unincorporated association or | <input type="checkbox"/> |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> |
| c) a recognised club | <input type="checkbox"/> |
| d) a charity | <input type="checkbox"/> |
| e) the proprietor of an educational establishment | <input type="checkbox"/> |
| f) Health Service Body | <input type="checkbox"/> |
| g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital | <input type="checkbox"/> |
| h) The Chief Officer of police of a police force in England & Wales | <input type="checkbox"/> |

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

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or Please tick yes

I am making the application pursuant to a
a statutory function or
a function discharged by virtue of Her Majesty's prerogative



(A) INDIVIDUAL APPLICANTS (fill in as applicable)

If an individual or 1 of 2 applicants is applying ie, Area manager, Manager, Assistant Manager, details in the box

Mr/Mrs/Miss/Miss or other	
Surname	First Names
I am 18 years old or over	<input type="checkbox"/>
Current address if different from premises address	
Post Town	
Daytime contact number	
E-mail address (optional)	

Second applicants details ie Area manager, Manager, Assistant Manager, details in the box

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr/Mrs/Miss/Miss or other	
Surname	First Names
I am 18 years old or over	<input type="checkbox"/> Yes
Current address if different from premises address	
Post Town	Post Code
Daytime contact 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 case of a partnership or other joint nature (other than a body corporate), please give the name and address of each party concerned.

Name Peregrine Retail Limited
Address Strand House Strand Street Poole Dorset BH15 1SB
Company registered number 3327423
Description of applicant (for example partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
Email address (optional)

PART A3 - Operating Schedule

When do you want the premises licence to start?

Day Month Year

as soon as possible

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

Day Month Year

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

Not Applicable

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

Convenience stores with off licence and on a forecourt with petrol sales

What licensable activities do you intend to carry on from the premises?
 (Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 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 entertainment facilities:

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

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

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

In all cases complete boxes N, O and P.

A

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

B

Films Standard days and timings (please read guidance note 6)			Will the performance of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
			Please give further details here (please read guidance note 3)	Both	

Mon			
Tue			
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)
Thur			
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat			
Sun			

C

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

D

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

E

Live music Standard days and timings (please read guidance note 6)	Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	
			Outdoors	
			Both	
Day	Start	Finish	Please give further details (please read guidance note 3)	
Mon				
Tue				
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)	

Thur			
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat			
Sun			

F

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

G

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

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing.		
Day	Start	Finish	Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Mon				Outdoors	
			Both		
Tue			Please give further details (please read guidance note 3)		

Wed			
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)
Fri			
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)
Sun			

I

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

J

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

K

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

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
Mon	2300	0500	Please give further details (please read guidance note 3)		
Tue	2300	0500			
Wed	2300	0500	Supply of hot food and/or hot drink – snacks to be consumed off the premises, no facilities such as seating will be provided for consumption on the premises		
Thur	2300	0500	State any seasonal variations for provision of late night refreshment (please read guidance note 4)		
Fri	2300	0500	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	0500			
Sun	2300	0500			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (please read guidance note 7)	On the premises	
Day	Start	Finish		Off the premises	<input checked="" type="checkbox"/>
Mon	0800	2300	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Tue	0800	2300			
Wed	0800	2300			
Thur	0800	2300	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)		
Fri	0800	2300			

Sat	0800	2300	
Sun	0800	2300	

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

Name Sarah Wallsgrove

Address 1 Ellachie Gardens
Alverstoke Hampshire

Postcode PO12 2DS

Personal Licence Number (if known) 06/00223/LAPER

Issuing licensing authority (if known) Gosport Borough Council

N

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

Na

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	0000	0000	
Tue	0000	0000	
Wed	0000	0000	Non standard timings. Where you intend the premises to be open at different times to those listed in the column on the left, please list (please read guidance note 5) Open 24 hours a day
Thur	0000	0000	
Fri	0000	0000	
Sat	0000	0000	
Sun	0000	0000	

P

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

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

The premises are covered by CCTV

The premises will operate a challenge 21 policy

Staff will be trained in relation to the law applicable to the premises licence.

Only photo ID will be accepted in the form of a passport, driving licence or ID with the PASS logo.

The prevention of crime and disorder

As above – no additional steps identified

Public safety

As above – no additional steps identified

The prevention of public nuisance

As above – no additional steps identified

The protection of children from harm

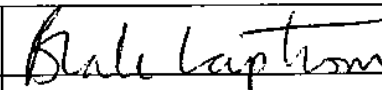
As above – no additional steps identified

- 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	22 April 2009

Capacity	Solicitors and agents for the applicant
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For joint applicants 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 address for correspondence associated with this application (please read guidance note 13)			
Blake Laphorn New Kings Court, Tollgate, Chandler's Ford 558351/000001/JOSW/LDRLIC			
Post town	Eastleigh	Postcode	SO53 3LG
Telephone number (if any)		Tel: 02380 908090	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

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 be in 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 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 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.

T.S. - no objections subject
to conditions below to be added to
Sarah Wilson Operating Schedule. Page 1 of 3

From: Lawford, Stephen [stephen.lawford@hants.gov.uk]
Sent: 20 May 2009 15:58
To: Licensing e-mail address; Stephen.Drake@bllaw.co.uk
Cc: Wallsgrove, Jon
Subject: RE: BP Spar, Windmill Service Station, Blashford

Dear Sirs

Trading Standards are happy for the Premise Licence to be issued, subject to the agreed conditions being added to the Operating Schedule.

Kind regards

Steve Lawford

TSO

From: Sarah Wilson [mailto:Sarah.Wilson@NFDC.gov.uk] **On Behalf Of** Licensing e-mail address
Sent: 20 May 2009 15:43
To: Lawford, Stephen
Cc: Paul Weston
Subject: FW: BP Spar, Windmill Service Station, Blashford
Importance: High

Hi Steve

I have tried to give you a ring today to clarify matters with you regarding the above premises application, but your phone lines are very busy!

Could you please just confirm to us and the applicants solicitor that you are now happy with below and that you now have no objections to the grant of the Premises Licence on behalf of Trading Standards subject to the agreed conditions being added to the Operating Schedule as the last day for reps is today?

Many thanks for your help.

Sarah Wilson
Licensing Assistant
Tel: 023 80 285293
Fax: 023 80 285596
Email: sarah.wilson@nfdc.gov.uk

From: Drake, Stephen [mailto:Stephen.Drake@bllaw.co.uk]
Sent: 20 May 2009 10:01
To: Licensing e-mail address
Cc: stephen.lawford@hants.gov.uk; Wallsgrove, Jon
Subject: BP Spar, Windmill Service Station, Blashford

Dear Sir/Madam

We refer to the above premises and the pending licensing application.

20/05/2009

20

We have now taken our client's further instructions following the receipt of the Trading Standards observations. We are content for the operating schedule to be amended so as to incorporate the four conditions set out below.

We look forward to hearing from you further.

Kind Regards, Stephen

Stephen Drake
Senior Solicitor
Licensing Team
Blake Laphorn
New Kings Court, Tollgate,
Chandler's Ford, Eastleigh SO53 3LG

tel: 023 8090 8090
fax: 023 8036 3349

direct dial: 023 8085 7220
mobile: 07899 065243

www.blaw.co.uk

From: Lawford, Stephen [mailto:stephen.lawford@hants.gov.uk]
Sent: 19 May 2009 15:45
To: 6 OCU Licensing Mailbox; Wallsgrove, Jon; Wallsgrove, Sarah
Cc: licensing@nfdc.gov.uk
Subject: RE: BP Spar, Windmill Service Station, Blashford

Dear Sirs

Thank you for your application. To promote the licensing objectives, Trading Standards would like the following conditions to be applied, thereby avoiding a representation being made. Are you in a position to agree to the following please ? :-

I hereby agree to amend my operating schedule as follows:-

- X *The holder of the premises licence shall ensure that every individual who appears to be under 21 years of age seeking to purchase or be supplied with alcohol at or from the premises shall produce means of identification acceptable to the licensing authority - passport, photo driving licence or PASS accredited photo ID - proving that individual to be 18 years of age or older. If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person.*
- X *All staff shall be trained to challenge every individual who appears to be under 21 years of age and to refuse service where individuals cannot produce acceptable means of identification. Such training shall be provided not less than every six months, and written records shall be kept of all training and refresher training.*
- X *A written log shall be kept of all 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.*
- X *'Challenge 21' posters shall be displayed in prominent positions at the premises.*

I look forward to hearing from you.

20/05/2009

Police - no objections subject to conditions below to be added to Operating Schedule.

Sarah Wilson

From: 6 OCU Licensing Mailbox [western.licensing@hampshire.pnn.police.uk]
Sent: 20 May 2009 14:24
To: Licensing e-mail address
Cc: 'Wallsgrove, Jon'
Subject: FW: BP Spar, Windmill Service Station, Blashford

Hampshire Constabulary have no objections to the granting of a premises licence at BP Spar, Windmill Service Station, Blashford. Please can you include the below conditions which have been agreed by the applicant.

- ① *The licence holders have strong management control. All staff will be conversant with the licensing objectives, premises licence conditions and operating schedule. Individual training records will be kept for all members of staff.*
- ② *CCTV will be installed and maintained at the premises to the satisfaction of the Police. As a minimum it will enable surveillance of both internal and external areas of the premises including all entrances and exits. Recordings from the system will be to a standard acceptable as evidence in a court of law and will be securely retained for a minimum of 30 days. The recording will be surrendered in a playable format to Hampshire Constabulary immediately on request.*

Georgie Fice
6 OCU Licensing Team
Hampshire Police
☎ 08450 454545 ext. 734 -174
☎ 023 8067 0904 (DDI)
✉ western.licensing@hampshire.pnn.police.uk

From: Wallsgrove, Jon [mailto:Jon.Wallsgrove@bilaw.co.uk]
Sent: 19 May 2009 16:07
To: 6 OCU Licensing Mailbox; Wallsgrove, Sarah
Cc: stephen.lawford@hants.gov.uk; licensing@nfdc.gov.uk
Subject: RE: BP Spar, Windmill Service Station, Blashford

My client is willing to agree to the conditions being added to the premises licence, by way of amendment to the operating schedule.

To ensure compliance with the condition could I ask you to confirm when an officer can visit the premises to check the current CCTV which should be satisfactory?

Kind Regards

Jon

Jon Wallsgrove
Partner - Licensing and Regulatory Team

Blake Laphorn
New Kings Court, Tollgate, Chandler's Ford,
Eastleigh, S053 3LG

DDI: 02380 857224
Fax No: 02380 363349
Web: www.blaw.co.uk

From: western.licensing@hampshire.pnn.police.uk [mailto:western.licensing@hampshire.pnn.police.uk]
Sent: 19 May 2009 15:02
To: Wallsgrove, Jon; Wallsgrove, Sarah
Cc: stephen.lawford@hants.gov.uk; licensing@nfdc.gov.uk
Subject: BP Spar, Windmill Service Station, Blashford

Afternoon Jon,

Hampshire Constabulary are in receipt of the application for a new premises licence at BP Spar, Windmill Service Station, Blashford. I have taken a look at the proposal, and incidents currently related to the premises and request the following to be added as conditions to the new premises licence;

The licence holders have strong management control. All staff will be conversant with the licensing objectives, premises licence conditions and operating schedule. Individual training records will be kept for all members of staff.

CCTV will be installed and maintained at the premises to the satisfaction of the Police. As a minimum it will enable surveillance of both internal and external areas of the premises including all entrances and exits. Recordings from the system will be to a standard acceptable as evidence in a court of law and will be securely retained for a minimum of 30 days. The recording will be surrendered in a playable format to Hampshire Constabulary immediately on request.

Please can you discuss the above with your clients and respond via return email.

Kind regards

Georgie Fice
6 OCU Licensing Team
Hampshire Police
☎ 08450 454545 ext. 734 -174
☎ 023 8067 0904 (DDI)
✉ western.licensing@hampshire.pnn.police.uk

This electronic message contains information from Hampshire Constabulary which may be legally privileged and confidential. Any opinions expressed may be those of the individual and not necessarily the Hampshire Constabulary.

The information is intended to be for the use of the individual(s) or entity named above. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of the information is prohibited. If you have received this electronic message in error, please notify us by telephone +44 (0) 845 045 45 45 or email to postmaster@hampshire.pnn.police.uk immediately. Please then delete this email and destroy any copies of it.

All communications, including telephone calls and electronic messages to and from the Hampshire Constabulary may be subject to monitoring. Replies to this email may be seen by employees other than the intended recipient.

Page 1 of 2

* Proposed conditions for Operating Schedule from Police & T.S. -

Sarah Wilson

From: Lawford, Stephen [stephen.lawford@hants.gov.uk]
Sent: 19 May 2009 15:45
To: 6 OCU Licensing Mailbox; Wallsgrove, Jon; Wallsgrove, Sarah
Cc: Licensing e-mail address
Subject: RE: BP Spar, Windmill Service Station, Blashford

awaiting solicitor response.

Dear Sirs

Thank you for your application. To promote the licensing objectives, Trading Standards would like the following conditions to be applied, thereby avoiding a representation being made. Are you in a position to agree to the following please ? :-

I hereby agree to amend my operating schedule as follows:-

The holder of the premises licence shall ensure that every individual who appears to be under 21 years of age seeking to purchase or be supplied with alcohol at or from the premises shall produce means of identification acceptable to the licensing authority - passport, photo driving licence or PASS accredited photo ID - proving that individual to be 18 years of age or older. If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person.

All staff shall be trained to challenge every individual who appears to be under 21 years of age and to refuse service where individuals cannot produce acceptable means of identification. Such training shall be provided not less than every six months, and written records shall be kept of all training and refresher training.

A written log shall be kept of all 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.

'Challenge 21' posters shall be displayed in prominent positions at the premises.

I look forward to hearing from you.

Steve

From: 6 OCU Licensing Mailbox [mailto:western.licensing@hampshire.pnn.police.uk]
Sent: 19 May 2009 15:02
To: 'Wallsgrove, Jon'; 'Wallsgrove, Sarah'
Cc: Lawford, Stephen; 'licensing@nfdc.gov.uk'
Subject: BP Spar, Windmill Service Station, Blashford

Afternoon Jon,

Hampshire Constabulary are in receipt of the application for a new premises licence at BP Spar, Windmill Service Station, Blashford. I have taken a look at the proposal, and incidents currently related to the premises and request the following to be added as conditions to the new premises licence;

The licence holders have strong management control. All staff will be conversant with the licensing objectives, premises licence conditions and operating schedule. Individual

19/05/2009

24

training records will be kept for all members of staff.

CCTV will be installed and maintained at the premises to the satisfaction of the Police. As a minimum it will enable surveillance of both internal and external areas of the premises including all entrances and exits. Recordings from the system will be to a standard acceptable as evidence in a court of law and will be securely retained for a minimum of 30 days. The recording will be surrendered in a playable format to Hampshire Constabulary immediately on request.

Please can you discuss the above with your clients and respond via return email.

Kind regards

Georgie Fice
6 OCU Licensing Team
Hampshire Police
☎ 08450 454545 ext. 734 -174
☎ 023 8067 0904 (DDI)
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All communications, including telephone calls and electronic messages to and from the Hampshire Constabulary may be subject to monitoring. Replies to this email may be seen by employees other than the intended recipient.

HEADLANDS ADVENTURE

CENTRE (TRUST) * Objection *

CONTACT:-

M. JOHNSON, "CHANCTONBURY LA FIRMOUNT CLOSE, EVERTON,
LYMINGTON, HAMPSHIRE, SO41 0JN

New Forest District Council,
Appletree Court,
Lyndhurst, SO43 7PN

8th May 2009

To whom it may concern

**Re: LICENCE APPLICATION FOR BP SPAR WINDMILL SERVICE STATION
SALISBURY ROAD, BLASHFORD, BH24 3PB**

We are a small charity based at Blashford, in fact next door to Headlands Business Park at the rear of the garage. We have been established on the site for 25 years, in fact before the garage was built.

The Trust is set up for young people to camp and enjoy the local Forest and surrounding area. Over the years, we have had numerous occasions to involve the Police as local youths have broken into our premises and into buildings and stolen valuable items. Two years ago we had a six foot fence erected around the Site – this has been cut 12 times to gain entry over this period, each time we have collected a black bag full of empty beer cans. This is without drink being available right next door. So if this was to become available, and also food throughout the night, the problem is likely to become much worse. Not only for us but for the local inhabitants. We also know, because we also stay over night on the camp site, that youths with cars career around the business park during the night and that empty beer cans are left in the car park. I can see that one day someone who has been drinking will be hurt or even killed, and this is not an exaggeration. So as a charity working with young people, and seeing the adverse effect of alcohol, we strongly oppose this application.

Michael Johnson
Chairman of Headlands Adventure Trust



BOYS BRIGADE APPROVED SITE.

* Objection *

**Ponderosa
Salisbury Road
Blashford
Hampshire BH24 3PB**

FAO. Mr Paul Weston/Licensing
New Forest District Council
Appletree Court
Lyndhurst
Hampshire SO43 7PA

13 May 2009

Dear Sirs

**Section 17 Application requesting a licence to sell alcohol and for all night opening
BP Spar, Windmill Service Station, Salisbury Road, Blashford, Ringwood
Applicant: Peregrine Retail Limited**

I would invite the Council to take the following objections to the above application into consideration. In summary, I would draw the Council's attention to :

- The Applicant has failed to control alcoholic and non-alcohol related crime and disorder on its premises to date
- The Applicant has failed to control the number of anti-social vehicles/occupants visiting its premises in the evening hours
- Despite two serious incidents in 2008 on its premises, the Applicant has failed to provide CCTV on its premises to prevent further crime
- The Applicant has failed to display notices inviting its customers to respect neighbouring residential properties
- The Applicant has failed to control misuse of its premises and surrounding area as a public urinal
- The Applicant has failed to control the misuse of its premises by children
- The Applicant has failed to specify why an alcohol licence is required at these premises on a major highway which has a high fatality incident rate in contravention of Section 176 of the Licensing Act 2003 and in breach of restrictive covenants binding the use of the land and prohibiting the sale of alcohol
- The application, if granted, would have an adverse effect on the value of my property and the safety of my family

The prevention of crime and disorder

In the past year, the garage (formerly known as Watsons) has had two serious break-ins, one involving armed robbery. On the second occasion, a male attendant was kidnapped and released in the Stoney Cross/Cadman area. Burglaries at residential properties in the immediate area is on the increase. Last year a bicycle was stolen from my garden.

The garage currently attracts a large number of young people who arrive in cars, on motor bikes and on bicycles, particularly on Friday and Saturday evenings. Many tend to stock up on drink, food and cigarettes before disappearing off into Headlands Business Park where they vandalise property and break into the scout hut at the back of the Business Park. The police are in regular attendance.

On Saturday 2 May at approximately 9.45pm I was disturbed by a loud banging which, initially, I thought came from the back of my house. I live on my own with a young child

who was woken by the noise. From my kitchen window I have a clear view of the garage. A party of four men had arrived in a car (registration number recorded) and they were banging on the rear door of the garage shop. All of the gentleman appeared to be carrying a bottle of something from which they were drinking. When these were emptied, they were thrown onto the ground of the forecourt and further supplies were found from within the car. Bottle caps were ripped off with teeth and thrown out of the car. Some of the men were wandering or dancing around the forecourt, across the pumps smoking, to speak with girlfriends in a van parked along the side of the car wash, also smoking. No-one from the garage came out to speak with the men or alert the police.

I was petrified for the safety of my family. The whole incident lasted no more than 5-10 minutes. If the garage cannot control similar incidents now, how is the presence of CCTV, staff training etc going to assist in the prevention of future crime, alcohol related or otherwise?

On several occasions, I have seen people arriving in vehicles (mainly men) who obviously consider it acceptable to urinate against the back of the garage and down the side of my property or along the accessway into Headlands Business Park. I regularly see young men walking back past my house zipping up their trousers. The worst incident was last year when a coach stopped at the garage. Approximately half the passengers suddenly had an urge to urinate in the road opposite my home. They obviously seem to think that because it is dark, no-one can see them!

Men and women also find it acceptable to sit on my low level fence whilst consuming food and drink purchased from the garage or to smoke. The fence has been damaged at one end by such behaviour.

I am confident that if BP Spar were granted an alcohol licence and/or allowed to remain open all night, the current mischief and (to date) low level crime would escalate dramatically. The often daily removal of litter (food wrappers, cigarette packets and drinks cans/plastic bottles) from our properties and hedgerows would escalate to include broken glass bottles and beer cans, if not worse.

While I understand that all garage sales persons would have to enforce the Challenge 21 Policy, in practice this would be difficult to police. The legal age to hold a driving licence is 17. While one of the occupants of a vehicle may be over 21 years old, the other passengers/driver may not be. BP Spar have failed to propose suitable measures that they will impose once alcohol is introduced into the vehicle while it remains on its forecourt or within the immediate residential vicinity. The garage has been unable to control anti-social behaviour to date. Will a licence to sell alcohol or to stay open all night assist them in the future in protecting the neighbours from noise, littering and crime?

Public Safety

In addition to the above, on occasions the garage forecourt can be packed with as many as eight vehicles or more. This can have the effect of persuading other potential customers not to stop as they are concerned about their personal safety. I do not have the same luxury of leaving when the nuisance arrives. All I can do is watch and pray that the nuisance behaviour in such a large group or by individuals does not cross the road and enter onto my property putting the safety of myself and my daughter at risk. My one consolation at present is that the garage closes at 11pm and the safety of the neighbouring residents is restored.

The prevention of public nuisance

Much of what is referred to under "the prevention of crime and disorder" above can be repeated here. In addition, music played in the vehicles is often at full volume, assisted by noise amplification equipment, causing my property to vibrate with the noise and disturbing the sleep of my daughter. This is combined by full car headlights which shine directly into my property as the drivers do not consider it necessary to turn them off whilst parked on the forecourt. Most of the noise happens during the evening. The garage currently do nothing to control the nuisance although they are aware of the effect it has on the neighbouring properties as complaints have been made to the garage personnel on a regular basis regarding noise. I understand that letters addressed to the previous owners remain unanswered. No notices are displayed requesting that the public respect the needs of local residents and to leave the premises and the area quietly, contrary to condition 6.4 of the Council's Statement of Policy.

Young people arrive on bicycles (to use the air pressure facilities) and skateboards. The islands on which the petrol pumps are situated become ramps on which to practice their "manoeuvrability skills" to the applause of their friends before disappearing into the lakes and common area behind the Business Park.

It is anticipated that the increased level of crime and anti-social behaviour from the sale of alcohol from the garage premises, will have a detrimental effect on the value of my property and the safety of my family.

The protection of children from harm

As a single mother, my main concern is obviously the health and safety of my daughter. If the level of noise and violence increases after alcohol was permitted to be sold from the garage, I would have to move house in order to protect my daughter from the possibility of an alcohol related break-in to my home. With the obvious devaluation of my property, it will be difficult for me to find a similar property within the area – or a purchaser for my property who would be prepared to live next door to licensed premises.

The proposed presence of CCTV at the garage premises is welcomed. May I suggest that such CCTV also be positioned so as to record incidents of urination and littering along the accessway to the Headlands Business Park along the side of my property so that relevant prosecutions can be followed up by the police.

The garage have done nothing to date to prevent children from misusing the forecourt as an area for skateboarding/cycling adventure or restricting the use of its air pressure facilities. The applicant seeks to rely on the future provision of CCTV and staff training/the Challenge 21 Policy to protect children from harm. The applicant has failed to show that it will actively encourage its staff members to intervene directly in the future to prevent alcohol-related nuisance by children on its forecourt.

In conclusion ...

Both Threshers in the High Street, Ringwood and in Gorley Road, Poulner open until 10pm and the Somerfield store/garage on the A31 at Ringwood open 24 hours, sell alcohol. The BP Spar garage, situated approximately 0.7 miles from the A31 roundabout at Ringwood would provide no additional service to the largely residential community if granted an alcohol licence or be permitted to remain open 24 hours, other than to attract more vandalism onto Headlands Business Park, the lake/scout hut beyond, the residential properties on Salisbury Road and in Snails Lane.

Finally, I would point out that there are various restrictive covenants binding the freehold registered title to the premises now owned by BP Spar which prohibit the sale of alcohol. Similar covenants are attached to the neighbouring residential properties. BP should not be permitted to breach these covenants which were obviously made for a very good reason. I attach a copy of the Registered title at Land Registry with the relevant covenant highlighted.

Further, section 176 of the Licensing Act 2003 prohibits the sale of alcohol at service areas, garages etc. If the Act is to be respected, then the application must fail.

According to the Licensing Policy produced by New Forest District Council, there are approximately 800 licensed establishments in the District. Do we really need one more on a major road (the A338) which suffers from an inordinately high number of fatalities and on premises where it would not provide any benefit to the local residential population?

Similarly, for the reasons set out herein, I would request that the application to trade between 11pm – 5am be rejected as this would have an adverse consequence on the neighbouring residential properties. Not only would it encourage all-night anti-social behaviour, the noise from cars and HGVs visiting the garage forecourt throughout the night would affect my family's health. It is submitted that this application is being brought through the back door in breach of paragraph 9 of the Council's Statement of Policy (planning).

BP Spar have failed to consider the effect that a licence to sell alcohol and/or all night trading would have on the local resident community. It has not approached the local residents but hides behind the statutory placing of a notice in a position not visible to most users of the garage shop.

Given that I live alone with a young child, I trust that this letter is not circulated outside the relevant department responsible for considering the application, and that my personal details remain confidential. If a copy is forwarded to BP Spar, I would ask that they and their solicitors respect my request for confidentiality.

Yours faithfully

Helen Porter (Ms)

Enc: Office Copy Entry of Title No. HP149048

Land Registry Direct: Register View

Date: 28 APR 2009

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED THROUGH LAND REGISTRY DIRECT SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 28 APR 2009 AT 11:38:02. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE SUFFERS A LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN THE REGISTRY.

THIS TITLE IS DEALT WITH BY LAND REGISTRY, WEYMOUTH OFFICE

TITLE NO: HP149048

REGISTER LAST UPDATED ON : 16 JAN 2009 AT 09:17:25

A: Property Register

This register describes the land and estate comprised in the title.

HAMPSHIRE : NEW FOREST

1. The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being As The Windmill Filling Station, Salisbury Road, Blashford.
2. The Conveyance dated 7 July 1982 referred to in the Charges Register contains the following reservations:-

"SUBJECT to the exceptions and reservations contained in the Second Schedule hereto.

THE SECOND SCHEDULE

1. To the Vendor all sand gravel stone aggregates mines minerals and mineral substances petroleum oil gas and similar substances lying in or under the property but without the power for the Vendor to work the same provided that notwithstanding such exception and reservation the Purchaser shall be at liberty to effect such excavations (and remove such material from the property) as may be necessary for the provisions of foundations for buildings and other erection and structures on the property or any part thereof or to assist in the levelling re-grading or landscaping of the property but shall not be entitled to dispose of any such materials thus produced for monetary or other consideration.
2. To the Vendor the right to carry on upon any adjoining or neighbouring land without (subject as hereinbefore provided) restriction or complaint any of the businesses of and related to quarrying storage manufacture handling transportation making merchantable sale or disposal of sand gravel stone or aggregate or any mineral products concrete products ready-mixed concrete and coated materials commercial tipping or refuse disposal and water-based leisure activities (in this clause and the Third Schedule (but subject as therein mentioned) called "the protected businesses) and ancillary operations subject to complying with any conditions or requirements in connection with or incidental to any planning or other consents authorising the use of such land for any of the protected businesses in any manner which is acceptable to the local planning or other competent authority (notwithstanding that such use may

interfere with the user of the property or any part thereof or constitute a nuisance annoyance or inconvenience to the owner or occupier thereof from time to time."

This registration takes effect subject thereto and the mines and minerals so excepted are excluded from the registration.

3. The Conveyance dated 7 July 1982 referred to above contains the following provision:-

"IS IS HEREBY AGREED AND DECLARED between the parties hereto that this Conveyance shall not by implication prescription or otherwise include or confer on the Purchaser or its successors in title any easement or right of light or air over or against the retained land which would restrict or interfere with the free use of the retained land for building or any other purposes whatsoever."

4. The land tinted brown on the filed plan has the benefit of the rights granted by a Deed of Grant dated 8 November 1990 made between (1) Watson Petroleum Limited and (2) Avon Amenities Limited. The said deed also contains restrictive covenants.

-NOTE: Original filed.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title Absolute

1. (12.11.1991) PROPRIETOR: #WATSON PETROLEUM LIMITED# (Co. Regn. No. 594001) of Brinkworth, Chippenham, Wilts SN15 5DN.
2. The Transfer to the proprietor contains a covenant to observe and perform the covenants referred to in the Charges Register and of indemnity in respect thereof.

C: Charges Register

This register contains any charges and other matters that affect the land.

1. The land tinted brown on the filed plan is subject to rights of drainage and rights in respect of water, soil, gas and electricity supply services granted by transfers of commercial units in the business park.
2. A Conveyance of the land tinted pink on the filed plan dated 20 June 1969 made between (1) South Western Farmers Limited (Vendor) and (2) Ralph Keel (Purchaser) contains covenants details of which are set out in the schedule of restrictive covenants hereto
3. The Conveyance dated 20 June 1969 referred to above contains covenants by the Vendor affecting the land tinted yellow and tinted blue on the filed plan. Details of the said covenants are set out in the schedule hereto.
4. The land tinted pink on the filed plan is subject to the following rights

reserved by the Conveyance dated 20 June 1969 referred to above:-

"EXCEPTING AND RESERVING unto the Vendor and its successors in title the owners or occupiers for the time being of the land shown edged green on Plan No. 2 (hereinafter called "the retained land") the right of free running of water and electricity through the water pipes storm water drains electricity and telephone cables and wires over and under the said property leading from the said main road to the retained land and the right to enter upon the said property with or without workmen for the purpose of inspecting repairing and renewing the said water pipes drains cables and wires the person or persons exercising such right making good all damage thereby occasioned"

5. A Conveyance of the land lying to the north of the land in this title and formerly known as Windmill House dated 21 July 1969 made between (1) South Western Farmers Limited (Vendor) and (2) Kellands (Plant Sales) Limited (Purchaser) contains covenants by the Vendor affecting the land tinted yellow on the filed plan details of which are set out in the schedule of restrictive covenants hereto.
6. A Conveyance of the land tinted brown on the filed plan and other land dated 7 July 1982 made between (1) Amey Roadstone Limited and (2) Lonland Heating Limited contains covenants

By a Deed dated 19 January 1984 made between (1) Amey Roadstone Corporation Limited and (2) Lonland Heating Limited the said covenants were expressed to be released. Details of the covenants and of the release are set out in the schedule hereto.

By a Deed dated 30 June 1988 made between (1) Christopher Charles Jones and others (2) Avon Amenities Limited (3) Sandra Yvonne Jones and (4) Arc Limited the said covenants were expressed to be further released and modified. Details of the release and modification are set out in the schedule hereto.

7. (12.11.1991) Notice of intended deposit of Land Certificate with Barclays Bank Plc of PO Box 27, 3/5 King Street, Reading RG1 2HD.

Schedule of Restrictive Covenants

1. The following are details of the covenants contained in the Conveyance dated 20 June 1969 referred to in the Charges Register:-

"THE Purchaser for himself and his successors in title the owners for the time being of the said property hereby covenants with the Vendor and its successors in title the owners for the time being of the retained land so as to bind so far as possible the said property into whosoever hands the same may come to the intent that the burden of this covenant may run with and bind the said property and every part thereof and to the intent that the benefit thereof may be annexed to and run with the retained land and every part thereof at all times hereafter to perform and observe and comply with the stipulations and restrictions set forth in the First Schedule

THE FIRST SCHEDULE ABOVE REFERRED TO

(a) Not to erect any building or other structure on the said property nor to make any alterations to the height or external appearance of the existing buildings erected on the said property except in accordance with plans and elevations previously approved in writing by the Vendor

(b) Not without the written consent of the Vendor to use the said property or any part thereof for any purpose other than for the sale of petrol diesel motor fuel and motor oils and motor accessories (excluding tyres batteries and such accessories as may be fitted to or used in connection with the repair or maintenance of tractors and agricultural machinery) soft drinks confectionery ice cream and cigarettes

(c) Not to allow any telephone cables serving the said property to be erected above the surface of the land

(d) Not to erect on the said property any advertisement board or sign except in accordance with plans previously approved in writing by the Vendor."

2. The following are details of the covenants by the Vendor contained in the Conveyance dated 20 June 1969 referred to in the Charges Register.

THE Vendor hereby covenants with the Purchaser and his successors in title the owners for the time being of the said property so as to bind so far as possible that part of the retained land as is hatched blue on Plan No. 2 into whosoever hands the same may come that the Vendor and its successors in title will not use that part of the retained land hatched blue on Plan No. 2 for the purpose of the sale of petrol diesel motor fuel motor oils and motor accessories (other than oils tyres batteries and such accessories as may be fitted to or used in connection with the repair or maintenance of tractors and agricultural machinery)

NOTE: The land hatched blue referred to in the opening paragraph includes the land tinted yellow on the filed plan.

3. The following are details of the covenants contained in the Conveyance dated 21 July 1969 referred to in the Charges Register.

THE Vendor hereby covenants with the Purchaser and its successors in title the owners for the time being of the land hereby conveyed or any part for the benefit and protection of the land hereby conveyed and so as to bind so far as possible the retained land and every part thereof into whosoever hands the same may come not to sell deal in or repair industrial tractors earthmoving machinery or allied plant on the retained land or in any of the buildings erected or to be erected thereon or on any part thereof Provided Always that nothing in this covenant contained shall preclude the Vendor and its successors in title from carrying on the business or Agricultural Engineers or selling in dealing in or repairing agricultural machinery."

NOTE: The retained land referred to includes the land tinted yellow on the filed plan.

4. The following are details of the covenants contained in the Conveyance dated 7 July 1982 referred to in the Charges Register:-

"The Purchaser for itself and its successors in title the owner or owners

for the time being of the property and each and every part thereof covenants with the Vendor and its successors in title the owner or occupiers for the time being of the retained land and each and every part thereof that it will observe and perform the covenants and conditions contained in the Third Schedule.

THE THIRD SCHEDULE

1. Not to cause suffer permit or allow to be used the property or any part thereof for any of the Protected Businesses other than any water based leisure activity which is not accompanied by or associated with the dispensation of alcoholic drinks on the property and commercial tipping and in the case of commercial tipping the provisions of paragraph 3 hereof shall apply Provided Always that notwithstanding the provisions of paragraph 2 of the Second Schedule hereto the Purchaser shall not in any event be precluded from carrying out tipping of inert (but not domestic or toxic industrial) waste on any part of the property where such tipping is ancillary to any trade business or activity carried out by the Purchaser or any associated company from time to time of the Purchaser on land other than the property.

2. Not to object to hamper or interfere with the conduct in a lawful manner on any land from time to time owned or occupied by the Vendor of the Protected Businesses.

3. Without prejudice and subject to the provisions of paragraph 1 of this Schedule not to use cause permit or allow to be used the Property or any part or parts thereof for any trade or business whatsoever other than that of or in connection with or in respect of or related to agriculture horticulture market landscape or domestic gardening and garden accessories sporting recreational or water based leisure activities not (in the latter case) accompanied by or associated with the dispensation of alcoholic drinks on the property (hereinafter called "the conforming uses") without first obtaining from the Vendor a Deed of Release authorising uses which are not conforming uses (hereinafter called "new uses") which Deed of Release shall be given on the following terms and shall not be unreasonably or unduly delayed:

(i) The estimated value of the property or any part of the property to be put to any of the new uses shall be ascertained in manner hereinafter appearing (disregarding any liabilities for tax) and should such estimated value be greater than the estimated value of the property or such relevant part of the property were it put to such conforming use as would give the property or such part thereof the highest market value (but subject to planning permission having first been granted for such conforming use) as ascertained in manner hereinafter appearing than one half of the difference between the estimated value for the new use and the estimated value for such conforming use shall be paid to the Vendor as consideration for the Deed of Release provided always that no further consideration of whatsoever nature shall be payable or due should the actual value of the property or any part thereof upon which such new use is carried out subsequently become greater than the estimated value.

(ii) Such Deed of Release may if the Vendor so requires include provisions in the same terms of those of this clause save that in addition to the conforming uses as defined above there shall be inserted a reference to such new use which the Deed of Release authorises

henceforth becoming a conforming use so that the provisions of this clause shall be read and construed as if such new use is included in the term "conforming uses".

(iii) Nothing herein contained shall oblige the Vendor to make a Deed of Release authorising new uses if such new uses consist of or include the protected businesses or any of them except commercial tipping.

(iv) Reference in this paragraph to the Vendor and the Purchaser shall include their respective successors in Title and in the case of the Vendor its assignees of the benefit of this covenant.

(v) a. The estimated value of the property or any part of the property to be put to the new use which may be required by the Purchaser is in this sub-clause referred to as the "new estimated value" and the estimated value of the property and any part thereof were it put to the such conforming use as is referred to in sub-paragraphs (3) (i) hereof is in this sub-clause referred to as "the highest conforming estimated value" and the new estimated value and the highest conforming estimated value are together referred to as the estimated values in this sub-clause.

b. The Vendor and the Purchaser shall within 3 months of the Purchaser making a request to the Vendor for a Deed of Release as hereinbefore provided agree upon the new estimated value and the highest conforming estimated value.

c. In the event of the Vendor and the Purchaser not reaching agreement on either the new estimated value or both within the said 3 months period the Vendor or the Purchaser may require the estimated values or either of them (whichever the case may be) to be assessed by an Independent Chartered Surveyor and Valuer practising within a 10 mile radius of the property and if agreement on the identity of such Surveyor may be appointed by the President for the time being of the Royal Institution of Chartered Surveyors on the application of either the Vendor or Purchaser.

The Surveyor shall act as an expert and not as Arbitrator and he shall consider any valuation and representation submitted to him but shall not in any way be limited or fettered thereby and shall determine values or either of them (whichever the case may be) in accordance with his own judgement and his decision shall be final and binding on all matters referred to him.

d. Within 28 days of the receipt of the Surveyor's written report the Purchaser shall have the option of withdrawing its request for a Deed of Release but in the event that the Purchaser does not exercise such option within the said 28 day period the Vendor shall forthwith within a further 28 days from the expiration of the said 28 day period complete the granting of the Deed of Release in respect of the new use.

e. The costs of the Surveyor shall be shared equally between the Vendor and the Purchaser only if the Deed of Release is proceeded with otherwise such costs are to be borne by the Purchaser.

4. Not to so let or dispose of any interest by way of easement or profit a prendre including but not limited to sporting rights save in terms which enable the termination thereof to the extent necessary to permit new uses of the Property.

5. Not to convey nor permit to be conveyed the property or any part or parts thereof not to grant any Lease or Tenancy in respect thereof without first procuring that every person or persons whom the property or any part or parts thereof shall be transferred or leased or with whom any tenancy shall be made shall enter into a Deed of Covenant with the Vendor or such subsidiary or associated company of the Vendor as it may direct owners or occupiers for the time being of the retained land or any part or parts thereof whereby such persons shall covenant to observe and perform the covenants contained in this Schedule such covenant to be in the same terms as those contained in Clause 3 of this Conveyance and this Schedule including this sub-clause."

NOTE: The retained land referred to lies to the north east of the land tinted brown on the filed plan.

5. The following are details of the terms of the release contained in the Deed dated 19 January 1984 referred to in the Charges Register:-

"The Covenantor is selling the fee simple interest in that part of the property shown edged red on the plan annexed hereto (hereinafter referred to as "the red land") and the Covenantee has agreed to release the Covenantor from the covenants and conditions in relation to such part of the property in manner hereinafter appearing:-

NOW THIS DEED WITNESSETH as follows:-

1. IN pursuance of the said ageement and in consideration of the property the Covenantee HEREBY RELEASES AND DISCHARGES the Covenantor (but not the new owners) from all obligations of the covenants and conditions and all liabilities costs claims or demands arising or which may have arisen or are capable or arising thereunder in so far as they relate to affect or concern the red land or any part thereof.

2. IS IS HEREBY AGREED AND DECLARED that the covenants and conditions shall have continue to have full force and effect in respect of the remainder of the property not comprising the red land and in respect of the red land in the ownership of the new owners and their successors in title in relation to the red land."

NOTE 1: The red land referred to includes the land tinted brown on the title plan.

6. The following are details of the terms of the release and modification contained in the Deed dated 30 June 1986 referred to in the Charges Register:-

ARC hereby releases the Jones Families and the First and Second Owners and their successors in title to the Property from the obligations contained in Clause 3 of and the Third Schedule to the Conveyance.

.....

to the extent and in manner hereinafter appearing:-

To the definition of "conforming uses" contained in Paragraph 3 of the Third Schedule to the Conveyance shall be added the following

(i) in relation only to the land coloured blue on the plan all or any industrial or commercial uses but specifically excluding residential or primarily retail use but retail use ancillary to the conforming uses shall not hereby be precluded.

(ii) in relation to the whole of the Property the dispensation of alcoholic drinks bona fide in connection with sporting recreational or water based leisure activities but not otherwise and it is hereby agreed and declared for the avoidance of doubt that ARC do not hereby consent to use the Property or any part of parts thereof as a Public House.

4. The First Owner for itself and its successors in title and the Second Owner for herself or her successors in title the owner or owners for the time being of the Property and each and every part thereof hereby jointly and severally covenant with ARC and its successors in title the owners and occupiers defined in the Conveyance) and each and every part thereof that they will at all times observe and perform the covenants and conditions contained in the Conveyance.....

amended as provided for in clause 3 hereof as if the same were herein set out in full

5. Save as expressly or by necessary implication hereby amended the terms of the Conveyance.....

shall remain in full force and effect.

NOTE: The land coloured blue referred to was not shown on the Conveyance or deed plan.

End of register

NOTE 1: The date at the beginning of an entry is the date on which the entry was made in the Register.

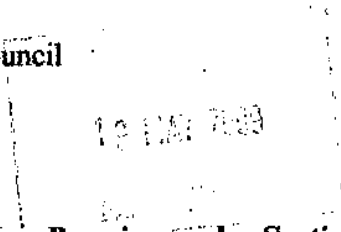
NOTE 2: Symbols included in register entries do not form part of the register and are used by Land Registry for internal purposes only.

* Objection *

Manhattan House,
Salisbury Road,
Blashford,
RINGWOOD,
Hants, BH24 3PB

16th May 2009

Licensing Authority,
New Forest District Council
Appletree Court,
Lyndhurst,
SO43 7PA.



Re: Application for New Premises under Section 17 of the Licensing Act 2003

Applicant: Peregrine Retain Limited

Premises: BP Spar, Windmill Service Station, Salisbury Road, BH24 3PB

We are writing to oppose the above application as we feel the sale of alcohol from these premises is likely to increase and complicate the anti social activities that occur at this garage.

The prevention of crime and disorder

Are the new owners aware that on numerous occasions there have been attempts at burglary from the shop. On one occasion the female attendant was threatened with a gun and on another occasion the male attendant was kidnapped and deposited in the New Forest late at night. On all these occasions the police were involved. If spirits were also added there would be a greater incentive for burglary.

When the garage was open all night gangs of young people would congregate under the illuminated canopy playing very loud music, shouting and screaming with foul language as late as 3 and 4 a.m. They kicked footballs against walls and noisy metal surfaces and urinated against the walls. On occasions these activities spread to our boundaries so that, in the morning, when the party was over we had to clear up the litter left on the ground and also poked through our fence into our hedge.

Public Safety

The noise and aggression displayed at these nightly sessions is frightening and one wonders how far it will go. We have already had our gate smashed by someone presumed to be under the influence of alcohol. In the interests of our safety we feel it would be foolhardy for us to approach these young people to tell them that there are people over the road trying to sleep. So the police have been called out on many of these occasions.

Prevention of Public Nuisance

It is obvious from the previous paragraphs that there is already a considerable amount of public nuisance and we feel sure that the sale of alcohol from these premises would make it much worse.

Protection of Children from Harm

Our grandchildren often stay with us and when the garage was open all night they were subjected to, and frightened by, the rowdy and aggressive activity in and around the garage. We are also very concerned and frightened that alcohol can be purchased up to 11 p.m. and consumed during the rest of the night.

In conclusion, we can only recount the problems we have experienced without the sale of alcohol and we have to assume they would be worse when alcohol is added.

We enclose a copy of document 00052837 dated 14.10.1993 and would like to draw your attention particularly to para. 2 of reasons for refusal as the Council foresaw what we would be subjected to.

Also, we understand that a Covenant exists on this property forbidding the sale of alcohol.

Yours faithfully,

J.D. and Mrs. V.J. Heath

1. ENCLOSURE

NEW FOREST DISTRICT COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990

Form 13

To: Reinge Services Bristol
16 Clare Street
Bristol
Avon
BS1 1XY

Ref: 00052837

Applicant (if different from above): Watson Petroleum Limited

Site: Windmill Service Station Salisbury Road Blashford E H & Ibsley

Development: Redevelopment of filling station

In pursuance of their powers under the above-mentioned Act, the Council, as the local planning authority, REFUSE to permit development in accordance with your application dated 19/ 8/93.

The reason(s) for the decision of the local planning authority to refuse consent is/are:

- 1) The site is located within the countryside in a prominent position adjacent to the main A338. The proposed petrol canopy would be unduly obtrusive by virtue of its substantial scale and height. In addition, its harsh visual impact would be out of keeping with and detrimental to the character and appearance of the area.
- 2) A number of residential properties exist close to the southern boundary of the site. The proposed layout of the site and the nature of the forecourt services available would be unneighbourly and would be likely to give rise to unacceptable levels of disturbance and nuisance to these occupiers, to the detriment of the residential amenities of the area as a whole.
- 3) The proposed re-development of the filling station would thus be contrary to the existing policies as set out in the adopted Avon Valley Local Plan and the approved South West Hampshire Structure Plan which seek to protect the amenities of the surrounding area and achieve appropriate and sympathetic development.

Appletree Court
Lyndhurst SO43 7PA
Telephone: 0703 285000

NB: See notes overleaf
(Ref: Form 13)

Director of Planning

SP

14th October 1993

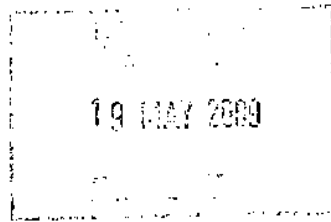
41

* Objection *

ELLINGHAM, HARBRIDGE & IBSLEY PARISH COUNCIL

Ms. G Purches – Clerk
43, The Chase, Verwood, Dorset BH31 7DD
Email: ehparishcouncil@btopenworld.com

Paul Weston
Licensing Officer
Licensing Services
New Forest District Council
Appletree Court
Lyndhurst
SO43 7PN



18 May 09

Dear Mr Weston,

Licensing Act 2003 – Grant premises Licence (S17): BP Spar, Windmill Service Station, Sallsbury Road, Blashford, Ringwood BH24 3PB, LICPR/09/2324

The Parish Council met last week and discussed this application to provide late night refreshment and the sale and supply of alcohol at the convenience store situated on a forecourt with petrol sales.

The Council had received emails, phone calls and a letter from residents, some of whom came to the meeting to express their concerns.

The proximity of the site to residential properties already causes disturbance, disorder and considerable unpleasantness to the residents. They suffer from loud music late at night, drunken youths urinating against their walls, aggressive and brutish behaviour, and revving motors. Residents have also told us that their children and grand children have been being terrified by the loutish behaviour on the site at night.

The proximity of Headlands Business Centre exacerbates the problem, as the youths use this area in which to congregate and to use as a race track and come and go, stocking up on goods from the petrol station shop. Headlands Adventure Centre has a major problem with breaks-ins and has had its fence cut 12 times in the last year. The staff collect bags of drink cans after such an event. There have been two attempts at robbery at the petrol station itself. The final concern is that having a 24-hour facility would attract heavy good vehicles to the site which would further increase the disturbance of the residents.

There are already three shops selling alcohol within 1-2 miles and these also offer 24-hour service. All except one are away from residential areas.

The Parish Council is against the proposed 24-hour opening and sale of alcohol as it violates all four of the licensing objectives:

- Prevention of crime and disorder

.....a New Forest Parish.....

- Public safety
- Prevention of public nuisance
- Protection of children from harm

In summary the Parish Councillors are unanimous in their recommendation that this licensing application is refused in total i.e. there should be no extension to the opening hours or permission to sell and supply alcohol.

Although this is a legal matter and not an issue for the licensing office, we feel we should bring to your attention the fact that we have been advised there is apparently a covenant on the petrol station and the surrounding properties imposed in a conveyance dated 20th June 1969 to the following effect:

"not without the written consent of the Vendor to use the said property or any part thereof for any purpose other than for the sale of petrol diesel motor fuel and motor oils and motor accessories (excluding tyres batteries and such accessories as may be fitted to or used in connection with the repair or maintenance of tractors and agricultural machinery) soft drinks confectionery ice cream and cigarettes".

In other words, while the sale of soft drinks, confectionery etc is permitted at the garage, the sale of alcohol is not.

Yours sincerely

~~Georgette~~ Purches
Clerk

* Objection *

16 May 2009

Blashford House
Salisbury Road
Blashford
Ringwood
Hants
BH24 3PB

16 MAY 2009

Dear Sirs,

We would like to object to the licensing proposal brought by Peregrine Retail for the Windmill Service Station on Salisbury Road, Ringwood. Our objections are in the area of prevention of public nuisance and the prevention of crime and disorder, as defined in the objectives of the NFDC statement of policy on the Licensing Act 2003.

Prevention of Public Nuisance:

- This area already suffers badly from litter discarded by traffic, much of which emanates from the existing sales of sandwiches and confectionary from the premises concerned. We regularly have to pick up packaging materials from our front verge and ditch; also often from the front garden and driveway. Extending the facility will make this problem significantly worse.
We also suspect that a fair amount of this litter finds its way into the adjacent farmland, frequently used for animal grazing and which adjoins the river Avon SSSI.
- The premises are in a semi-rural yet residential area. At present they are closed overnight, apart from an automated bunkering facility. The intention to sell snacks and food all night will increase traffic, increase noise and cause us much more disturbance. The prospect of having to listen to traffic entering and leaving the premises all night is horrifying.

Prevention of Crime and Disorder

- In the last few years there have been two major incidents affecting this service station, a traumatic armed robbery in 2002 and a kidnapping more recently. If the premises remain open all night and have alcohol on the site, it is likely to become a greater target for serious crime.
- There is also a history of disorder in this and adjacent premises on the Headlands, with gatherings of cars in the area, running engines at high revs and performing 'wheelies'. Again, the provision of all night refreshments is likely to make it a more attractive venue for gatherings of this sort.

We would also like to bring your attention to two relevant planning decisions. In 2000 a Dept of the Environment inspector ruled against an application for all night lighting at this service station (APP/B1740/H/99/2172). Similarly in 2004 the NFDC planning committee placed restrictions on the adjacent premises (Rocare), preventing them

from using their security lighting at night (79582). Both these decisions were to preserve the local environment, minimise the affect on wildlife and safeguard the interests of residents. If the new owners of the service station want to serve refreshments through the night, does this mean they will be doing it without lighting? Certainly any application to overturn this ban on lighting will be strenuously resisted by the local residents through the planning process.

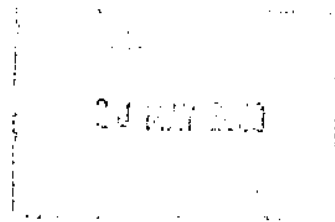
Yours sincerely,

Mr E. E. Sansom
Mrs V A. Sansom

Blashford Cottage
Salisbury Road
Ringwood
Hampshire
BH24 3PA

Licensing Service
New Forest District Council
Appletree Court
Lyndhurst
SO43 7PA

19th May 2009



Dear Sirs,

Re: Licensing Proposal Peregrine Retail

We would like to register an objection to the licensing proposal and selling of hot beverage between the hours of 2300hrs and 0500hrs proposed by Peregrine Retail at Windmill Petrol Station on Salisbury Road Ringwood. Our objections are under the headings of prevention of public nuisance and the prevention of crime and disorder as defined in the statement of policy on the Licensing Act 2003.

Prevention of Public Nuisance

- There have been a number of occasions late at night when we have gone over to the petrol station and adjacent premises to disperse gatherings of young people and to remind them that this is a residential area. The ability to purchase alcohol and all night refreshments will surely increase this activity.
- Currently the petrol station is closed overnight. If the license is granted to sell hot refreshments all night there will be a greater volume of traffic which in turn will mean increased noise and cause much more disturbance to the residents.
- Are we to assume that the petrol station will also be lit 24 hours which is to the detriment of the residents.

Prevention of Crime and Disorder

- There have been two serious incidents at this petrol station in recent years, the most recent being a kidnapping.
- We are concerned that if the premises are open all night and have alcohol on the premises they will become a target for serious crime.
- There is a history of the police being called to these premises and the adjacent business park this is likely to increase if the premises are allowed to open 24hours.
- The police have been called to our premises when youths gathering at the petrol station have then been seen on our premises.

We would also like it noted that when this petrol station was open 24hours a day the lit forecourt provided an ideal venue for groups of people to gather with their car radios on at volume. It is of course with regret that we didn't ring the police on every occasion, but instead went over ourselves and asked them to consider the residents. However, knowing that they may have consumed alcohol will make us think twice about approaching them in future.

Since the petrol station has been closed from 10.45pm the level of public nuisance has decreased considerably, we are now dreading the possible return of groups gathering and causing a public nuisance.

If this license is granted and the petrol station is permitted to open 24hours we as residents living directly opposite would like to know what measures will be put in place, by the organization granting the license, to protect us from public nuisance and most importantly crime and disorder.

Yours faithfully

Mr. & Mrs. T. R. and R. Q. Frederick