

# Crawley Borough Council

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|--|----------------|----------|
|  | <b>PES/075</b> | <b>A</b> |
|--|----------------|----------|

## Report to Licensing Sub Committee

Monday 23<sup>rd</sup> April 2012

### Application for the grant of a New Premises Licence

For

**'Shell UK Oil Products Limited'**

**Overdene/ Ifield Drive**

**Ifield**

**Crawley**

**West Sussex**

**RH11 0JP**

ANGELA TANNER

**Head of Planning and Environmental Services**

#### **1. Details of Application**

*Reference Documents and Guidance*

1.1 On the 02<sup>nd</sup> March 2012, Shell UK Oil Products Limited submitted an application to the Licensing Authority for the grant of a premises licence in respect of premises at Overdene Drive, Ifield, Crawley. The application was made in accordance with the provisions of the Licensing Act 2003, 'the Act'.

**Appendix A**  
Copy of the Application

1.2 The application is for the supply of alcohol off the premises.

**Appendix A**  
Copy of the Application

1.3 The applicant states in the application that it is intending to promote the four licensing objectives with the steps set out in the operating schedule.

**Appendix A**  
Application Form, Operating Schedule

- |     |   |   |
|-----|---|---|
| 1.4 | The proposed 'Hours Open to the Public' as set out in the application are as follows:-<br><br>Monday – Sunday 07.00hrs – 22.00hrs | Appendix A<br>Application Form<br>Operating<br>Schedule |
| 1.5 | The supply of alcohol is proposed to take place at the premises as follows;-<br>Monday - Sunday 07.00hrs - 22.00hrs               | Appendix A<br>Application Form<br>Operating<br>Schedule |
| 1.7 | The proposed lay-out of premises is contained in the application  | Appendix A<br>Copy of the<br>Application                |

## 2. Consultation

- 2.1 The application was advertised in accordance with legislation and as a result of the consultation process, the following responses were submitted to the Council:

### **Responsible Authorities;**

- 2.2 Planning- No concerns with this application.

- |     |   |   |
|-----|---|---|
| 2.3 | <b><u>Interested Party;</u></b> - The Council received a petition outlining 4 people who agreed with the submissions made within the petition. The Council has determined that all of those signatories are interested parties and as such the petition is a “relevant representation”. | Appendix B<br>Copy of the letter<br>of Petition |
|-----|---|---|

*(Please note: Certain information considered by the Council to be personal information has been redacted from this document.)*

- |     |  |   |
|-----|--|---|
| 2.4 | The letter of representation identified certain matters where the licensing objectives may be compromised if the application was granted. <ul style="list-style-type: none"> <li>• The garage is next door to a school where pupils are constant visitors to the garage where they regularly buy food and drink and 'hang around' Having the attraction of alcoholic drink available will only increase the problems with litter, noise and disruptive behaviour at all times of the day and night.</li> </ul> | Appendix B<br>Copy of the letter<br>of Petition |
|-----|--|---|

- 2.5 No further representations or comments have been received regarding this application including from any other responsible authorities.

## 3 **Background**

- 3.1 Crawley Borough Council (“the Council”) is the relevant licensing authority in relation to any premises within the Borough of Crawley which is to be used for one or more licensable/qualifying activities in

accordance with the Licensing Act 2003 “the Act”.

- 3.2 Pursuant to the Licensing Act 2003 and regulations, an application for a premises licence must be made to the relevant licensing authority and be accompanied by an operating schedule, a plan of the premises to which the application relates in the prescribed form, and, if the licensable activities include the supply of alcohol, by a form of consent given by the individual whom the applicant wishes to be specified in the premises licence as the premises supervisor.
- 3.3 Where the Licensing Authority (“LA”) receives an application for a premises licence in accordance with legislation and no relevant representations are made within the prescribed time, the LA must grant the licence subject only to such conditions as are consistent with the operating schedule accompanying the application and any mandatory conditions.
- 3.4 Where relevant representations are made the licensing authority must hold a hearing to consider them, and, having regard to the relevant representations, take such of the steps (if any) as it considers necessary for the promotion of the licensing objectives.
- 3.5 The steps so mentioned are:-
- (a) To grant the licence subject to the conditions mentioned in the ‘operating schedule’, modified to such extent as the authority considers necessary for the promotion of the licensing objectives, and any mandatory conditions.
  - (b) To exclude from the scope of the licence any of the licensable activities to which the application relates.
  - (c) To refuse to specify a person in the licence as the designated supervisor.
  - (d) To reject the application.

#### 4 **Statutory considerations and Guidance issued by Government**

- 4.1 Section 176 of the Act states that no premises licence has effect to authorise the sale by retail or supply of alcohol on or from excluded premises. In this section ‘excluded premises’ means premises used primarily as a garage or which forms part of premises which are primarily so used. Premises are used as a garage if they are used for the retailing of petrol or derv.

The applicant states the premises is a well established convenience store site traded by Shell UK Oil products Ltd with ancillary fuel sales and provide supporting analytical documentation with the application form.

Appendix A  
Copy of the  
Application

- 4.2 Section 4 of the Act provides that in carrying out its functions, a

S4 of the Licensing

- licensing authority must have regard to its licensing statement made under section 5 of the Act (ie. Crawley Borough Council's policy as summarised above) and to guidance issued by the Secretary of State under section 182. The requirement is therefore binding on all licensing authorities to that extent. Act 2003
- 4.3 However, nothing in the Guidance should be taken as indicating that any requirement of licensing law or any other law may be overridden (including the obligations placed on the authorities under human rights legislation) Some of the relevant sections of the Guidance are set out below. Section 182  
Guidance Para 1.8
- 4.4 Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.
- 4.5 Each application must be considered on its own merits and any conditions attached to licences and certificates must be tailored to the individual style and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed, may be unlawful where they cannot be shown to be necessary for the promotion of the licensing objectives in any individual case. Section 182  
Statutory  
Guidance  
**1.15**
- 4.6 In addition, when considering a new premises licence or following reviews that have identified problems with a particular premises, licensing authorities may consider imposing conditions as appropriate such as preventing customers from taking open containers outside the premises or installing CCTV. However, any conditions imposed must not be aspirational and must be within the control of the licensee. Section 182  
Statutory  
Guidance  
**1.27**
- 4.7 **PUBLIC NUISANCE** Section 182  
Statutory Guidance  
**2.32**
- The Act requires licensing authorities (following receipt of relevant representations) and responsible authorities, through representations, to make judgements about what constitutes public nuisance and what is necessary to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities focus on impacts of the licensable activities at the specific premises on persons living and working (including doing business) in the vicinity that are disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.
- 4.8 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the Act and retains its broad common law meaning. It is important to remember that the Section 182  
Statutory Guidance  
**2.33**

prevention of public nuisance could therefore include low-level nuisance perhaps affecting a few people living locally as well as major disturbance affecting the whole community. It may also include in appropriate circumstances the reduction of the living and working amenity and environment of interested parties (as defined in the Act) in the vicinity of licensed premises.

- |      |   |  |
|------|---|--|
| 4.9  | Conditions relating to noise nuisance will normally concern steps necessary to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time in the evening to more sophisticated measures like the installation of acoustic curtains or rubber speaker mounts. Any conditions necessary to promote the prevention of public nuisance should be tailored to the style and characteristics of the specific premises..  | Section 182<br>Statutory Guidance<br><b>2.34</b> |
| 4.10 | As with all conditions, it will be clear that conditions relating to noise nuisance may not be necessary in certain circumstances where the provisions of the Environmental Protection Act 1990, the Noise Act 1996, or the Clean Neighbourhoods and Environment Act 2005 adequately protect those living in the vicinity of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be necessary. | Section 182<br>Statutory Guidance<br><b>2.35</b> |
| 4.11 | Where applications have given rise to representations, any necessary and appropriate conditions should normally focus on the most sensitive periods. For example, noise from premises usually occurs from mid-evening until either late evening or early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. In certain circumstances, conditions relating to noise in the immediate vicinity of the premises may also prove necessary to address any disturbance anticipated as customers enter and leave.   | Section 182<br>Statutory Guidance<br><b>2.36</b> |
| 4.12 | In the context of preventing public nuisance, it is again essential that conditions are focused on measures within the direct control of the licence holder or club. Conditions relating to public nuisance caused by the anti-social behaviour of customers once they are beyond the control of the licence holder, club or premises management cannot be justified and will not serve to promote the licensing objectives   | Section 182<br>Statutory Guidance<br>2.38        |
| 4.13 | In preparing an operating schedule, the Secretary of State expects applicants to have had regard to the statement of licensing policy for their area. They should also be aware of the expectations of the licensing authority and the responsible authorities about the steps that are necessary for the promotion of the licensing objectives.  | Section 182<br>Statutory Guidance<br>8.41        |
| 4.14 | The steps to be taken should be both realistic and within the control   | Section 182                                      |

of the applicant and management of the premises. If a licence is granted with conditions attached requiring the implementation of such steps, the conditions will be enforceable in law and it will be a criminal offence to fail to comply with them (under section 136 of the Act). As such, it would be wholly inappropriate to impose conditions outside the control of those responsible for the running of the premises.

Statutory Guidance  
8.44

- 4.15 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:
- the steps that are necessary to promote the licensing objectives;
  - the representations (including supporting information) presented by all the parties;
  - the statutory guidance;
  - its own statement of licensing policy.
- 4.16 Conditions which relate to the four licensing objectives could be used where necessary and appropriate to the particular circumstances of an individually licensed premises. It is important that they should not be applied universally and treated as standard conditions irrespective of circumstances.
- 4.17 The conditions that are necessary for the promotion of the licensing objectives should emerge initially from a prospective licensee's or certificate holder's risk assessment which applicants and clubs should carry out before making their application for a premises licence.
- 4.18 The Act requires that licensing conditions should be tailored to the size, style, characteristics and activities taking place at the premises concerned. This rules out standardised conditions which ignore these individual aspects. It is important that conditions are proportionate and properly recognise significant differences between venues.
- 4.19 Licensing authorities should only impose conditions which are necessary and proportionate for the promotion for the licensing objectives. If other existing law already places certain statutory responsibilities on an employer or operator of premises, it cannot be necessary to impose the same or similar duties.

Section 182  
Statutory Guidance  
9.25

Section 182  
Statutory Guidance  
10.5

Section 182  
Statutory Guidance  
10.7

Section 182  
Statutory Guidance  
10.13

Section 182  
Statutory Guidance  
10.15

## 5 Policy considerations

5.1 Members must give due consideration to the merits of each individual case. Attention is drawn to the following sections of the 'Members' Information Pack':

- The Council's Licensing Sub-Committee Hearing Procedure
- Role of Elected Members
- Council's Licensing Policy

Part A  
Part B  
Part C

|     |  |  |
|-----|--|--|
|     | <ul style="list-style-type: none"> <li>LACORS Guidance</li> </ul>  | Part D   |
| 5.2 | The aim of the policy is to promote the licensing objectives set out in the Act whilst securing the safety and amenity of residential communities and facilitating a sustainable entertainment and cultural industry.  | CBC Alcohol Licensing Policy 1.2                           |
| 5.3 | The overriding philosophy of the licensing regime is that there is a presumption that a licence will be granted unless there are compelling reasons to refuse the licence.   | CBC Alcohol Licensing Policy 1.2                           |
| 5.4 | The Council recognises both the needs of residents for a safe and healthy environment in which to live and work and the importance of safe and well run premises.  | CBC Alcohol Licensing Policy 1.7                           |
| 5.5 | The Council recognises that licensing is about control of licensed premises, qualifying clubs and temporary events, within the terms of the Act. The terms and conditions attached to various permissions will be focused on matters which are within the reasonable control of individual licensees and others granted relevant permissions. Accordingly, these matters will centre on the premises and places being used for licensable activities and the vicinity of those premises and places.          | CBC Alcohol Licensing Policy 2.4                           |
| 5.6 | The Policy states that the Council will primarily focus on the direct impact the activities taking place at licensed premises may have on members of the public living, working or engaged in normal activity in the area concerned. Licensing law is not a mechanism for the general control of anti-social behaviour by individuals once they are beyond the reasonable control of the individual, club or business holding a licence, certificate or relevant permission.                                 | CBC Alcohol Licensing Policy 2.5                           |
| 5.7 | The policy is also intended to ensure that the provision of additional opportunities for licensable activities is matched by additional measures enabling the police and responsible authorities to act promptly to maintain public order and safety.  | CBC Alcohol Licensing Policy 2.7                           |
| 5.8 | The policy notes that there is no statutory definition of “public nuisance”. The Council states that it will therefore need to make judgements about what constitutes public nuisance and define the necessary controls. To decide this, Members will focus on whether the likely impact of the licensable activities at the specific premises on persons living and working (including doing business) in the vicinity are disproportionate and unreasonable.   | CBC Alcohol Licensing Policy 2.33                          |
| 5.9 | <p><b>Please note:</b><br/>Applicants are expected to conduct a thorough risk assessment with regards to the licensing objectives when preparing their applications. Any risk assessment to identify necessary measures should consider the individual circumstances of the premises (including local knowledge) and take into account a range of factors including:</p> <ul style="list-style-type: none"> <li>the nature and style of the venue;</li> <li>the activities being conducted there;</li> </ul> | Appendix A (Application Form –Part B) ‘Operating Schedule’ |

- the location; and
- the anticipated clientele

- 5.10 In preparing 'Operating Schedules', the policy states that the Council expects that applicants should have regard to statements of licensing policy published by this authority for the Crawley area. CBC Alcohol Licensing Policy 3.20
- 5.11 The policy also states the Council expects that applicants will seek the views of key responsible authorities before formally submitting applications and having completed drafts of their own operating schedules (after considering the effect on the four licensing objectives). For example, on matters relating to crime and disorder, the police and local authority safety officers and local community groups might be consulted. CBC Alcohol Licensing Policy 3.21
- 5.12 Members will need to incorporate the provisions of the operating schedule into any licence granted by imposing on the licence the provisions of the operating schedule as conditions provided that, if Members believe that it is necessary to modify the provisions of the operating schedule in order to ensure that the licensing objectives are promoted, appropriate modifications or alternative conditions may be drafted and imposed.
- 5.13 If Members believe that the operating schedule fails to promote the licensing objectives in some way, conditions not covered by the provisions of the operating schedule may be drafted and inserted. Members may also exclude elements of the operating schedule which do not promote the licensing objectives by the imposition of negative conditions or conditions otherwise appropriately drafted. Members are reminded, however, that if conditions which do not precisely mirror the operating schedule are to be imposed, the Members must satisfy themselves that appropriate evidence exists to justify the imposition of these conditions.
- 5.14 The only conditions which should be imposed on a premises licence or club premises certificate are those which are necessary and proportionate for the promotion of the licensing objectives. Accordingly, if other existing law already places certain statutory responsibilities on an employer or operator of premises, it cannot be necessary to impose the same or similar duties on the premises licence holder or club. CBC Alcohol Licensing Policy 5.34

## **6 Staffing, Equalities, Financial, and Legal Implications**

- 6.1 There are no extra staffing or financial implications to the Council, save for those in respect of possible appeal(s)
- 6.2 The Council is required to consider the impact any decision may have on an individual's Human Rights, however as the premises licence holder is a company, this does not arise in this review.



- 6.2 The Council is required to consider the impact any decision may have on an individual's Human Rights, however as the premises licence holder is a company, this does not arise in this review.
- 6.3 The Council is required to consider the impact any decision may have on crime and disorder in the area (Section 17, Crime and Disorder Act, 1998) which states as follows:
- (1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent,
- (a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); and
  - (b) the misuse of drugs, alcohol and other substances in its area; and
  - (c) re-offending in its area.

6.4 Where a licensing authority rejects an application for the grant of a premises licence or grants an application subject to conditions, the applicant may appeal against the decision to the local magistrates court.

6.5 The court, on hearing any appeal, may review the merits of the decision on the facts and consider points of law or address both. On determining an appeal, the court may:

Section 182  
Guidance  
paragraph 12.6

- (a) dismiss the appeal;
- (b) substitute for the decision appealed against any other decision which could have been made by the licensing authority; or
- (c) remit the case to the licensing authority to dispose of it in accordance with the direction of the court and make such order as to costs as it thinks fit

## 7 Recommendations

7.1 Having regard to the relevant representations the Sub-Committee must take such of the following steps mentioned (if any) as it considers necessary for the promotion of the licensing objectives:-

Licensing Act 2003  
S18(3)

7.2 **Grant the application subject to:**

Licensing Act 2003  
s18(4)(a)

- (a) **conditions which are consistent with the operating schedule modified to such extent as the authority considers necessary for the promotion of the licensing objectives and**

**(b) any relevant mandatory conditions.**

7.3 **Exclude from the scope of the licence any of the licensable activities to which the application relates.** Licensing Act 2003  
Section 18(4)(b)

**Or,**

7.4 **Refuse to specify a person in the licence as the premises supervisor.** Section 18(4)(c)

**Or,**

7.5 **Reject the application, giving reasons for doing so.** Licensing Act 2003  
Section 18(4)(d)

## 8 **Background Papers**

8.1 All associated paper work regarding this application  
The information pack

Contact Officer:- Mike Lyons Direct Line:- 01293 438698



**Crawley Borough Council**  
**Application for a premises licence**  
**Licensing Act 2003**

For help contact  
[licensing@ Crawley.gov.uk](mailto:licensing@ Crawley.gov.uk)  
 Telephone: 01293438000

\* required information

**Section 1 of 22**

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

|                  |                     |  |
|------------------|---------------------|--|
| System reference | 79157               | This is the unique reference for this application generated by the system.   |
| Your reference   | Shell Ilfield Drive | You can put what you want here to help you track applications if you make lots of them. It is passed to the authority. |

Are you an agent acting on behalf of the applicant?

- Yes       No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

|                        |                               |
|------------------------|-------------------------------|
| * First name           | SHELL UK OIL PRODUCTS LIMITED |
| * Family name          | N/A                           |
| * E-mail               | melissa@lockett.uk.com        |
| Main telephone number  |                               |
| Other telephone number |                               |

Include country code. 01562  
864488

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

Is the applicant:

- Applying as a business or organisation, including as a sole trader  
 Applying as an individual

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

**Applicant Business**

\* Is the applicant's business registered in the UK with Companies House?       Yes       No

|                       |                               |
|-----------------------|-------------------------------|
| * Registration number | 3625633                       |
| * Business name       | SHELL UK OIL PRODUCTS LIMITED |
| * VAT number          | GB      235763255             |
| * Legal status        | Private Limited Company       |

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

Put "none" if the applicant is not registered for VAT.

Continued from previous page...

\* Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

An agent that is a business or organisation, including a sole trader

A sole trader is a business owned by one person without any special legal structure.

A private individual acting as an agent

**Agent Business**

\* Is your business registered in the UK with Companies House?  Yes  No

\* Registration number

\* Business name

If your business is registered, use its registered name.

\* VAT number

Put "none" if you are not registered for VAT.

\* Legal status

Continued from previous page...

|                                 |                                   |   |
|---------------------------------|-----------------------------------|---|
| * Your position in the business | LICENSING COMPLIANCE CO-ORDINATOR |   |
| Home country                    |                                   | The country where the headquarters of your business is located. |
| <b>Agent Registered Address</b> |                                   | Address registered with Companies House.                        |
| * Building number or name       | LOCKETT HOUSE                     |   |
| * Street                        | 13 CHURCH STREET                  |   |
| District                        |                                   |   |
| * City or town                  | KIDDERMINSTER                     |   |
| County or administrative area   |                                   |   |
| * Postcode                      | DY10 2AH                          |   |
| * Country                       | United Kingdom                    |   |

The information given here will be saved and will be pre-filled in future forms.

## Section 2 of 22

### PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

#### Premises Address

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

Address     OS map reference     Description

#### Postal Address Of Premises

|                               |                     |
|-------------------------------|---------------------|
| Building number or name       | SHELL ILFIELD DRIVE |
| Street                        | OVERDENE DRIVE      |
| District                      |                     |
| City or town                  | CRAWLEY             |
| County or administrative area | WEST SUSSEX         |
| Postcode                      | RH11 0JP            |
| Country                       | United Kingdom      |

#### Further Details

|                  |  |
|------------------|--|
| Telephone number |  |
|------------------|--|

Continued from previous page... Non-domestic rateable value of premises (£)

30,000

**Section 3 of 22**

**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

**Confirm The Following**

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

**Section 4 of 22**

**NON INDIVIDUAL APPLICANTS**

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

**Non Individual Applicant's Name**

Name

SHELL UK OIL PRODUCTS LIMITED

Continued from previous page...

**Details**

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

**Section 5 of 22**

Information required for the application of a premises licence for a premises to be used for the supply of alcohol for consumption on the premises

**OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

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

Provide a general description of the premises

*Continued from previous page...*

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.

This is a well established convenience store site traded by Shell UK Oil Products Limited with ancillary fuel sales. The convenience store has a retail area of approximately 560 sq ft. The purpose built store has been designed to serve both the local community along with passing trade. The convenience store is operated by the Manager who is also the DPS, assisted by a team of full time staff. The Designated Premises Supervisor, is trained and certified through an accredited scheme and is responsible for training all staff utilising the Lockett & Co Due Diligence pack-and keeping complete training records. The Challenge 25 trading initiative is used supported by the refusals system with records kept in the Refusals Log. The internal digital CCTV system benefits from a recorder with 31 day image retention. Recordings can be made available to Police and other enforcement agencies as needed.

**Section 6 of 22**

**PROVISION OF PLAYS**

Will you be providing plays?

Yes  No

**Section 7 of 22**

**PROVISION OF FILMS**

Will you be providing films?

Yes  No

**Section 8 of 22**

**PROVISION OF INDOOR SPORTING EVENTS**

Will you be providing indoor sporting events?

Yes  No

**Section 9 of 22**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will you be providing boxing or wrestling entertainments?

Yes  No

**Section 10 of 22**

**PROVISION OF LIVE MUSIC**

Will you be providing live music?

Yes  No

**Section 11 of 22**

**PROVISION OF RECORDED MUSIC**

Will you be providing recorded music?

Yes  No

**Section 12 of 22**

**PROVISION OF PERFORMANCES OF DANCE**

Will you be providing performances of dance?



Continued from previous page...

Yes

No

**Section 13 of 22**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes

No

**Section 14 of 22**

**PROVISION OF FACILITIES FOR MAKING MUSIC**

Will you be providing facilities for making music?

Yes

No

**Section 15 of 22**

**PROVISION OF FACILITIES FOR DANCING**

Will you be providing facilities for dancing?

Yes

No

**Section 16 of 22**

**PROVISION OF FACILITIES FOR ENTERTAINMENT OF A SIMILAR DESCRIPTION TO THOSE PROVIDED FOR MAKING MUSIC OR DANCING**

Will you be providing facilities similar in nature to those provided for making music or dancing?

Yes

No

**Section 17 of 22**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Yes

No

**Section 18 of 22**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

Yes

No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

WEDNESDAY

|       |                                    |     |                                    |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="07:00"/> | End | <input type="text" value="22:00"/> |
| Start | <input type="text"/>               | End | <input type="text"/>               |

THURSDAY

|       |                                    |     |                                    |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="07:00"/> | End | <input type="text" value="22:00"/> |
| Start | <input type="text"/>               | End | <input type="text"/>               |

FRIDAY

|       |                                    |     |                                    |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="07:00"/> | End | <input type="text" value="22:00"/> |
| Start | <input type="text"/>               | End | <input type="text"/>               |

SATURDAY

|       |                                    |     |                                    |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="07:00"/> | End | <input type="text" value="22:00"/> |
| Start | <input type="text"/>               | End | <input type="text"/>               |

SUNDAY

|       |                                    |     |                                    |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="07:00"/> | End | <input type="text" value="22:00"/> |
| Start | <input type="text"/>               | End | <input type="text"/>               |

Will the sale of alcohol be for consumption:

- On the premises       Off the premises       Both

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

State any seasonal variations

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

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

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

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

Continued from previous page...

**Name**

First name

Family name

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 19 of 22**

**ADULT ENTERTAINMENT**

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

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

NONE

**Section 20 of 22**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

Continued from previous page...

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

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

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

Continued from previous page...

**Section 21 of 22**

**LICENSING OBJECTIVES**

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

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

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

PLEASE SEE THE ATTACHED DOUCMENT TO THIS APPLICATION CALLED LOCKETTS GENERAL CONDITIONS.

b) The prevention of crime and disorder

PLEASE SEE THE ATTACHED DOUCMENT TO THIS APPLICATION CALLED LOCKETTS GENERAL CONDITIONS.

c) Public safety

PLEASE SEE THE ATTACHED DOUCMENT TO THIS APPLICATION CALLED LOCKETTS GENERAL CONDITIONS.

d) The prevention of public nuisance

PLEASE SEE THE ATTACHED DOUCMENT TO THIS APPLICATION CALLED LOCKETTS GENERAL CONDITIONS.

e) The protection of children from harm

PLEASE SEE THE ATTACHED DOUCMENT TO THIS APPLICATION CALLED LOCKETTS GENERAL CONDITIONS.

**Section 22 of 22**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Premises Licence Fees are determined by the non domestic rateable value of the premises.

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

Band A - No RV to £4300                      £100.00

Band B - £4301 to £33000                      £190.00

*Continued from previous page...*

|                           |          |
|---------------------------|----------|
| Band C - £33001 to £8700  | £315.00  |
| Band D - £87001 to £12500 | £450.00* |
| Band E - £125001 and over | £635.00* |

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

|                           |           |
|---------------------------|-----------|
| Band D - £87001 to £12500 | £900.00   |
| Band E - £125001 and over | £1,905.00 |

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

|                       |            |
|-----------------------|------------|
| Capacity 5000-9999    | £1,000.00  |
| Capacity 10000 -14999 | £2,000.00  |
| Capacity 15000-19999  | £4,000.00  |
| Capacity 20000-29999  | £8,000.00  |
| Capacity 30000-39000  | £16,000.00 |
| Capacity 40000-49999  | £24,000.00 |
| Capacity 50000-59999  | £32,000.00 |
| Capacity 60000-69999  | £40,000.00 |
| Capacity 70000-79999  | £48,000.00 |
| Capacity 80000-89999  | £56,000.00 |

Continued from previous page...

Capacity 90000 and over £64,000.00

\* Fee amount (£)

**ATTACHMENTS**

- Premises plan
- Consent form of premises supervisor

**AUTHORITY POSTAL ADDRESS**

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**DECLARATION**

\* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

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

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

\* Full name

\* Capacity

Date (dd/mm/yyyy)

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

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

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images can be made available upon reasonable request by the Police or other relevant officers of a responsible authority.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken. Training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

A refusals book will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon request.

A Challenge 25 policy will be operated at the premise, acceptable forms of identification are a passport, photocard driving licence and PASS accredited identification card.

Spirits will be located behind the counter.

**b) The prevention of crime and disorder.**

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images can be made available upon reasonable request by the Police or other relevant officers of a responsible authority.

Spirits will be located behind the counter.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken. Training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

**c) Public Safety.**

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images can be made available upon reasonable request by the Police or other relevant officers of a responsible authority.



**d) Prevention of public nuisance.**

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken. Training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

**e) The protection of children from harm.**

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken. Training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

A refusals book will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon request.

A Challenge 25 policy will be operated at the premise, acceptable forms of identification are a passport, photocard driving licence and PASS accredited identification card.

Spirits will be located behind the counter.

**Analysis of Customer Flow Shop v Forecourt**  
**Shell Ilfield Drive, Overdene Drive, Crawley, West Sussex, RH11 0JP.**  
**1st April to 30th June 2011 incl.**



**Analysis of Customer Flow, Shop v Forecourt**  
 Shell Ilfield Drive, Overdene Drive, Crawley, West Sussex, RH11 0JP.  
 Source: Epos - 1st April to 30th June 2011 inclusive

**LICENSING**  
 - 2 MAR 2012

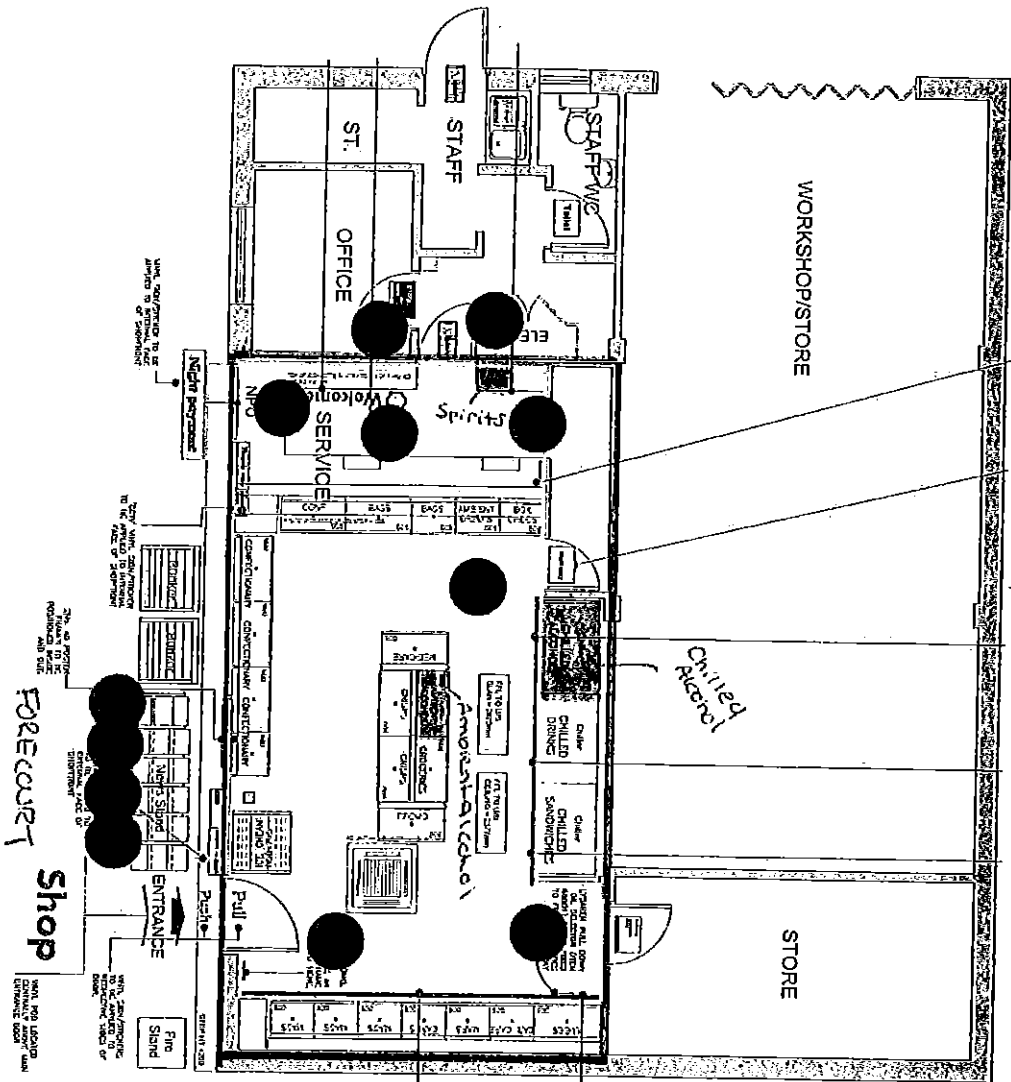
|                             | Shop Only     | Fuel Only    | Total         |
|-----------------------------|---------------|--------------|---------------|
| 1st to 30th April 2011 incl | 33429         | 32102        | 65531         |
| 1st to 31st May 2011 incl   | 34332         | 30132        | 64464         |
| 1st to 30th June 2011 incl  | 38012         | 35296        | 73308         |
| <b>Total</b>                | <b>105773</b> | <b>97530</b> | <b>203303</b> |

**Shell Ifield Drive**  
**Overdene Drive**  
**Crawley**  
**West Sussex**  
**RH11 0JP**

Display of alcohol is to be permitted throughout the store, spirits to be located only behind the counter.

**Key:**

- - Fire extinguisher.
- - CCTV.
- - Fire bucket.
- Area to be licenced for the sale of alcohol for consumption off the premise.



**ARTTELLA**  
LIGHT TOUCH  
LIGHTECHNIBOND PUMP  
FIELD DRIVERS UNIT

Date: March 2012  
Scale: 1:100



14<sup>th</sup> March 2012

Mike Lyons  
Premises Licence Manager  
Crawley Borough Council  
Town Hall  
Crawley  
West Sussex

Dear Mr Lyons,

We the undersigned would like to object to the proposal of alcohol being sold at the Shell Garage on Overdene Drive, Ifield. Crawley

As you know, this garage is next door to a school where pupils are constant visitors to the garage where they regularly buy food and drink and 'hang around'. Having the attraction of alcoholic drink available will only increase the problems with litter, noise and disruptive behaviour at all times of the day and night..

This is a residential area which will be further disrupted by the sale of Alcohol. There are already two shops and 3 public houses in Ifield that sell a wide range and there is no need for a petrol station to sell alcohol.

I look forward to your comments

Yours sincerely,

Eileen Webster

Name: NAZIA SHAKIR Address:

Name: MUHAMMAD SHAKIR Address:

Name: G.S. Bouch Address:

NAME E Webster