

## APPENDIX 6

*Ponderosa  
Salisbury Road  
Blashford  
BH24 3PB*

WL  
NFDC  
Licensing Section  
Appletree Court  
Lyndhurst  
SO43 7PA

25 September 2019

Dear Sirs

**Peregrine Retail Limited**  
**Windmill Service Station/'Budgens of Blashford', Salisbury Road, Blashford BH24 3PB**  
**Licensing Act 2003**  
**Application to vary a Premises Licence**

I write further as an affected resident in objection to the above Application. Ponderosa is a residential dwelling immediately adjacent to the service station/Budgens, on the other side of a service road, half the width of a standard public road.

In summary, the objections which must be decided at a full meeting of the Licensing Sub-Committee are:

- The Applicant does not have planning consent for 24/7 opening, for many of its illuminations or for the recent '24 hour' opening signage
- If granted, there would be an increase in crime and disorder, as evidenced pre-2009 and more recently since the Applicant has opened the premises 24/7
- If granted, there would be a threat to public safety
- If granted, there would be an increase in nuisance to the public, particularly to those residential dwellings in the immediate vicinity
- If granted, this is likely to cause harm to children/minors, as evidenced pre-2009

### **Background**

As the Council will be aware from the history of this site, we have been here before. I would refer NFDC to its decision of the Licensing Sub-Committee dated 18 June 2009 when the hours for the supply of alcohol were restricted to 0800 to 2300 daily and the opening hours of the premises from 0600 to 2300 daily. I mention this because I understand that NFDC has recently advised that there was no previous restriction on opening hours when it agreed to the current 24/7 opening hours earlier this year without proper consideration of the views of residents and in breach of its decision dated 18 June 2009.

Although the service station was permitted to open until 11pm daily, it in fact closed at 10pm daily. The reason given to me at the time was that there was insufficient traffic to warrant the additional hours. NFDC should be reminded of the Applicant's reasons in support of its application to increase the size of the store ten years ago. This was so that the 200+ employees on the Headlands Business Park could get a light lunch instead of travelling into Ringwood, an improvement to reduce car travel

and intended to be more sustainable. The vast majority of those employees leave work at around 5-5.30pm on week days and do not work weekends. There is no reason for them to return after 10pm to purchase alcohol.

A snap shot survey undertaken on site on 6 August 2009 by the Applicant showed that the busiest trading hours were 0700-0800, 1000-1100 and 1300-1400. I have not been provided with any more recent surveys to show that these busy trading hours are any different today but an employee at the shop has recently confirmed that the need for 24/7 opening is to attract more trade to its shop.

In support of the submissions made at the licencing public meeting in 2009, I attach a copy of my letter to the Council dated 13 May 2009 referring to the more serious incidents of anti-social behaviour when the service station was (up to that time) open 24/7. Noise complaint logs were kept by myself and my neighbours at Manhattan House in 2009 and provided to the Council.

I would remind the Council that they are a public authority and therefore any decision in relation to the current application to vary must take into account the local residents' rights under Article 8. The Council must therefore provide detailed reasons if they decide to support the application because such decision will be subject to judicial review and/or appeal based on my human rights as evidenced by the previous ASB suffered by ourselves. We have already shown the disturbance that 24/7 opening hours had on our lives in the past and the anti-social behaviour it attracted to our neighbourhood, the increased incidents of theft and criminal damage on the Headlands Business Park, the nearby Adventure Activity Centre and on the environment and particularly Blashford Lakes to the rear of the service station.

Dealing with the Licensing Objectives in detail and in response to the current application:

**1. The prevention of crime and disorder**

Since 2009, CCTV has been introduced. Unfortunately, that has proven ineffective against determined anti-social behaviour as was evidenced recently with the theft of the ATM machine at Budgens. As the residents understand, the perpetrators came onto site with blue spray cans and painted over the CCTV before driving onto site. The police were therefore frustrated in their investigations by the lack of CCTV.

Further, I have heard that the staff in the service station complain that they have had small scale theft. While the police know who stole the articles and found them in their houses in the locality, they were unable to prosecute because of the absence of CCTV having recorded the actual theft. The presence of CCTV therefore acts as very little, if any, deterrent to crime and anti-social behaviour.

Employees at Budgens of Blashford claim that the reason for 24/7 opening is to improve security. Proper enquiries should be made of Development Control/Enforcement Office and Environmental Health as to alternative restrictions that could be put in place to prevent 24 hour opening. For example, what restrictions are already in place to control noise and light nuisance and prevent crime and littering on the Headlands Business Park and on the nearby Carvers Industrial Estate?

As recent as 3.15am on Sunday 22 September 2019, I (and other neighbours) were woken up by young adults in a small dark vehicle repeatedly using their car horn on the service station forecourt (presumably captured on their CCTV). It is possible that the staff in the service station may have tried to ask them stop because after they revved up and left the service station, I witnessed them pulling up at the bottom of the drive to Frazer House and the man in

the passenger seat shouted profanities through the open car window before the driver accelerated out onto Salisbury Road and headed off in the direction of Fordingbridge/Salisbury. Fortunately, at that time of the morning there is very little if any traffic on the A338 otherwise the dangerous way that they drove out onto Salisbury Road could have caused an accident had there been any traffic, particularly if they had collided with a motor bike. Highways should perhaps also be consulted.

I have read the Representations of Mrs Lorna Wise of Frazer House. I confirm that I was also disturbed by the noise nuisance on the morning of 31 August 2019. This was a major consideration in 2009 when Budgens applied to expand the retail store from a small Spar shop to the current Budgens of Blashford store. It was agreed with the then director of Peregrine Retail Limited that deliveries of groceries and fuel would be restricted to between 0700 – 2000, taking into account the restrictions placed on Merlo's who operate on the Business Park, so as to keep noise levels to a minimum.

The Applicant has recently undergone a change in its board of directors who appear to have ignored previous agreements between its then directors and local residents. Mr John Mason took a great deal of time and effort in meeting with the local residents and putting in place certain measures which were acceptable to all. Email correspondence can be provided including a letter from the solicitors instructed by Peregrine Retail Limited dated 4 June 2009 that confirmed "*The premises will only open during those hours (ie 0600 to 2300 daily) and will not operate as a 24 hour facility.*" Perhaps the Applicant (who remains the same legal entity as in 2009) can now explain why their solicitor's letter should not be relied upon in the current application; and why the NFDC allowed 24/7 opening recently without proper public consultation.

The residents tolerate the noise and increased traffic of the larger Budgens store during the day (car wash, vacuum machine, constant vehicle movements, people shouting, deliveries etc etc). Practically every day when I return from work I face drivers who pull out of the service station onto the service road without looking right and straight into my right of way. It is only because of the care and attention (and a high useage of my horn) that I have avoided an accident to date. The Applicant has done nothing to increase visibility. The 'give way' sign at the "exit" is partly covered by trees; overgrowth is not cut back making it difficult for drivers to look up the service road in the direction of the Business Park and no signs are displayed to make it clear that the service road is a two way road.

For the past 2-3 weeks, the Applicant has placed two large containers along the side of their store. This has had a huge impact on the visibility of drivers exiting the service station as they are unable to clearly see traffic (including myself) approaching along the service road from the A338 travelling into Headlands Business Park.

I regularly watch every morning (before going to work) HGVs pull out of the service station and mount the pavement alongside my boundary fence as there is insufficient road width for them to turn right to travel up to the A338 Salisbury Road. The result of yet another decision of NFDC who presumably believe that this is acceptable use of the public highway.

In all these circumstances, the Applicant has shown a complete disregard for crime and disorder and in fact could be said to encourage highway incidents by its failure in its duty of care to road users. If permitted to sell alcohol 24/7, this will only lead to increased traffic (as is the Applicant's intention), more vehicle noise at night, more deliveries during unsocial hours and more vehicles mounting pavements in their desire to leave the site.

## 2. Public Safety

As noted above, the incident on 22 September could have caused a fatal accident. There are now websites that advertise service stations in the local area that sell alcohol 24/7 which is designed to generate more traffic to the store. There is little if any reason or evidence why anyone should want to purchase alcohol after 2200 unless they were out on an alcohol fuelled mission to cause mayhem and put the safety of others at risk. Given the location of the service station outside the town centre, people would have to drive to purchase alcohol from Budgens.

I do not know whether the occupants of the vehicle early on Sunday morning had also purchased alcohol. While the driver must have presumably been over 25 and able to purchase alcohol, are the service station staff trained to check that everyone within the vehicle are over age or that the alcohol will be consumed by legal adults off the premises and off the driveways of local residents and businesses' car parks on the Headlands Business Park or that bottles are disposed of sensibly?

There is hardly any passing traffic on the A338 after 2200 and practically nothing between 2300 and 0400. Blashford is a small hamlet located in the countryside. Anyone therefore wishing to purchase alcohol after 2200 will have to drive specifically to Budgens of Blashford to do so. If the occupants of the small vehicle on Sunday morning is a prime example, the speed that the vehicle left Headlands Business Park could have caused a fatal or at least a serious accident and threatened the safety of others.

One of the problems witnessed before when the Applicant opened 24/7 was that it attracted a certain generation of mainly lads on motor bikes. With the Headlands Business Park operating in predominately day time hours, they used to arrive in groups during the evening, park up in the car parks and identify whose engine sounded the loudest and longest when revved up before racing each other round the Park disturbing the peace and quiet of residential owners. Potentially, it also had an effect on the local wildlife.

## 3. The prevention of public nuisance

The majority of the staff currently employed to work unsociable hours after NFDC recently agreed to 24/7 opening are young adults themselves and unlikely to be the permit/licence holders who are not on the premises at all times.

I again woke up this past weekend (21/22 September) to beer bottles left in my driveway accompanied by cigarette ends and rubbish. Condoms and tissues are often also discarded on the drive or in the hedgerow. The caretaker of Budgens is asked to collect rubbish most mornings. He studiously ignores (presumably on the instructions of the Applicant) my boundary on the other side of the service road to the service station where cans and plastic rubbish and food wrappers are deposited or usually thrown from car windows on a daily basis. I have watched him deliberately cross the road to avoid having to collect the litter from my boundary along the fence line, which I have tried planting with lavender in previous years to make the verge look more appealing.

When the Applicant was under different management, the previous caretaker also litter picked the boundaries of local residential dwellings.

I anticipate that deliberate littering is a public nuisance and NFDC should be controlling and preventing the same? There are no signs up on the Applicant's premises asking customers to take their rubbish home with them and not to throw them out of car windows to litter the local environment.

There are no signs up on the Applicant's premises asking customers to use the parking spaces designated for them and not to use the driveways of local residential properties. I am constantly having to ask people to remove their vehicles from my driveway only to be met by verbal abuse that they are only going to be a few minutes (eating their sandwiches, changing nappies, having a cigarette etc etc) visiting the shop opposite ie Budgens of Blashford.

**4. The protection of children from harm**

It is not clear as to the definition of 'harm' in these Objectives. Does this include having to protect children from watching adults use the grass verges and my driveway as a public urinal count? Alcohol increases the need to urinate.

Does NFDC wish to see a return to the sorts of crime and disorder witnessed ten years ago as described in my letter attached? NFDC's recent responses have been that we should fill in log sheets to record incidents of noise, ASB, light pollution etc. But we did all this 10 years ago and amply demonstrated that there was a risk of crime and disorder, to public safety, public nuisance and threats to children.

I would request that the Applicant and/or the NFDC provide details of the number of incidents during the past 10 years, both traffic and crime in this area. Ringwood has lost its local police station. Police attending any incidents in Blashford now travel from Southampton I believe, taking them 3-4 times longer to get here, if they attend at all.

**The legal bit**

As far as I understand, section 176 of the Licensing Act 2003 remains good law. The question the Council therefore needs to ask is "what is the intensity of use by customers at the premises?" To consider this further, the Applicant is asked to provide to me (and presumably to the Council) the last two years of their sales figures, breaking down sale of fuel from sale generated by the retail side of the site.

I would urge the Council to take a sensible approach this time and refuse the application, not least to protect my Article 8 rights. The local residents put up with the daily traffic, noise, nuisance and littering (we do not have a choice). Why do we have to do so all night long as well? It is enough that I cannot sleep anymore because of the illuminations provided by the Applicant on their site which will presumably devalue my property. This used to be a quiet countryside area where there were no street lights. In my opinion, the illuminations only encourage traffic to go faster along this stretch of the A338 because it is slightly wider and now well lit in front of the site.

As a reminder, Article 8 states:

1. *Everyone has the right to respect for his private and family life, his home and his correspondence.*
2. *There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention*

*of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.*

It therefore seems to me that NFDC have already acted in breach of my Article 8 rights in allowing the Applicant to operate 24/7. To date, I have not received a reasoned decision from NFDC as to why it found that its recent decision to allow 24/7 trading hours was "in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others". Presumably, the rights of the local residents do not qualify and the views of the parish council ignored.

Finally, it would appear that the Council is confusing its role in relation to the application to vary an alcohol licence and the planning/development control issues. The licensing committee would be acting in breach (and has already done so) of development control if it granted the latest application as the applicant does not have planning consent to open 24 hours nor for many of the illuminations 24/7 which are a light nuisance to residential dwellings nor for the additional signage promoting 24 hour opening (one of which presumably led to a car driving into the ditch in front of the site on 20 September 2019).

The Applicant is well aware of the statutory planning process and should make the appropriate applications so that there can be a proper and reasoned public debate.

Yours faithfully

  
Helen Porter

# \* 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

14 11 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*

Representation form for other persons

N.F.D.C.  
RECEIVED  
★ 24 SEP 2019 ★  
POST ROOM  
Mrs ATC

W2

<b>Full name</b>	Lorna Wise	<b>Title</b>	Mrs ATC
<b>Home address</b>	Fraser House, Salisbury Road, Blashford, Ringwood, Hants. BH24 3PB		
<b>Email address</b>	[REDACTED]		
<b>Phone number</b>	[REDACTED]		

<b>Name of premises you wish to make a representation about</b>	Peregrine Retail Ltd Budgens Windmill Service Station
<b>Address of premises you wish to make a representation about</b>	Salisbury Road Blashford Ringwood Hantspshire BH24 3PB

<b>Which of the four licensing objectives does your representation relate to?</b>	(✓) Tick	<b>Please add full details of your concerns regarding the application and include any evidence to support your representation.</b>  <b>Please use separate sheets if necessary</b>
<b>Prevention of crime and disorder</b>	(/)	Whether racing, riding backwards and forwards continuously, on scooters, motorcycles and cars by some of the local 'unruly elements' on Headlands Business Park constitutes 'DISORDER' under the LA 2003 I am unable to say, but such things do occur on reasonably regular occasions.

LICENSING  
SERVICES  
24 SEP 2019  
RECEIVED

		<p>Allowing the garage to open 24hours earlier this year has created issues for those of us who live locally. Complaints were made to management on a number of occasions. The garage have also had problems in the past with local youths.</p> <p>Alcohol sales would only increase these issues.</p>
<b>Public safety</b>	(✓)	<p>Along the footpath through Blashford and near the garage, there are ditches in the verges. They are overgrown and in the past I have raised concerns with NFDC that someone could fall in as they are not visible as ditches, especially as there are no street lights. If alcohol is involved it could be more likely this may happen.</p>
<b>Prevention of public nuisance</b>	(/)	<p><b>NOISE</b></p> <p>Blashford is a small village with no street lighting in the New Forest.</p> <p>Up until earlier this year the garage closed at 10pm. They asked the NFDC for an amendment to their licence to open 24 hours daily. The houses that are the closest, the width of the road, objected. We were later told that the amendment had been granted and we would need to monitor the situation.</p> <p>Since we have made numerous complaints ,mainly about noise and the strong lights of the advertising boards on the side walls, these are at the bottom of our drive. We have asked if they could be switched off at night, only to be told everything is on the same switch!!!!</p> <p>4am on Saturday 31<sup>st</sup> August I had to go across and ask them to be quiet as the deliveries had woken me up. Very load banging and cages being taken across the forecourt, lasting 20 minutes or more. The noise of a lorry's reversing alarm at that time in the morning is like an alarm clock going off .A few days later I spoke to the manager again as I was woken up around 5am. Again reversing noises and cages being moved. This time they left their engine running too.</p>

	<p>She informed me that was usual timing for deliveries. No consideration for the neighbours there then.</p> <p>Their handyman regularly uses an industrial strimmer at around 7.15am in the morning to do the verges Extremely noisy. Even on Sundays, I've asked them to stop him only to be told that he has to do it then as he finishes at 8am. What would they say if it was one of their neighbours gardening at that time?</p> <p>The above issues led to me complaining to the environmental health team at NFDC.</p> <p>We live on the A338, a busy road during the day, but quiet at night we would like it to stay that way. Without attracting cars, vans and HGVs.</p> <p>The store manager said they have very few sales at night, therefore selling food and alcohol they are hoping to increase their sales. Profit over local peoples peace and quiet.</p> <p>We all struggle during the day to get in and out of our drive, as do our neighbours. I think we tolerate the garage users enough. Our right to a quiet nights rest should be seen as a priority over company profits. A company who are already the largest profit making retail company in the country.</p> <p><b>LIGHT</b></p> <p><i>Under 6.5 of NFDC's Statement of policy.</i></p> <p><i>Flashing or particularly bright lights on or outside licensed premises may cause a nuisance to nearby properties and may distract road users, especially in unlit areas.</i></p> <p>Now the advertising boards that were turned off at 10pm previously are left on all night. In a village with no street lights they are extremely bright. Our bedroom window is in direct line.</p>
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		<p><b>LITTER</b></p> <p>It is plain that some customers on foot and in cars, visiting the Service Station and Shop, who purchase food and drink including alcohol are not overly concerned as to where the disposal of their empty bottles, cans and packaging should take place. Which accounts for the fact that such litter can be found all around the garage entries, thrown down on the roadway, in ditches, my driveway with bottles and rubbish thrown over fences etc. The opening of the Station will just add to this problem either to greater or lesser extent with hot food being sold. All the litter seems to originate from Windmill Service Station and Budgens. More bottles and cans???</p>
<p><b>Protection of children from harm</b></p>	<p>(✓)</p>	<p>Concerns around underage customers that could be attracted to the garage to buy alcohol and then creating problems in the area through drunken behaviour. They will always find a way round any conditions in place.</p>

**Are there any steps or conditions which the applicant could take or add to the application which would alleviate your concerns?**

**If yes – please give details below**

None. Don't allow the amendment to sell food and drink at night. Only people with alcohol problems need to buy alcohol after normal selling hours. Again creating possible problems for us as locals.

If you do make a representation you will be invited to attend a Licensing Sub-Committee meeting where the application will be considered, together with any subsequent appeal proceedings.

<p><b>Will you be prepared to attending a hearing?</b></p>	<p><b>(Yes)</b></p>
<p><b>I acknowledge that my representation will form part of a public document at a hearing, (personal telephone numbers, email addresses and signatures will be redacted)</b></p>	<p><b>Please initial</b>  LW</p>
<p><b>OVERVIEW</b></p> <p><i>Under 2.5 of NFDC's Statement of policy.</i></p> <p><i>'The Council's primary focus is the direct impact of activities taking place at licensed premises on members of the public who are living, working or engaged in normal activity in the vicinity of the premises concerned.'</i></p> <p>We once again have to write to the NFDC licencing about our concerns. It's a disgrace.</p> <p>Anything we change to our homes in this area takes, in some cases, years to go through NFDC. Yet the 24 hour opening was granted with very little consideration to the impact on local people and their wellbeing.</p> <p>There are already two 24 hour petrol stations in the Ringwood area, both of which supply refreshments and one hot food and a full grocery service.</p>	
<p><b>Signature</b></p> 	<p><b>Date</b></p> <p>20/09/2019</p>

## Sarah Herringshaw

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**From:** Lorna Wise [REDACTED]  
**Sent:** 09 September 2019 09:05  
**To:** Licensing e-mail address  
**Subject:** Peregrine Retail Limited. Windmill service station Blashford

Dated 9th September 2019

Regarding the extension to the application for changes to their licence to permit selling of alcohol and food 24 hours daily.

Below are my reasons for objecting to these changes.

Peregrine Retail Limited own the Shell/Budgens garage on Salisbury Road Blashford near Ringwood.

Blashford is a small village with no street lighting in the New Forest.

Up until earlier this year the garage closed at 10pm. They asked the New Forest District Council for an amendment to their licence to open 24 hours daily. The houses that are closest, width of the road, objected. We were told the licence was granted and we would need to monitor the situation.

Since then we have all made numerous complaints, mainly noise and the strong lights of the advertising boards, these are at the bottom of our drive. We have asked if they could be turned off at 11pm but were told they are all on the same switch???

4am on Saturday 31st August I had to go across and ask them to be quiet as their deliveries had woken me up. Very load banging and cages being taken across the forecourt, lasting 20 minutes or more. Not the first or last time. A few days later I complained again to the Manager, this time it was 5am. She informed me that's when they arrive every day. No consideration for the neighbours.

Having complained to Environmental Health on Monday 2nd September I was upset to see the application for change on the posts on 6th September. Only leaving us until 27th to object. No letters sent out by NFDC to the locals once again. For changes this I believe is not required.

They have a handyman who regularly uses an industrial strimmer at 7.15am or earlier. Even on Sundays. Extremely noisy. When I asked for it to stop I was told he finishes at 8 am so has to do it then. An absolute joke.

They have now asked for another change to their licence. To sell alcohol and food 24 hours daily. We believe this is because they have had very few sales at night and now have erected a huge sign outside on the grass verge displaying the fact they are open 24 hours, and hoping alcohol and food sales will increase their footfall.

We believe this will only attract the wrong kind of people, those wanting alcohol out of hours. This could lead to anti social behaviour, which we have had in the past from the local usual bunch of people.

When I spoke to the Manager, she said they had previously been broken into and knew it was thus



local group responsible but police couldn't prove it. The ATM was stolen and she said that was the reason they were open 24hours. This is not true as the extension to licence was applied for before this theft.

We live on A338, a busy road during the day, but quiet at night. We would like it to stay that way without attracting cars, vans and HGVs.

I struggle during the day to get in and out of my drive, as do the neighbours. I think we tolerate the garage users enough. Our right to a quiet nights rest should be seen as a priority over company profits.

We once again have to write to the NFDC licensing about our concerns. It's a disgrace.

Anything we change to our homes takes, in some cases, years to go through the NFDC. Yet this is granted with very little consideration to the impact on local people and their wellbeing.

Regards  
Lorna Wise

Sent from my iPad

W3

**Representation form for other persons**

<b>Full name</b>	J D & V J Heath	<b>Title</b>	Mr&Mrs
<b>Home address</b>	Manhattan House Salisbury Road, Blashford, Ringwood, Hants. BH24 3PB		
<b>Email address</b>			
<b>Phone number</b>	[REDACTED]		

<b>Name of premises you wish to make a representation about</b>	Peregrine Retail Ltd Budgens Windmill Service Station
<b>Address of premises you wish to make a representation about</b>	Salisbury Road Blashford Ringwood Hantpshire BH24 3PB

<b>Which of the four licensing objectives does your representation relate to?</b>	<b>(✓) Tick</b>	<b>Please add full details of your concerns regarding the application and include any evidence to support your representation.  Please use separate sheets if necessary</b>
<b>Prevention of crime and disorder</b>	(/)	We have lived at our present address since 1991 (28Years)  During that time Windmill service Station has evolved from a dispenser of petrol and diesel ,plus a few motoring sundries like oil and water, to the mini supermarket it is now.  When an all night alcohol licence was granted some years ago it caused a great deal of trouble for people who lived near-by.  Gangs of young people would congregate under the lighted area talking and shouting loudly and the language was obscene
<b>Public safety</b>		Insufficient knowledge.
<b>Prevention of public nuisance</b>	(/)	We would lock our doors and stay in at night. On several occasions the police were called in an attempt to quieten the crowd. This could go on after midnight sometimes until 3-4 am. In the morning we would regularly find plastic and glass bottles and beer cans in our drive and often stuffed into our hedge.

LICENSING SERVICES  
25 SEP 2019  
RECEIVED

N.F.D.C.  
RECEIVED  
★ 25 SEP 2019 ★  
POST ROOM  
ATC

		<p>LIGHT</p> <p><i>Under 6.5 of NFDC's Statement of policy.</i>  <i>Flashing or particularly bright lights on or outside licensed premises may cause a nuisance to nearby properties and may distract road users, especially in unlit areas.</i></p> <p>There is no street lighting along Salisbury Road, all the Service Stations lights will be on all through the night including all its illuminated advertising signs. This would attract local youths again.</p>
<b>Protection of children from harm</b>		No information.

<p><b>Are there any steps or conditions which the applicant could take or add to the application which would alleviate your concerns?  If yes – please give details below</b></p>
<p>None.</p>

If you do make a representation you will be invited to attend a Licensing Sub-Committee meeting where the application will be considered, together with any subsequent appeal proceedings.

<b>Will you be prepared to attending a hearing?</b>	<b>(Yes)</b>
<b>I acknowledge that my representation will form part of a public document at a hearing, (personal telephone numbers, email addresses and signatures will be redacted)</b>	<b>Please initial</b>  <b>V J H</b>

**OVERVIEW**

If a 24 hours alcohol licence was granted again we have no reason to think it would be any different from what we have previously experienced and for that reason we would object strongly to granting this request for the licence.

*Under 2.5 of NFDC's Statement of policy.*

*The Council's primary focus is the direct impact of activities taking place at licensed premises on members of the public who are living, working or engaged in normal activity in the vicinity of the premises concerne*

**Signature**



**Date**

12/06/2019

W4

<b>Full name</b>	Ellingham, Harbridge & Ibsley Parish Council.	<b>Title</b>	
<b>Home address</b>	C/o Chairman, Miss L T Burtenshaw		
<b>Email address</b>	lindsay.burtenshaw@ehipc.co.uk		
<b>Phone number</b>	[REDACTED]		

<b>Name of premises you wish to make a representation about</b>	LICPR/10/08167 Budgens, Windmill Service Station
<b>Address of premises you wish to make a representation about</b>	Salisbury Road, Blashford, Ringwood BH24 3PB

<b>Which of the four licensing objectives does your representation relate to?</b>	<b>(✓) Tick</b>	<b>Please add full details of your concerns regarding the application and include any evidence to support your representation.  Please use separate sheets if necessary</b>
<b>Prevention of crime and disorder</b>	Tick	<p>It is a well known fact that alcohol consumption is likely to increase the risk of crime and disorder and therefore the proposal is bound to be detrimental to one of the main licensing objectives.</p> <p>If the 24 hour opening of a garage/shop with the sale of alcohol and refreshments were to be granted, it could set a precedent for more appropriate premises i.e. public houses, to be open 24 hours which might lead to an intolerable and potentially dangerous situation?</p> <p>As a parish council, the safety and security of our residents is paramount in our concerns. This application, if granted, would lead to a failure by all local authorities of their duty to others.</p>
<b>Public safety</b>	Tick	<p>Anti-social behaviour such as increased litter, the threat of burglaries, the potential fire hazards from smoking near the petrol station are all likely to increase if alcohol and refreshments are available for consumption on a 24 hour basis and particularly during the night, after other public</p>

		houses have closed? This would have the effect of leaving local residents feeling vulnerable with a potential lack of their safety and security.
<b>Prevention of public nuisance</b>	Tick	Noise: Car horns sounding, shouting profanities, lorry deliveries and the movement of equipment, vehicles arriving and leaving, revving of engines.  Light: 24 hour illuminations (otherwise in an area with little or no street lighting) leading to sleep deprivation.
<b>Protection of children from harm</b>	Tick	The availability of alcohol and refreshments on a 24 hour basis could well encourage under-age drinking and maybe the use of illegal substances.  Younger children could also be badly influenced by the example set by adults in any anti-social behaviour.

**All the above concerns are well evidenced by local residents**

**Are there any steps or conditions which the applicant could take or add to the application which would alleviate your concerns?  
If yes – please give details below**

**We wish to see a return to the Licensable Activities and times permitted as set out in the Decision of the NFDC Licensing Sub-Committee on 18<sup>th</sup> June 2009.  
i.e. Supply of Alcohol 08.00 to 23.00 hours Monday to Sunday  
Premises Open to the Public 06.00 to 23.00 Monday to Sunday**

**(It is particularly noted that, at the time, the applicant withdrew their application for 24 hours opening and late night refreshment to alleviate the concerns of objectors.)  
There is no change today in the level of those concerns of residents.**

**Similarly, there have been no changed circumstances or mitigating proposals put forward by the applicant to justify either 24 hour opening or the sales of**

alcohol.

Earlier this year, the premises started to open for 24 hours. This would surely constitute a Change of Use and therefore require (planning) consent?  
We would seek clarification on the legality of these opening hours for the premises, before any decision is taken by the Licensing Authority on any specific retails.

In May 2019 a Minor Variation application was received to vary the opening hours to 24 hours (and provide late night refreshment) so it was already accepted by the applicant that existing opening hours did not extend to 24 hours.

The installation of appropriate low-level lighting and CCTV cameras to protect the security of both the garage and adjoining residential premises outside of authorised opening hours might go some way to alleviate concerns.

If you do make a representation you will be invited to attend a Licensing Sub-Committee meeting where the application will be considered, together with any subsequent appeal proceedings.

<b>Will you be prepared to attending a hearing?</b>	<b>Yes</b>
	Please circle
<b>I acknowledge that my representation will form part of a public document at a hearing, (personal telephone numbers, email addresses and signatures will be redacted)</b>	<b>Please initial</b>
	<b>LTB</b>
<b>Signature LTB</b>	<b>Date. 27/09/19</b>

Licensing Services privacy notice can be viewed on the Council's website at <http://www.newforest.gov.uk/article/18315/Licensing-Services-Privacy-Notice>

**Please return this form along with any additional sheets / supporting information to : [licensing@nfdc.gov.uk](mailto:licensing@nfdc.gov.uk) or post to**

Licensing Manager  
Licensing Services  
Appletree Court  
Beaulieu Road  
Lyndhurst  
SO43 7PA

**Kelly M. Say**

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**From:** Lindsay Burtenshaw <[REDACTED]>  
**Sent:** 27 September 2019 17:17  
**To:** Licensing e-mail address  
**Cc:** Development Control (Dev Control); Environmental & Regulation Administration; Emma Lane; Cllr Emma Lane; Roly Errington; Lindsay Burtenshaw; Cllr Thierry  
**Subject:** Licensing Act 2003 - Variation Premises Licence (S34) Ref: LICPR/10/08167 Budgens, Windmill Service Station BH24 3PB  
**Attachments:** NFDC LICPR - Representation form and guidance V03 051118 (3).doc

Dear Sirs

I am writing on behalf of Ellingham, Harbridge & Ibsley Parish Council in response to your letter dated 30 August and the application received to extend the sales of alcohol to 24 hours, daily off the premises and add the provision of late night refreshment and other amendments to the existing Licence.

The Council strongly object to the proposal of the 24 hour sales of alcohol as it would be likely to violate all of the four licensing objectives and we would ask for a hearing attended by all members of the responsible authorities to consider representations made by us and our residents. I attach the Representation form as required.

It is accepted that Representations can only be made based on the four licensing objectives. However, clarification is first needed as to the legality of the existing Opening Hours as we assume any decision by the Licensing Authority will be based on the Permitted Hours of Opening?

Recently, the premises have started to open for 24 hours. We would ask by what authority this Change of Use is permitted?

By its decision on 18 June 2009 (para 6), the Licensing Sub-Committee ruled:-  
Supply of Alcohol 08.00 to 23.00 hours Monday to Sunday.  
Premises Open to the Public 06.00 to 23.00 Monday to Sunday  
At that time, the applicant "withdrew their application for 24 hour opening and late night refreshment" in order to alleviate the concerns of objectors.

There is no change today in the level of those concerns of residents.

Furthermore, we would ask what has fundamentally changed since 2009 to either justify a 24 hour opening of the premises or to extend the sales of alcohol for night time trading?  
Between the hours of 23.00 and say 06.00, the A338 is a relatively quiet traffic route so consequently this remains a predominantly residential area which should be respected as such.

We would have thought the opening hours of a premises (usually outside the remit of the Licensing Authority) would fall to be decided or curtailed by Development Control; hence a copy of this email to them (and Environmental Health).

Earlier this year, there was a similar application (under the same reference no. but as a S41A Minor Variation) to vary the opening hours to 24 hours and provide late night refreshment. This was refused.



What has changed since May 2019 when the applicant wished to **vary** the opening hours to 24 hours compared to the current application when it is assumed there is an **existing** 24 hour opening time?

In our opinion, none of the circumstances or reasons for objection and representation have changed either since 2009 or since the Minor Variation application in May.

We trust the relevant authorities will take our concerns and objections into account.

Yours faithfully

Cllr Lindsay Burtenshaw (Chairman)