

June 16

**LICENSING ACT 2003
APPLICATION TO VARY A
PREMISES LICENCE**

Notice is given that Burley Stores has applied for a variation of Premises License 72 at Burley Stores, Ringwood Road, Burley, BH24 4BS to include the sale of alcohol on the premises.

Any person wishing to make representation in accordance with the Licensing objectives should write to: New Forest District Council, Licensing Services, Appletree Court, Beaulieu Road, Lyndhurst, SO43 7PA, within 28 days of this application.

A record of this application is available to view during office hours at the above offices.

Any person who knowingly make a false statement in connection with an application is liable on summary conviction to a maximum of £5,000.

Dated: 6th June 2012

Application to vary a premises licence under the Licensing

PLEASE READ THE FOLLOWING INSTRUCTIONS

Before completing this form please read the guidance notes at the end. If you are completing this form by hand please write legibly in block capitals ensure that your answers are inside the boxes and written in black ink, necessary. You may wish to keep a copy of the completed form for your records.

NAME STEPHEN LEWIS LESLIE WILHAMS & JILL ALBERTA WILLIAMS
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number	<u>72</u>
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description <u>THE BURLEY STORES, RINGWOOD RD. BURLEY RINGWOOD, HAMPSHIRE, BH24 4BS</u>			
Post town	<u>RINGWOOD</u>	Post code	<u>BH24 4BS</u>

Telephone number at premises (if any)	<u>01425 403639</u>
Non-domestic rateable value of premises	<u>£ 18,750</u>

Part 2 – Applicant details

Daytime contact telephone number	<u>01425 403639</u>		
E-mail address (optional)			
Current postal address if different from premises address	<u>AS ABOVE</u>		
Post Town	<u>RINGWOOD</u>	Postcode	<u>BH24 4BS</u>

00 11 2012

11 11 2012

1

Part 3 - Variation

Please tick yes

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

If not do you want the variation to take effect from

Day Month Year

~~7 6 2017~~

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

VARIATION FROM OFF LICENSE SALES ONLY TO OFF AND ON LICENSE SALES. THE PREMISES IS A RESTAURANT. OPEN FROM 10AM TO 5-30PM DAILY. SITUATED AT THE JUNCTION OF RINGWOOD RD AND THE MALL BURLEY APPROX 100YDS. FROM THE CROSS.

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

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

- | <u>Provision of regulated entertainment</u> | Please tick yes |
|-------------------------------------------------------------------------------------------------------------|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |
| <u>Provision of entertainment facilities:</u> | |
| i) making music (if ticking yes, fill in box I) | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input type="checkbox"/> |
| <u>Provision of late night refreshment</u> (if ticking yes, fill in box L) | <input type="checkbox"/> |
| <u>Sale by retail of alcohol</u> (if ticking yes, fill in box M) | <input checked="" type="checkbox"/> |

In all cases complete boxes N, O and P

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	10-00 8-00	17-30 23-00	State any seasonal variations for the supply of alcohol (please read guidance note 4)	Both	<input checked="" type="checkbox"/>
Tue	10-00 8-00	17-30 23-00			
Wed	10-00 8-00	17-30 23-00			
Thur	10-00 8-00	17-30 23-00		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	10-00 8-00	17-30 23-00			
Sat	10-00 8-00	17-30 23-00			
Sun	10-00	17-30 22-30			

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)

NONE

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)

Seasonal variations, Christmas Day, 12.00-15.00 and 19.00-22.30 Good Friday 08.00-22.30

Day	Start	Finish
Mon	10.00	17.30
Tue	10.00	17.30
Wed	10.00	17.30
Thur	10.00	17.30
Fri	10.00	17.30
Sat	10.00	17.30
Sun	10.00	17.30

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, (please list (please read guidance note 5)

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

Please tick yes

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

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

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

P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

No additional steps proposed

b) The prevention of crime and disorder

As above

c) Public safety

As above

d) The prevention of public nuisance

As above

e) The protection of children from harm

As above

Please tick yes

- I have made or enclosed payment of the fee £190.00
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

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

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.

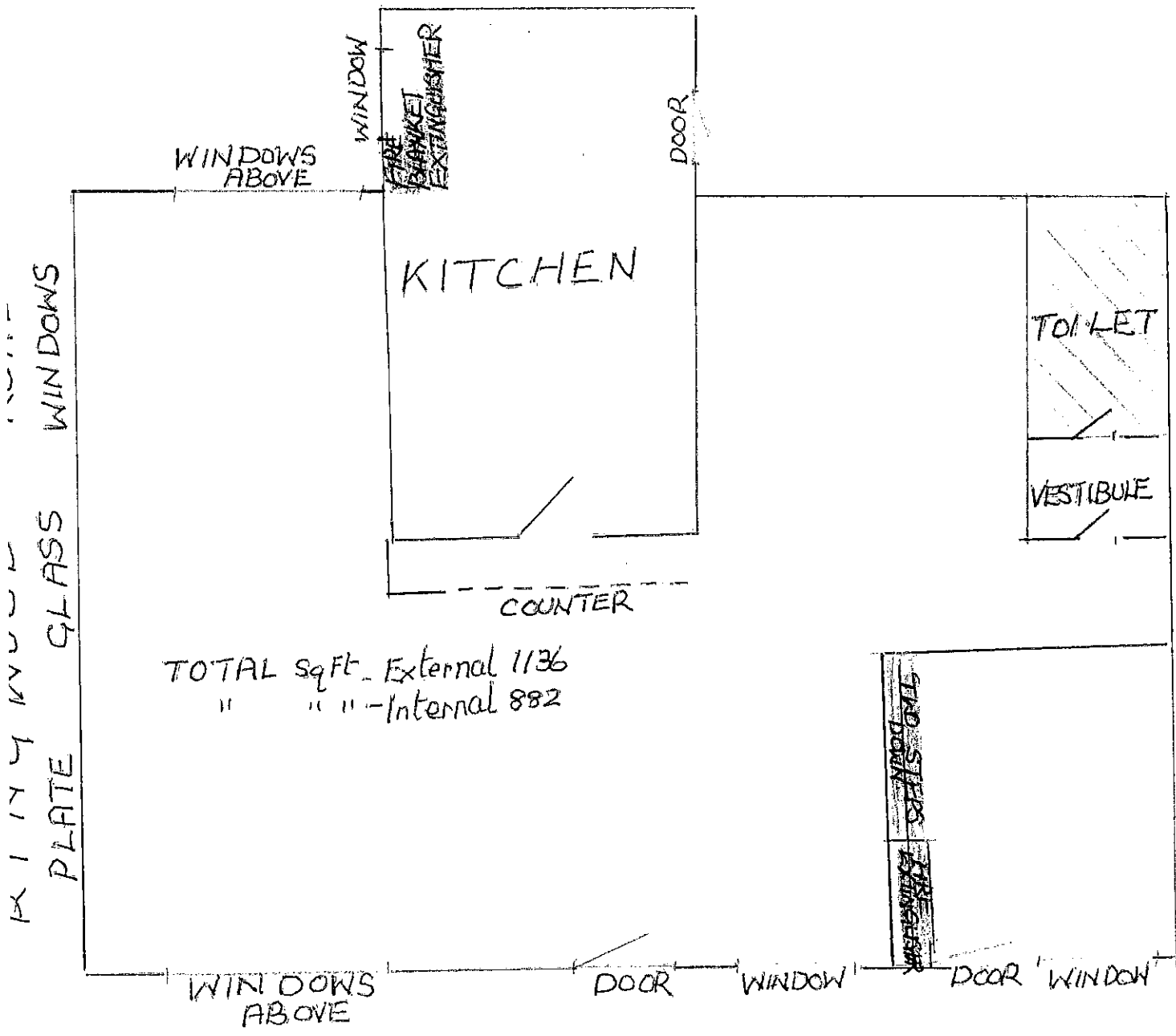
Signature	[Redacted]
Date	6th DECEMBER 2010 31st MAY 2012
Capacity	PREMISES LICENCE HOLDER

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	[Redacted]
Date	6/12/2010 31/12/2012
Capacity	Premises Licence Holder

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)		
As above		
Post town	RINGWOOD	Post code
Telephone number (if any)	01425-403639	BH244BS
If you would prefer us to correspond with you by e-mail your e-mail address (optional)		

Data Protection Act 1998
The information you provide will be held in accordance with the Data Protection Act 1998, and statutory requirements including the Licensing Act 2003 and the Gambling Act 2005. It will not be used for any purpose that is not compatible with the purpose for which it was collected.



THE MALL

ACCESS + EGRESS
 STEPS
 PUBLIC CONVENIENCE
 FIRE EQUIPMENT

THE BURLEY STORES LTD.
 RINGWOOD RD.
 BURLEY
 HANTS
 BH24 4BS



Licensing Act 2003

Premises Licence

Issued under Section 24 of the above Act

Premises Licence Number	72/2
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Part 1 - Premises Details

Postal address of premises, or if none, ordinance survey map reference or description		
Burley Stores Ringwood Road Burley Ringwood Hampshire BH24 4BS	Map Ref (E): Map Ref (N): UPRN:	421066.797605877 103097.475022131 10007447299
Telephone Number: 01425 403639		

Where the licence is time limited the dates

This licence is NOT time limited

Licensable activities authorised by the licence

M) Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

M - Sale or Supply of Alcohol			
Day	Start	Finish	
Mon	08:00	23:00	Further details: Alcohol shall not be sold or supplied except during permitted hours. Seasonal variations: Christmas Day, 12:00hrs to 15:00hrs and 19:00hrs to 22:30hrs Good Friday, 08:00hrs to 22:30hrs
Tues	08:00	23:00	
Wed	08:00	23:00	
Thur	08:00	23:00	
Fri	08:00	23:00	
Sat	08:00	23:00	
Sun	10:00	22:30	

The opening hours of the premises

N/A

Where the licence authorises supplies of alcohol whether these are on and/or off supplies:

Alcohol is supplied for consumption OFF the premises only



Disability Helpline
01425 656096

Minicom/Text: 023 8028 5416

Part 2

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

Stephen Lewis Leslie Williams The Burley Stores Ringwood Road Burley Ringwood BH24 4BS	Telephone: Email:
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Jill Alberta Williams Burley Stores (House) Ringwood Road Burley Ringwood BH24 4BS	Telephone: Email:
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Registered number of holder, for example company number, charity number (where applicable)

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

Stephen Lewis Leslie Williams The Burley Stores Ringwood Road Burley Ringwood BH24 4BS	Telephone: Email:
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Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

853/3
New Forest District Council

The licence is granted by New Forest District Council, as licensing authority pursuant to the Licensing Act 2003 and regulations made thereunder.

Date licence issued: 14/05/2012

Date licence commences: 14/05/2012

Date first licence came into force: 24/11/2005



Head of Public Health & Community Safety
(Authorised Officer)

Annex 1 - Mandatory conditions

Where licence authorises supply of alcohol:

- (1) No supply of alcohol may be made under the premises licence:
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or

- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- (2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Where licence authorises door supervision:

- (1) Each individual at the premises to carry out a security activity must be licensed by the Security Industry Authority.
- (2) But nothing in subsection (1) requires this condition to be imposed:
 - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or
 - (b) in respect of premises in relation to-
 - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
- (3) For the purposes of this section:
 - (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and
 - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

(Additional Condition with effect from 1 October 2010)

- 4. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

Annex 2 - Conditions consistent with the operating schedule

Conditions subject to which your previous licence(s)/certificate(s) has/have been granted:

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

b) The prevention of crime and disorder

c) Public Safety

d) The prevention of public nuisance

e) The protection of children from harm

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**Schedule of Conditions attached to a Part A Premises Licence
Embedded Restrictions transferred from the Licensing Act 1964**

**OFF LICENCES AND OFF SALES DEPARTMENTS OF
ON LICENSED PREMISES**

S.60, 63, 86, 164 Licensing Act 1964

Permitted Hours

Alcohol shall not be sold or supplied except during permitted hours. In this condition, permitted hours means:

- a) On weekdays, other than Christmas Day, 8am to 11pm
- b) On Sundays, other than Christmas Day, 10am to 10.30pm
- c) On Christmas Day, noon to 3pm and 7pm to 10.30pm
- d) On Good Friday, 8am to 10.30pm

Restrictions

The above restrictions do not prohibit:

- a) During the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
- b) The ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- c) The sale of alcohol to a trader or club for the purposes of the trade or club;
- d) The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

Consumption

Alcohol shall not be sold in an open container or be consumed on the licensed premises.

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

N/A

Annex 4 - Plans

This licence permits the licensable activities stated at the premises addressed above in accordance with the plan(s) attached.

Plan of Premises	
Plan/Drawing No:	
Date of Plan:	19/07/2005

* Proposed amendments

Burley Stores
Stephen & Jill Williams

The Cross.
Burley. Hants.

BH24 4BS

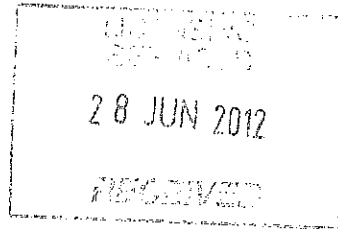
agreed

between Police &
Applicants

To
Licensing Services
New Forest District Council
Appletree Court
Lyndhurst
SO43 7PA

Re-License Variation

27th June 2012



Dear Sir/Madame

Having heard from Hampshire Constabulary (PC 2491 Bethan Wood) we would like to add the following support to our license application. This is to support the licensing objectives namely:-

The Prevention of Crime and Disorder, Public Safety, The Prevention of Public Nuisance, and the Protection of Children from harm.

Enclosed is a copy of the letter from PC Wood dated 18th June containing their recommendations which we will implement as required and appropriate.

Yours sincerely

(Stephen & Jill Williams)

Subject: FW: Licence Variation, Burley Stores
From: bethan.wood@hampshire.pnn.police.uk (bethan.wood@hampshire.pnn.police.uk)
To:
Date: Monday, 18 June 2012, 18:04

Dear Stephen

Could you confirm that you have received the below email please? If there are items that you would like to discuss I would be very willing to do so.

It is always best to get these applications sorted out early on in the consultation period rather than rush them at the end or have to raise objections.

Kind Regards,

Bethan Wood

Police Constable 24191 Bethan Wood
Hampshire Constabulary, Violent Crime and Licensing Team, Southampton Central Police Station, Southern Road, Southampton. SO15 1AN
External: 02380 674768
Internal: 741-539
Email: bethan.wood@hampshire.pnn.police.uk

From: Wood, Bethan
Sent: 13 June 2012 12:31
To:
Subject: Licence Variation, Burley Stores

Dear Stephen,

Thank you for taking time to talk with me earlier. I have taken time to consider your current application and the existing licence. The current premises licence does not indicate how the licensing objectives are supported, and as the application advises that no additional steps are proposed, I would be grateful if you could consider adding the below conditions to the licence. Support of the licensing objectives (the prevention of crime & disorder, public safety, the prevention of public nuisance, and the protection of children from harm) is imperative and it is commonplace for a premises to set out in the operating schedule just how the objectives are going to be upheld.

Staff Training

Staff will be trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18, the signs and symptoms of drunk persons and the refusal of sale due to intoxication. Records will be kept of such training which must be signed and dated by the member of staff who has received that training.

All staff will receive refresher training every six months as a minimum and that records are to be kept of this refresher training which should be signed and dated by the member of staff who received that training.

All training records will be made immediately available for inspection by Hampshire Constabulary and the licensing Authority upon request. Training records will be kept for a minimum period of

15

two years. Training records will be kept on the licensed premises to which they relate to.

Challenge 25

There will be a Challenge 25 policy operating at the premises. Challenge 25 means that the holder of the premises licence shall ensure that every individual, who visually appears to be under 25 years of age and is seeking to purchase or be supplied with alcohol at the premises or from the premises, shall produce identification proving that individual to be 18 years of age or older.

Acceptable identification for the purposes of age verification will include a driving licence, passport or photographic identification bearing the "PASS" logo and the persons date of birth.

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

Incident Book

An incident book will be provided and maintained at the premises. It will remain on the premises at all times and will be available to police for inspection upon request.

Any incidents that include physical altercation or disorder, physical ejection, injury, id seizure or drug misuse will be recorded in the incident book. The entry is to include an account of the incident and the identity of all person(s) involved (or descriptions of those involved if identity is not known). Should there be any physical interaction by members of staff and the public the entry will include what physical action occurred between each party. The entry shall be timed, dated and signed by the author.

If the member of staff creating the entry has difficulties reading or writing then the entry may be written by another staff member. This should however be read back to the person creating the entry and counter signed by the person who wrote the entry

At the close of business on each day the incident book will be checked by the manager on duty where any entries will be reviewed and signed. If incidents have occurred the duty manager will de-brief door staff at the close of business. Should there be no incidents then this will also be recorded at the close of business in the incident book.

Refusals Book

A refusals book will be kept and maintained at the premises and will be available for police inspection upon request. All refusals for the sale of alcohol and the reasons for refusal should be recorded. Any age challenge or identification seizures should also be recorded.

These may seem stringent however, in practise I would recommend using a simple diarised book to incorporate the Incidents/Refusals (and I would be quite happy to meet up with you to go through this, and any staff training you would like to conduct). Challenge 25 is supported by the Home Office and I am able to provide you with literature in support of this.

CCTV is something that can be of great benefit to premises; it protects staff in the event of allegations regarding short change/assaults/theft etc, and also assists any police investigations into these things as the 'camera never lies'. I haven't attached a copy of the CCTV condition that we sometimes add as I am keen to know your thoughts on whether CCTV is a possibility at the moment, and to what extent this might be (just the till/entrance/exit for example).

I look forward to hearing from you.

Yours Sincerely,

Bethan Wood

Police Constable 24191 Bethan Wood

Hampshire Constabulary, Violent Crime and Licensing Team, Southampton Central Police Station,
Southern Road, Southampton, SO15 1AN

16

BURLEY PARISH COUNCIL

Chairman

E.G.Daubeney

Tel. 01425 402132

E -mail: chairman@burleyparishcouncil.gov.uk

Clerk to the Council

W. J. West MA (Cantab)

Tel. & Fax: 01425 403393

E -mail: clerk@burleyparishcouncil.gov.uk

Wayside Cottage
Garden Road
Burley
Ringwood
Hampshire
BH24 4EA

Your ref: Ref: LICPR/05/00446

Date: 3rd July 2012

Dear Sirs

BURLEY STORES BURLEY STORES, RINGWOOD ROAD, BURLEY, RINGWOOD

I refer to the above application for a variation of the existing licence, to extend to on sales for the hours of 8.00 until 23.00 .

The council has grave concern for the sales of alcohol on the premises for such long period of time during every day (with marginally shorter hours on Sundays).

The council has consistently for several years been resisting successfully such blanket licences in the village. The village has already substantial provision of licensed premises, but has a plethora of visitors during particularly the summer months, and the premises are located in the centre of the village in an area without pavements, where currently traffic can pass at 30mph. We are particularly concerned for public safety in this regard, if late night drinkers were coming out into the road in a dark unlit area.

The school children currently visit the premises and pass the premises during the daytime and there is a significant risk that under age drinking may occur in a premises that otherwise would be one they would tend to visit, as opposed to an actual restaurant or a pub.

At present licensed premises open regularly in the evening are located at the top end of the village with their own car parks. Visitors to these premises must pass other premises on the main road or in the Mall to reach cars, and there would be considerable temptation for criminal or vandalous behaviour on route. The village is most anxious not to encourage it to be a place that is visited for the purpose of late night drinking.

The premises might at present be used as a tea room for mid day and afternoon food only, but it has been for sale and may well still be for sale. Any buyer could easily change the nature of the premises radically without the necessity to vary the licence. The precedent would have been set.

Yours Sincerely

JOHN WEST

Clerk to the Council