

**CITY OF GLOUCESTER**  
**LICENSING SUB-COMMITTEE**

**Meeting: Tuesday, 12th April 2011 at 19:30**  
**Civic Suite, North Warehouse, The Docks, Gloucester, GL1 2EP**

**Membership:** Cllrs. Durrant, C. Witts and Noakes

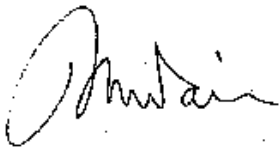
**AGENDA**

- 1. ELECTION OF CHAIR**
- 2. INTRODUCTION AND PROCEDURES**
- 3. DECLARATIONS OF INTEREST**

To receive from Members, declarations as to personal and/or prejudicial interests and the nature of those interests in relation to any agenda item. Please see Notes 1 and 2 overleaf.

- 4. APPLICATION FOR A NEW PREMISES LICENCE FOR ESSO TUFFLEY SERVICE STATION, 387 STROUD ROAD, GLOUCESTER, GL4 0DA (Pages 1 - 60)**

Report by the Group Manager, Environmental Health and Regulatory Services



.....  
**Julian Wain**  
**Chief Executive**

**Notes**

1. A personal interest exists where a decision on a matter would affect to a greater extent than other people in the District:-
  - (a) the well being, financial position, employment or business of the Councillor, their family or any person with whom they had a close association;
  - (b) a body employing those persons, any firm in which they are a partner and any company of which they are directors;

- (c) any corporate body in which those persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
  - (d) the Councillor's registrable financial and other interests.
2. A personal interest becomes a prejudicial interest where a member of the public (who has knowledge of the circumstances) would reasonably regard the Member's personal interest as being so significant that it is likely to prejudice the Councillor's judgement of the public interest.

Please contact Adam Chalmers, Democratic and Electoral Services Manager, Tel. No. 01452 396125/e-mail: [committeesection@gloucester.gov.uk](mailto:committeesection@gloucester.gov.uk) if you have a general query on any agenda item, wish to tender your apologies for absence from the meeting, or would like information on any decision taken by the Council.

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# Gloucester City Council

<b>COMMITTEE</b>	: LICENSING SUB-COMMITTEE
<b>DATE</b>	: 12 APRIL 2011
<b>SUBJECT</b>	: APPLICATION FOR A NEW PREMISES LICENCE FOR TUFFLEY SERVICE STATION, 387 STROUD ROAD, GLOUCESTER, GL4 0DA
<b>WARD</b>	: TUFFLEY
<b>REPORT BY</b>	: GROUP MANAGER, ENVIRONMENTAL HEALTH AND REGULATORY SERVICES
<b>NO. OF APPENDICES</b>	: A: APPLICATION FOR A PREMISES LICENCE FOR TUFFLEY SERVICE STATION, 387 STROUD ROAD BY ROC UK LTD B: SUPPORTING INFORMATION FOR APPLICATION C: PLAN OF PREMISES D: LOCATION MAP OF 387 STROUD ROAD E: REPRESENTATION INTERESTED PARTIES F: PETITION G: EXTRACT FROM S182 GUIDANCE H: LIST OF MANDATORY CONDITIONS
<b>REFERENCE NO.</b>	: ES21113

## 1. PURPOSE OF REPORT

- 1.1 To present to members an application for a new premises licence made under section 17 of the Licensing Act 2003 for Tuffley Service Station, 387 Stroud Road, Gloucester GL4 0DA, received from ROC UK Ltd.

## 2. RECOMMENDATIONS

- 2.1 Having considered the application, any relevant representations, the legislative provisions, the Council's Statement of Licensing Policy and the Home Secretary's Guidance, Members have the following options as considered necessary to promote the Licensing Objectives:

- (a) To accept the application and attach conditions as consistent with the operating schedule.
- (b) To accept the application and modify the conditions of the licence which includes altering, omitting or adding new conditions.
- (c) To reject the whole, or part of the application.

## 3. BACKGROUND

- 3.1 Members are advised that when considering an application for a new premises licence the following options are available to them by virtue of the Licensing Act 2003, Part 3, section 18, paragraphs 3 and 4:

- (3) *'Where relevant representations are made, the authority must -*

- (a) *Hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and*
- (b) *Having regard to the representations, take such of the steps mentioned in subsection (4) (if any) as it considers necessary for the promotion of the licensing objectives.*

(4) *The steps are –*

(a) *To grant the licence subject to: -*

- (i) *The conditions mentioned in subsection (2)(a) modified to such extent as the authority considers necessary for the promotion of the licensing objectives; and*
- (ii) *Any conditions which must under sections 19, 20 or 21 be included in the licence*

- (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 premises supervisor;*
- (d) *To reject the application*

*and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.'*

If none of these steps are required the application must be granted.

3.2 Members should note that this application has policy implications as detailed in section 5 of this report.

3.3 Members are reminded that all applications must be considered on their merits, and that findings on any issues of fact should be on the balance of probability.

#### **4. APPLICATION**

4.1 This is an application for a new premises licence made in accordance with Section 17 of the Licensing Act 2003. The application was received by the Licensing Authority on 16 February 2011 and has been advertised in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

4.2 The premises to which the application relates is described on page four of the application which is attached as **Appendix A**. As can be seen the premises is a convenience store sited on an ESSO forecourt.

4.3 Section 176 of the Licensing Act 2003 provides:

***“176 Prohibition of alcohol sales at service areas, garages etc.***

*(1) No premises licence, club premises certificate or temporary event notice has effect to authorise the sale by retail or supply of alcohol on or from excluded premises.*

(2) In this section “excluded premises” means—

(a) premises situated on land acquired or appropriated by a special road authority, and for the time being used, for the provision of facilities to be used in connection with the use of a special road provided for the use of traffic of class 1 (with or without other classes); or

(b) premises used primarily as a garage or which form part of premises which are primarily so used.”

- 4.4 In order to determine if the premises falls within s176 reference can be made to the intensity of use by customers at the premises. The applicant has provided additional information in support of their application including an analysis of customer flow which can be seen at **Appendix B**.
- 4.5 Following the Section 182 Guidance detailed below and the recent case of *R (on the application of) Murco Petroleum Limited v Bristol City Council* [2010] EWHC 1992 (Admin) it is within the Licensing Authority’s remit to determine the primary use of the premises. In reaching such a decision the Committee may request additional information from the applicant.
- 4.6 The application (**Appendix A**) requests the following licensable activities:
- (a) The provision of late night refreshment (Section L) indoors only from 23:00 hours to 05:00 hours seven days a week, &
- (b) The supply of alcohol (Section M) for consumption off the premises only 24 hours a day, seven days a week, &
- 4.7 The applicant seeks permission for the premises to remain open 24 hours a day, seven days a week.
- 4.8 A plan of the premises and map of the location of the premises are attached as **Appendix C** and **Appendix D** respectively.
- 4.9 The applicant has indicated at Section P the steps they intend to take to promote the licensing objectives.
- 4.10 Four representations were received from interested parties, all are attached at **Appendix E**.
- 4.11 One petition was also received from Mr Richard Sheppard, and can be seen at **Appendix F**. Members will note that a large number of residents who signed the petition did not enter an address and of those that did many could not be said to live within the vicinity of the premises. As with any petition it is important to consider if those signing could be directly affected by the premises should a licence be granted. As Members are aware unlike with individual representations it can be difficult to ascertain from a petition how individual residents who have signed the petition will be directly affected. As such Members will wish to consider the appropriate weight to attach to the concerns raised by the petition, namely noise,

littering and unruly behaviour that it is alleged would result from the grant of the premises licence.

- 4.12 12 representations were rejected as they were not from interested parties.
- 4.13 The applicant and interested parties have been given a Notice of Hearing in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

## 5. THE LICENSING POLICY STATEMENT AND GUIDANCE

- 5.1 Sections 3, 5 and 6 of Gloucester City Council's Licensing Policy Statement outline the authority's policy with regard to the licensing objectives. Section 7 refers specifically to licensing hours.
- 5.2 The relevant parts of the Amended Guidance issued under section 182 of the Licensing Act 2003 (October 2010) by the Home Secretary are Chapter 2, on the four licensing objectives, Chapter 8 on Applications for premises licences, Chapter 10 conditions attached to premises licence, Chapter 13, paragraphs 13.64-13.68 on the relationship between the planning and licensing regimes and Chapter 5, paragraphs 5.23 – 5.25 on garages.
- 5.3 Paragraphs 10.1 to 10.18 deal with the attaching of conditions to licences and state that only necessary, proportionate conditions, which promote the licensing objectives, should be attached to the licence if it is granted. The Licensing Authority may then only impose such conditions as are necessary to promote the licensing objectives arising out of the consideration of the representations. It also states that the pools of conditions that are supplied by the Home Secretary should not be applied universally, irrespective of particular circumstances, but may be used as examples that can be tailored to suit individual premises and particular situations. It is also advised that any conditions the Licensing Authority sees fit to attach to the licence should not replicate any other legislation, such as the Licensing Act 2003 itself, or the Equality Act 2010.
- 5.4 Para 13.65 of the Guidance advises that the planning and licensing regimes involve the consideration of different (albeit related) matters. For instance, whereas licensing considers public nuisance, planning considers amenity. Licensing applications should not therefore be a re-run a planning application. A Licensing Sub-Committee is not bound by a decision of a planning committee.
- 5.5 A premises licence does not relieve the holder from any requirements under planning law. In cases where a planning restriction imposing a terminal hour for a premises has been set and this differs from the hours permitted by a premises licence, the licence holder must observe the earlier time.
- 5.6 Paragraph 2.10 of the authority's Licensing Policy Statement states "*Where relevant representations are received applications will be considered on their individual merits and decisions made in relation to licensing applications will be made entirely separately from any decision in relation to planning.*"
- 5.7 Paragraphs 5.23 to 5.25 of the section 182 Guidance are attached as **Appendix G**. As referred to above the Committee may consider the primary use of the premises. In reaching this decision the committee may request additional information from the

applicant if required. An alternative course of action which is also permissible would be to grant the premises licence irrespective of its primary use. Should it become apparent at a later date that the premises is in fact primarily a garage or forms part of a premises which is primarily a garage the premises licence would cease to have effect with regard to authorising the sale of alcohol (the provision of late night refreshment would not be affected). Any sale of alcohol made from such a time would be unauthorised, and an offence under section 136 of the Licensing Act 2003 would be committed. Enforcement would fall upon the Licensing Authority and Gloucestershire Constabulary.

## **6. CONCLUSIONS**

- 6.1 Members should consider the relevant facts, guidance and representations and make a decision in accordance with the options outlined in paragraph 2.1 of this report.
- 6.2 Members should also be aware of a case heard in the Court of Appeal. *Daniel Thwaites v Wirral Borough Magistrates Court* [2008] EWHC 838 (Admin) concerned an appeal against a decision by the Magistrates to impose restrictions on the hours of operation of a licensed premises without proper evidence and by giving their own views excessive weight. The resulting decision to limit the hours of operation without it having been established that it was necessary to do so in order to promote the licensing objectives was ruled unlawful and the decision was quashed.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 There are no financial implications relating to this report.

## **8. LEGAL IMPLICATIONS**

- 8.1 The Licensing Sub-Committee is asked to consider an application made under Section 17 for a premises licence to be determined under Section 18.
- 8.2 To consider the application, the Sub-Committee must be satisfied:
  - a) the application is properly made.
  - b) the applicant has given proper notice.
  - c) the applicant has satisfied the advertising requirements.
- 8.3 The four licensing objectives must be considered of equal importance and are:
  - a) The prevention of crime and disorder
  - b) Public safety
  - c) The prevention of public nuisance, and
  - d) The protection of children from harm.
- 8.4 The Sub-Committee must, having regard to the application and any relevant representations, decide on any of the options set out in the report at paragraph 2.1 (a)- (c).
- 8.5 Section 176 of the Act deals with the prohibition of the sale of alcohol from, among other things, certain garages that retail petrol. Section 176(1) states

“ no premises licence.....has the effect to authorise the sale of alcohol by retail on or from excluded premises.”

- 8.6 The sale of alcohol under a premises licence relating to premises that is primarily a garage would be an unauthorised licensable activity and liable to a prosecution action under Section 136 of the Act.
- 8.7 It is for the Council to decide whether or not the premises are “used primarily as a garage”. The expectation is the applicants will provide evidence at the hearing to establish that the primary use of the garage is not fuel sales. .
- 8.8 The Sub-Committee has powers to adjourn or carry forward the hearing to additional specified dates.
- 8.9 For the purposes of determining an application, a "relevant representation" means a representation which:
- a) is relevant to one or more of the licensing objectives.
  - b) is made by a responsible authority or an interested party within the prescribed period.
  - c) has not been withdrawn.
  - d) if having been made by an interested party (who is not also a responsible authority), that they are not in the opinion of the Licensing Authority frivolous or vexatious.
- 8.10 For these purposes an “interested party” are those who are living in the vicinity of the application premises and those involved in a business in the vicinity of the application premises.
- 8.11 In deciding what action, if any, it should take, the Sub-Committee Members must direct their minds to the causes and concerns which the relevant representations identify. Any action should generally be directed to these causes and should always be no more than is a necessary and proportionate response. In particular, any detrimental financial impact of the Sub-Committees decision must be necessary and proportionate. The Sub- Committee is required to have regard to the DCMS Guidance when making its decision. However the Guidance does not cover every possible situation, so long as the Guidance has been properly and carefully understood, the Sub-Committee may depart from it if they have reasons to do so. Full reasons must be given for any departure from the DCMS Guidance..
- 8.12 Following the case of Daniel Thwaites v Wirral Borough Magistrates’ Court 2008, referred to in paragraph 6.2 of the report the Sub-Committee needs to avoid:
- a) speculating of what might happen in the absence of evidence that harm would or could happen.
  - b) not paying attention to Government Guidance where failing to follow it requires good reasons to be given
  - c) imposing conditions that do not promote the licensing objectives.
- 8.13 Where the Sub-Committee determines an application it must notify the determination and reasons for making it to:



- a) the applicant.
- b) the person who made the relevant representations.
- c) the Police.

- 8.14 It should be noted by the Sub-Committee that in relation to this application, the Council has a number of roles through Council services. No response to the application has been received from the Environmental Health Pollution Control and Health and Safety Teams, or Development Control.
- 8.15 In considering the application, the Sub-Committee is solely performing the role of Licensing Authority. The Sub-Committee sits in a quasi-judicial capacity and must act impartially. It must offer a fair and unbiased hearing of the application. The Sub-Committee needs to disregard the wider Council objectives and other statutory roles and must direct themselves to making a determination solely based on the licensing law, Guidance and the Council's Statement of Licensing Policy.
- 8.16 As a quasi-judicial body, the Sub-Committee is required to consider the application on its merits. It must take into account only relevant factors and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant.
- 8.17 Under the Human Rights Act 1998, the Sub-Committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision.
- 8.18 The Sub-Committee has a duty under Section 17 of the Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the City.
- 8.19 Interested Parties, Responsible Authorities and the applicant have the right to appeal the Sub-Committee's decision to the Magistrates' Court within a period of 21 days beginning with the day on which they were notified of the decision to be appealed against.

## **9. RISK MANAGEMENT IMPLICATIONS**

- 9.1 There is a right of appeal to the Magistrates' Court for both the applicant and all interested parties. Costs may be awarded against the Council on successful appeal if the Council has not acted reasonably.

## **10. PREDICTIVE IMPACT ASSESSMENTS (EQUALITIES) AND COMMUNITY COHESION**

- 10.1 None.

## **11. OTHER CORPORATE IMPLICATIONS**

- 1. Community Safety

The four licensing objectives of the Licensing Act 2003 are designed to support community safety and are dealt with in the body of the report.

2. Environmental

As above – dealt with in the body of the report.

3. Staffing

None.

4. Trade Union

No comments.

**Background Papers** : Gloucester City Council Licensing Hearing Procedure

**Published Papers** : Licensing Act 2003  
Licensing Act 2003 (Hearings) Regulations 2005  
Gloucester City Council Licensing Policy Statement  
Home Secretary (Home Office) Guidance issued under section 182 of the Licensing Act 2003 (Oct 2010)

**Person to Contact** : Carl Knights  
Tel: 01452 396311  
E-mail: [carl.knights@gloucester.gov.uk](mailto:carl.knights@gloucester.gov.uk)

**Application for a premises licence to be granted  
under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form.  
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We ROC UK LTD

*(Insert name(s) of applicant)*

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description			
TUFFLEY SERVICE STATION 387 STROUD ROAD			
<b>Post town</b>	TUFFLEY	<b>Post code</b>	GL4 0DA
Telephone number at premises (if any)		01452 307984	
Non-domestic rateable value of premises		£43750	

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as  
Please tick yes

- |   |                                     |                             |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals *               | <input type="checkbox"/>            | please complete section (A) |
| b) a person other than an individual *          |                                     |                             |
| i. as a limited company                         | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership                            | <input type="checkbox"/>            | please complete section (B) |
| iii. as an unincorporated association or        | <input type="checkbox"/>            | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/>            | please complete section (B) |
| c) a recognised club                            | <input type="checkbox"/>            | please complete section (B) |
| d) a charity                                    | <input type="checkbox"/>            | please complete section (B) |

- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

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

Please tick yes

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

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

**SECOND INDIVIDUAL APPLICANT** (if applicable)

<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes

Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

**(B) OTHER APPLICANTS**

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

Name	ROC UK LTD
Address	EXXONMOBIL HOUSE ERMYN WAY LEATHERHEAD SURREY KT22 8UX
Registered number (where applicable)	4558828
Description of applicant (for example, partnership, company, unincorporated association etc.)	LIMITED COMPANY
Telephone number (if any)	01372 222000
E-mail address (optional)	

**Part 3 Operating Schedule**

When do you want the premises licence to start?

Day		Month		Year	
1	7	0	3	2	0
				1	1

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

Day		Month		Year	

Please give a general description of the premises (please read guidance note1)

THIS 695 SQ FT (APPROX) CONVENIENCE STORE IS SITED ON AN ESSO FORECOURT TRADING UNDER THE COMPANIES OWN RETAIL FORMAT WITH A RANGE OF FRESH FOODS, GROCERIES, DAIRY PRODUCTS, CONFECTIONERY, SOFT DRINKS AND TOBACCO PRODUCTS ON OFFER. IT SERVES BOTH THE LOCAL COMMUNITY AND THOSE FROM FURTHER AFIELD. PARKING SPACES ARE AVAILABLE ON THE FORECOURT.

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

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

**Provision of regulated entertainment**

**Please tick yes**

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

**Provision of entertainment facilities:**

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

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

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

**In all cases complete boxes N, O and P**

**A**

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

## B

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



**C**

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

**D**

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

**E**

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

**F**

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

## G

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

H

<p><b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)</p>			<p><b><u>Please give a description of the type of entertainment you will be providing</u></b></p>		
Day	Start	Finish	<p><b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><b><u>Please give further details here</u></b> (please read guidance note 3)</p>		
Wed					
Thur					
Fri			<p><b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)</p>		
Sat					
Sun			<p><b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)</p>		

I

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

J

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



K

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


L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23.00	05.00	<b><u>Please give further details here</u></b> (please read guidance note 3) THE PROVISION OF HOT PIES, SAVOURIES, SOUP, HOT DRINKS ETC CONSISTENT WITH A TAKEOUT SERVICE FOR CONSUMPTION ON OR OFF THE PREMISES		
Tue	23.00	05.00			
Wed	23.00	05.00	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4)		
Thur	23.00	05.00			
Fri	23.00	05.00	<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat	23.00	05.00			
Sun	23.00	05.00			

**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)					
Mon	00.00	24.00						
Tue	00.00	24.00						
Wed	00.00	24.00						
Thur	00.00	24.00				<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri	00.00	24.00						
Sat	00.00	24.00						
Sun	00.00	24.00						

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

<b>Name</b> ANDREW DAFYD JONES
<b>Address</b> 
<b>Personal Licence number (if known)</b> GLPER/0671
<b>Issuing licensing authority (if known)</b> GLOUCESTER CITY COUNCIL

**N**

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

NONE

**O**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon	00.00	24.00	<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 5)
Tue	00.00	24.00	
Wed	00.00	24.00	
Thur	00.00	24.00	
Fri	00.00	24.00	
Sat	00.00	24.00	
Sun	00.00	24.00	

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

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

-CCTV SYSTEM WITH RECORDING FACILITIES IN PLACE AT SITE, IMAGES CAN BE MADE AVAILBALE UPON REASONABLE REQUEST BY A RELEVANT OFFICER OF A RESPONSIBLE AUTHORITY.  
-APPROPRIATE STAFF TRAINING TO BE SATISFACTORILY COMPLETED AND RECORDED. TRAINING RECORDS CAN BE MADE AVAILABLE FOR INSPECTION UPON REASONABLE REQUEST BY A RELEVANT OFFICER OF A RESPONSIBLE AUTHORITY.  
-REFUSALS BOOK WILL BE OPERATED AND MAINTAINED.  
-CHALLENGE 25 POLICY WILL BE OPERATED AT THE PREMISES, ACCEPTABLE FORMS OF PROOF OF AGE WILL BE A PASSPORT, A PHOTO CARD DRIVING LICENCE OR PASS ACCREDITED IDENTIFICATION CARD.

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

-CCTV SYSTEM WITH RECORDING FACILITIES IN PLACE AT SITE, IMAGES CAN BE MADE AVAILABLE UPON REASONABLE REQUEST BY A RELEVANT OFFICER OF A RESPONSIBLE AUTHORITY.  
-SPIRITS LOCATED BEHIND THE COUNTER.  
-APPROPRIATE STAFF TRAINING TO BE SATISFACTORILY COMPLETED AND RECORDED. TRAINING RECORDS CAN BE MADE AVAILABLE FOR INSPECTION UPON REASONABLE REQUEST BY A RELEVANT OFFICER OF A RESPONSIBLE AUTHORITY.

**c) Public safety**

-CCTV SYSTEM WITH RECORDING FACILITIES IN PLACE AT SITE, IMAGES CAN BE MADE AVAILABLE UPON REASONABLE REQUEST BY A RELEVANT OFFICER OF A RESPONSIBLE AUTHORITY.

**d) The prevention of public nuisance**

-APPROPRIATE STAFF TRAINING TO BE SATISFACTORILY COMPLETED AND RECORDED. TRAINING RECORDS CAN BE MADE AVAILABLE FOR INSPECTION UPON REASONABLE REQUEST BY A RELEVANT OFFICER OF RESPONSIBLE AUTHORITY.

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

-APPROPRIATE STAFF TRAINING TO BE SATISFACTORILY COMPLETED AND RECORDED. TRAINING RECORDS CAN BE MADE AVAILABLE FOR INSPECTION UPON REASONABLE REQUEST BY A RELEVANT OFFICER OF A RESPONSIBLE AUTHORITY.  
 -REFUSALS BOOK WILL BE OPERATED AND MAINTAINED.  
 -SPIRITS LOCATED BEHIND THE COUNTER.  
 -CHALLENGE 25 POLICY WILL BE OPERATED AT THE PREMISES, ACCEPTABLE FORMS OF PROOF OF AGE WILL BE A PASSPORT, A PHOTO CARD DRIVING LICENCE OR PASS ACCREDITED IDENTIFICATION CARD.

Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

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

**Part 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	<i>S. Clement PP Lockett &amp; Co</i>
Date	11 <sup>TH</sup> FEBRUARY 2011
Capacity	LOCKETT & CO - DULY AUTHORISED AGENTS

**For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent.** (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

<b>Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)</b> LOCKETT & CO LOCKETT HOUSE 13 CHURCH STREET			
<b>Post town</b>	KIDDERMINSTER	<b>Post code</b>	DY10 2AH
<b>Telephone number (if any)</b>	01562 864488		
<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b> info@lockett.uk.com			

### Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything 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, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

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***Premises Licence  
Application***

on behalf of

**ESSO Snack & Shop**

**Tuffley Service Station**

**387 Stroud Road**

**Tuffley**

**Glos**

**GL4 0DA**

## Background History

This is a well established **ESSO** forecourt which has a retail area of approximately 695 sq ft.

## The Shop

This purpose built shop has been designed to serve both the local community and those from further a field, trading as a full convenience store under the company's own format. A range of fresh foods, groceries and other products are offered and the off-licence is an important part of the service that such a store is expected to provide.

## The Operation

The store is operated by the Manager, assisted by a team of staff, many of whom live locally. The Designated Premises Supervisor, is trained and certified through an accredited scheme and is responsible for training all staff and keeping and maintaining ongoing training records utilising the **Off-Licence Training** section. The **Challenge 25** trading initiative is used supported by the refusals system with records kept in the **Refusals Book** to tie in with the CCTV system.

## Security

The **digital CCTV system** benefits from a **recorder** and recordings can be made available to Police if required.

## Tuffley Service Station Forecourt Shop.



Range of goods – Tuffley Service Station

A.



B.



C.



D.



**Retail Trading Area**

695 sq ft (approx.)

**Opening Hours**

Monday	-	00.00 hours to 24.00 hours
Tuesday	-	00.00 hours to 24.00 hours
Wednesday	-	00.00 hours to 24.00 hours
Thursday	-	00.00 hours to 24.00 hours
Friday	-	00.00 hours to 24.00 hours
Saturday	-	00.00 hours to 24.00 hours
Sunday	-	00.00 hours to 24.00 hours

**Summary**

Convenience Trading Format

Off-Licence Training Records

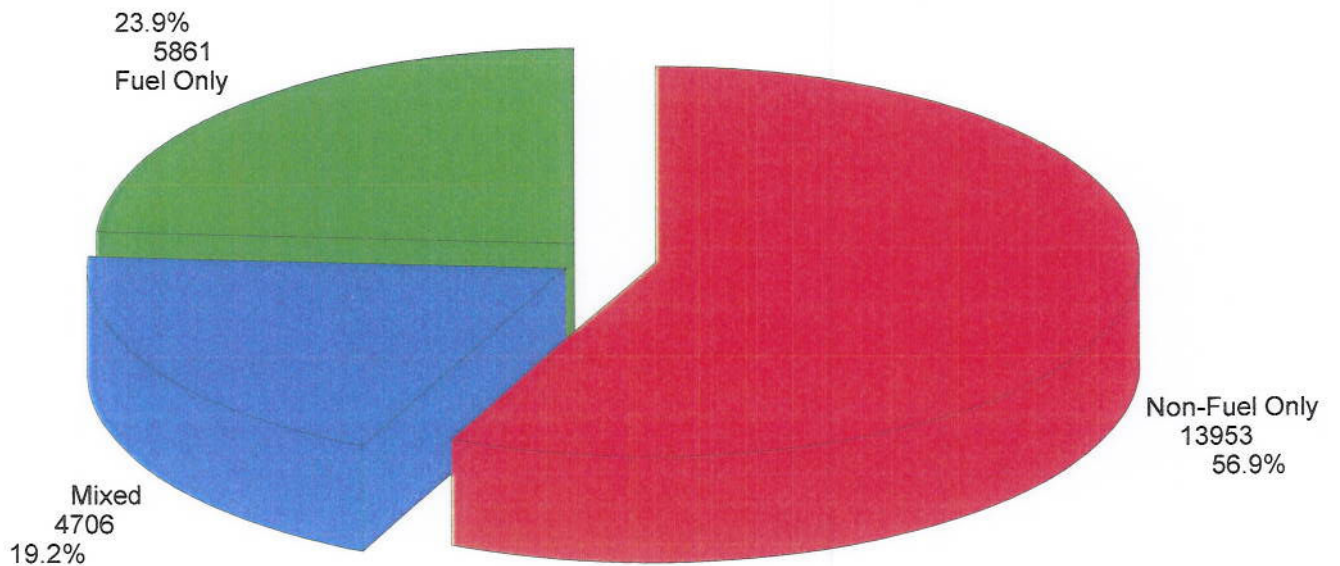
Challenge 25

Refusals Book

CCTV with recorder

# Analysis of Customer Flow - Shop v Forecourt

Tuffley Service Station, Stroud Road, Tuffley, Glos. 1st to 31st December 2010 incl



# Analysis of Customer Flow, Shop v Forecourt

Tuffley Service Station

Source: Epos - 1st to 31st December 2010 incl.

	Non-Fuel Only	Mixed	Fuel Only	Total
1st to 31st December 2010.	13953	4706	5861	24520
<b>Total</b>	<b>13953</b>	<b>4706</b>	<b>5861</b>	<b>24520</b>

# UNDER 25?

- Please be prepared to show proof of age when buying alcohol



[DRINKAWARE.CO.UK](http://DRINKAWARE.CO.UK)





**It is an offence for  
persons under 18  
years to purchase**

**• or attempt to  
purchase alcohol.**

**You could receive  
• a fine of £1000.**



**D-RINKAWARE.CO.UK**





# Lockett & Co

Retail, Licensing & Training Consultants  
[www.lockett.uk.com](http://www.lockett.uk.com)

## PROOF OF AGE CARDS AGE RESTRICTED SALES

*If there is any doubt about a persons age you are required to ask them to prove their age or you must refuse the sale*

*The following forms of ID are acceptable:*

### 1. A Passport

[www.ukpa.gov.uk](http://www.ukpa.gov.uk)



### 2. A Photo Driving Licence

[www.dvla.gov.uk](http://www.dvla.gov.uk)

or

Local Post Office



### 3. A PASS accredited proof of age card e.g.

Citizen Card

[www.citizencard.com](http://www.citizencard.com)

or

Email: [contact@citizencard.com](mailto:contact@citizencard.com)



Validateuk Card

[www.validateuk.co.uk](http://www.validateuk.co.uk)

or

Tel: 01434 634996



**Tuffley Service Station**  
387 Stroud Road  
Tuffley  
Gloucestershire  
GL4 0DA

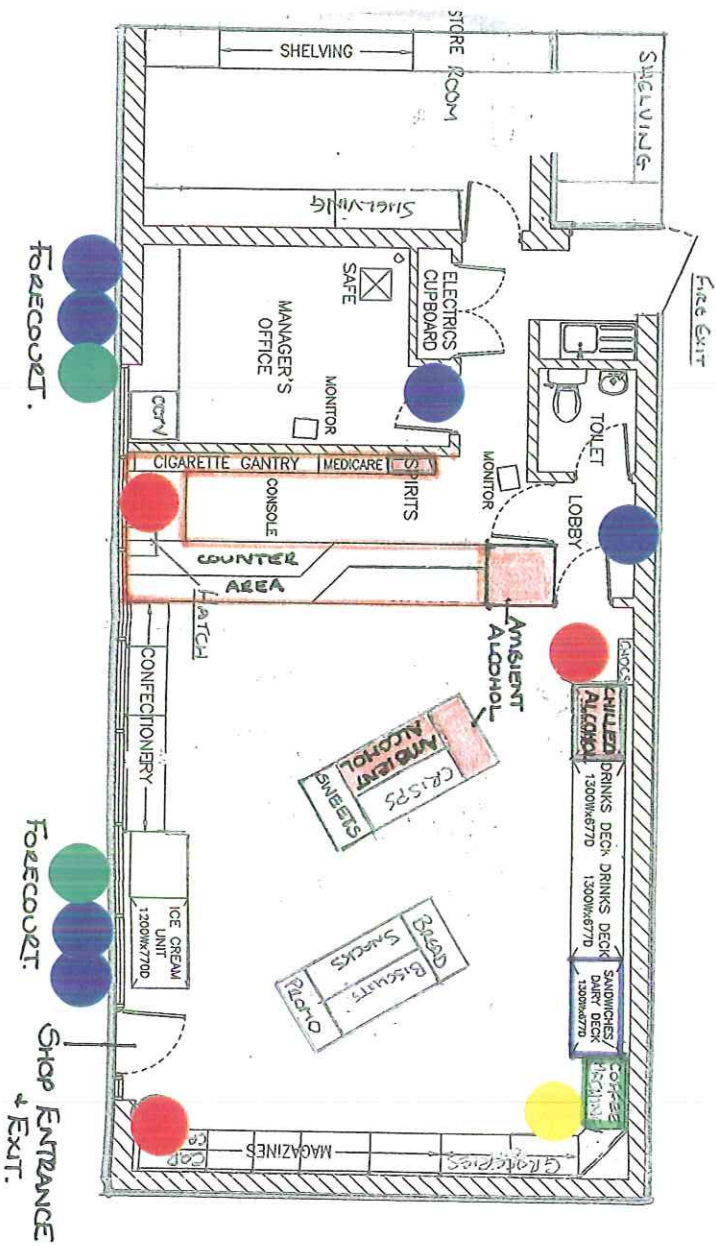
Display of alcohol is to be permitted throughout the store, spirits to be located only behind the counter.

**Late Night Refreshment Key:**

- Point of sale.
- Preparation area.
- Display area.

**Key:**

- Fire extinguisher.
- CCTV.
- Fire bucket.
- Mirror.



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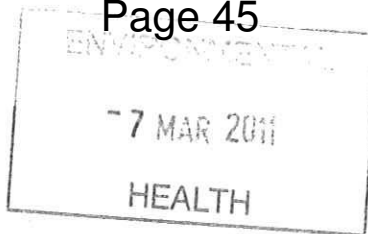




Esso Tuffley Service Station, 387 Stroud Road

St Peter's Catholic high School & Sixth Form Centre

1100214 GUPENG  
100121249559



8 Eardisland Road  
Tuffley  
Gloucester  
GL4 0BZ

2<sup>nd</sup> March 2011

The Licensing Officer  
Gloucester City Council,  
Herbert Warehouse,  
The Docks,  
Gloucester  
GL1 2EQ

Dear Sir/Madam,

**Licence Application submitted by Tuffley Service Station, 387 Stroud Road, Tuffley, Gloucester for: Sale of Alcohol 24 hours per day and late night food between the hours of 11.00 p.m. – 5.00 a.m.**

We most strongly object to the above application and wish our views to be considered when the application is considered.

We already experience disturbance during the night from revellers who are proceeding along Stroud Road as they are drawn to the garage forecourt. If they are further encouraged by the sale of alcohol and food we feel that our lives would be further blighted by increased noise.

We would also anticipate an increase in glass bottles, cans etc. being thrown over the garage wall and into our garden. We recently had an incident of a urine filled plastic bottle being thrown in this way. There would also be an increase in vehicles driving in to buy the alcohol and food which in itself creates further problems, stereo noise, tyre screeching etc.

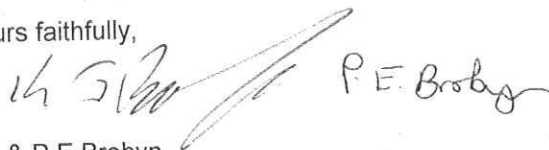
I draw your attention to the extract from the Planning Refusal Documents in connection with a Planning Application submitted in 2002. I believe that the Planning Consultant at the time was actually surprised that the garage was allowed to be open 24 hours per day considering its close proximity to surrounding housing.

To give permission to the current application would cause considerable stress to all residents living in the surrounding houses and we strongly feel that it should be refused.

- 6. In terms of noise and disturbance associated with customers and their vehicles, I saw that the site is adjacent to 389 Stroud Road; also directly overlooked from higher ground by 7 and 8 Eardisland Road. I am aware that the appeal site is located on a busy main road. Nevertheless, I think it likely that local residents would be unacceptably disturbed at times when they would be sleeping by noises associated with the arrival and departure of vehicles and customers or the dispensing of fuel; also on-site illumination and the headlights of cars.
- 7. I appreciate that, at present, the hours of opening are unrestricted. In addition, the appellant is prepared to limit future opening to between 0600 and 2330 hours. Be that as it may, in a mixed residential area such as this, I consider that opening between 0700 and 2300 would better reflect current circumstances and should be sought in any scheme of redevelopment.

We hope that you will bear our concerns in mind when making your decision.

Yours faithfully,

  
P.E. Brobyn

K J & P E Brobyn



# ST. PETER'S CATHOLIC HIGH SCHOOL & SIXTH FORM CENTRE

Stroud Road Tuffley Gloucester GL4 0DD

Tel (01452) 520594  
Fax (01452) 509209  
6th Form Tel (01452) 509249

Headteacher

Lawrence Montagu, OBE, BA



Gloucestershire City Council  
Attn. Becky Tuck  
Herbert Warehouse  
The Docks  
GLOUCESTER  
GL1 2EQ

7 March 2011

Dear Ms Tuck

In response to the request that the Filling Station on Stroud Road, Gloucester, have a licence to sell alcohol 24 hours a day. We are a school two minutes walk from the Filling Station and we have in excess of 800 children over the age of 16. I would respectfully ask the committee that if you are minded to grant a licence, could it be endorsed so that the selling of alcohol is not permitted mid-week until 5.30pm. If this does not happen, I fear that there could be attempted abuse of the system, particularly when students are going home or with our sixth form students when they are allowed out at lunchtime.

Failing your ability to modify selling hours as requested above, I would like to formally object for the reasons mentioned above, if the decision has to be an all or nothing permission.

Yours faithfully

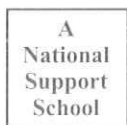
Lawrence Montagu  
Headteacher



Deputy Headteacher  
Philip Rush, BA, MA

Chairman of Governors  
Jim Stenson, MBE, BSc (Hons)

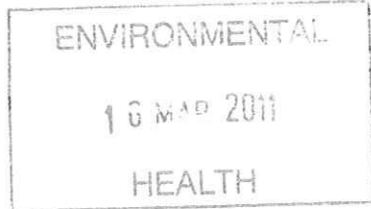
E-mail enquiries@st-petershigh.gloucs.sch.uk  
E-mail head@st-petershigh.gloucs.sch.uk  
E-mail 6thform@st-petershigh.gloucs.sch.uk  
Website www.st-petershigh.gloucs.sch.uk



Maths & Computing







The Fox & Elm  
385 Stroud Road  
Tuffley  
Gloucester  
GL4 0DA

Tel 01452 417278

15<sup>th</sup> March 2011-03-15

To Whom it may Concern,

I am the licensee of the Fox & Elm pub and I am concerned about the garage next door to the pub applying for a 24 hour alcohol licence and hot food I would like to object on the grounds that there is enough problems with people purchasing alcohol for underage drinkers. I can go out and monitor the situation in the pub, how can a person on their own behind a kiosk police the situation?

What about the problem if someone already has had a drink and they decide they want some more and the person behind the kiosk won't serve them because they either haven't got the money or they have had enough alcohol already. I wouldn't like if it was my daughter behind that kiosk in the middle of the night and someone decides they want a drink and can't get it for whatever reason.

What about the temptation of drivers purchasing alcohol.

I think the police have enough on their plate with sorting everyone in Gloucester at the weekends from the nightclubs without taking the situation further out into residential areas which I think will cause problems if they can purchase alcohol very late. I have worked here for ten years and I know the area.

We have at the weekends taxis dropping people off from the nightclubs in the pub car park at all different times during the night.

The temptation would be to continue their party mood, purchase the alcohol and hot food from the garage next door and use my smoking shelter a very short distance from the garage about 20 yards which is just under my bedroom window, and I will have all the mess to clear up and a good chance of some disruption and having to phone the police, and the pub getting the blame.

People do that at the moment during the day purchase sandwiches from the garage and eat them in the smoking shelter which I can police and control, but I would find it very difficult to tolerate it during the night with hot food and alcohol.

120 local people in the pub signed a petition protesting about the garage applying for an alcohol licence on the grounds they didn't want it in the area.

I cannot see the point in letting people purchase cheap alcohol in supermarkets and garages with all the pubs closing down why not keep it condensed in one area.

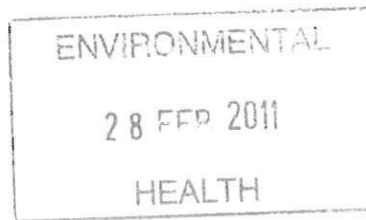
Dick Shepperd brought the petition in to the council along with other names we managed to get when we went around the houses together.

Yours Sincerely

Mrs Ann Ferris

389 Stroud Road  
Gloucester  
GL4 0DA

Gloucester City Council  
Herbert Warehouse  
The Docks, Gloucester  
GL1 2EQ



Feb 22<sup>nd</sup> 2011

Dear Sir

I bought my house in 1951 when all that was next door was a field with a horse in it. Living within the city limits, one has to expect there to be developments.

A filling station was built that added some noise, but it was quite acceptable. When it changed to a twenty four hour operation however, our life became a misery.

It takes the weekend revellers until about 3.30am to stagger their way from the City Centre to Tuffley, by which time they feel the need for more refreshment.

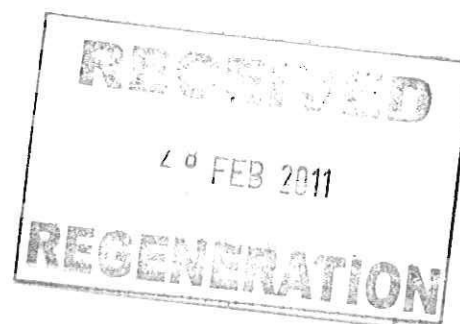
The overnight serving hatch at the petrol station is 15 metres from my bedroom window. My family like to sleep in a warm bed in a cold room, but we have not been able to leave the window open from Thursday to Sunday for the last 10 years, due to the noise.

I anticipate with utter horror what extra commotion and littering will be added if a licence is granted to allow the provision of fast food until 5am and alcohol all night long.

This would extend the chaos that exists in Eastgate Street each weekend into the residential suburb of Tuffley. Surely the City Council should be more concerned in keeping the binge drinking phenomenon to a confined area.

Yours Sincerely

R. W. Sheppard



# PETITION

## ESSO TUFFLEY SERVICE STATION

has applied for a licence to sell alcohol 24 hours a day, 7 days a week.

Please sign below if you think that Tuffley does not need this facility in our residential area, with all the noise, littering and unruly behaviour that will certainly be attracted to the site.

Please write your signature, address or phone number and the date below:

SIGNATURE	ADDRESS OR PHONE NUMBER	DATE
<i>A. Hodges</i> A. HODGES	16, BYBROOK GARDENS 301617.	24-2-2011
<i>S. Lawrence</i> S LAWRENCE	26, CEDARWOOD DRIVE 413615	24/2/2011
<i>John Coulter</i> JOHN COULTER	720443	24.02.11
<i>Malcolm Pouchard</i> MALCOLM POUCHARD	720092	24/2/11
<i>Pete Tiley</i> PETS TILLY	52 FRONT VIEW ROAD 528584	24/2/11.
<i>R. J. Davis</i> ROGER DAVIS	2 KENZM GARDENS CHERTENHAM 61242/703169	24/2/11
<i>Samuel Sills</i> Samuel Sills	5 KEMBLE ROAD TUFFLEY GLOS 545663	6/2
<i>Mark Gibly</i> Mark Gibly	24 KEMBLE CLOSE TUFFLEY GLOS	07500864485
<i>Jim Taylor</i> Jim TAYLOR	07541074891	24-2-11
<i>Pat Lewis</i> Pat Lewis	0452545768	24-2-11
<i>L. Davis</i> L DAVIS	35 BUCHAN DR KINGSWAY	25/2/11
<i>P. Miles</i> PALL MILES	17 GOLDEN CLOSE TUFFLEY GLOS	25/2/11
<i>Matt Crane</i> MATT CRANE	146 TUFFLEY LANE GLOS	25/2/11
<i>C. Crane</i> C. CRANE	WHADDON GARAGE, STROUD ROAD, GLOS.	25/2/11
<i>G. Hughes</i> G. HUGHES	10, WINDRUSH TUFFLEY	25.2.11
<i>J. Merritt</i> J. MERRITT	151 TUFFLEY LANE	25/2/11
<i>E. Hartman</i> E. HARTMAN	7 COLLINSBOURNE ROAD GLOS	25/2/11.
<i>S. Doyle</i> S. DOYLE	16 CORAL CLOSE TUFFLEY GLOS	25/2/11
<i>J. Dunn</i> J. DUNN	7 BOURTON ROAD TUFFLEY.	25/2/11
<i>C. Granger</i> C. GRANGER	3041 STROUD RD TUFFLEY	25/2/11
<i>S. Hughes</i> S. HUGHES	10 Windrush rd 11	11
<i>Emma Jones</i> Emma Jones	31 Bourton Road, Tuffley	25-02-11
<i>C. Jones</i> C. JONES	31 Bourton Rd Tuffley	25-2-11
<i>Nat Cordwell</i> Nat Cordwell	7 Minerva Close, Abbeymead	25/2/11
<i>Paul Lee</i> PAUL LEE	20 AWDRY WAY, TUFFLEY	25/2/11

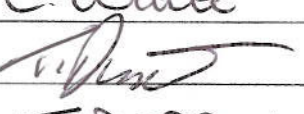
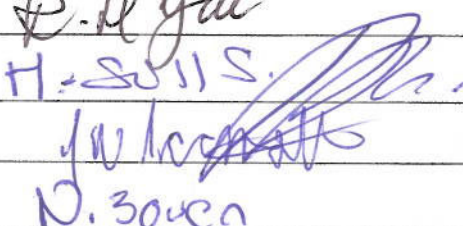
# PETITION

## ESSO TUFFLEY SERVICE STATION

has applied for a licence to sell alcohol 24 hours a day, 7 days a week.

Please sign below if you think that Tuffley does not need this facility in our residential area, with all the noise, littering and unruly behaviour that will certainly be attracted to the site.

Please write your signature, address or phone number and the date below:

SIGNATURE	ADDRESS OR PHONE NUMBER	DATE
Bue Dunn	27 Tuffley Lane GL4 0DT	25-02-11
Lisa Jones	15 Bourton RD Tuffley GL4 0WJ	25-02-11
Y Zolnerovics	15 Bourton RD Tuffley GL4 0WJ	25-02-11
T. Lefle	40- ELMGROVE LONDON	25.2.11
W. Barnard	6. Kendrick Rd. Tuffley	25.2.11
S. Barnard	46. Bourton Rd. Tuffley	25.2.11
ALCOORN	16A Windrush RD Tuffley	25-2-11
Ricardo Deano Brugn Bahajal	5 Robert Rowley Ave Tuff	25-2-11
M. Dooly	14 Fox Elms RD TUFFLEY	25.2.11
C. Waite	14 Fox Elms Rd, Tuffley, Glos	25/2/11
	9 VOICE CLOSE, TUFFLEY, GLOS	25/2/11
J. DURRANT	" " " " "	25/2/11
D. King	25 RISSINGTON rd Tuffley Glos	25/2/11
P. Preston	29 Caledonian rd Watton	25/2/11
Simon King	21 Wincor drive Tuffley Glos	25/2/11
Gary Summers	40 evenlode rd Tuffley GL4 0WJ	25.2.11
John Gakeway	15. Hillborough Rd Tuffley "	25.2.11
D. Wright	66 Birchwood fields "	25.2.11
K. Weatherall	34 Woburn AVE GLOSCESTER	25-2-11
A. Jones	15 Hillborough Rd Tuffley	25/2/11
P. H. Yee	Yew Tree Farm Whadder	25/2/11
H. S. S.	5 Kemble Road, Tuffley	25/2/11
	3 FOLLY CLOSE	26-2-11
N. Bowen	FLAT 2, 28 BYRON AVE	25-2-11
N ALCOORN	26 RISSINGTON	25-2-11




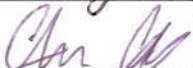
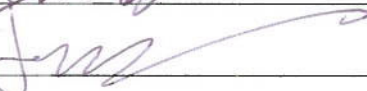


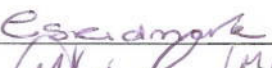
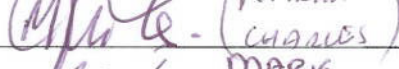


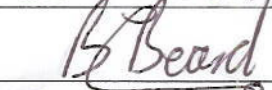


# PETITION

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Please write your signature, address or phone number and the date below;

SIGNATURE	ADDRESS OR PHONE NUMBER	DATE
	01452-528433	26-2-11
Hugh Mansell	16 ROBERT RAKIES AVE.	25-2-11
	26 Cedarwood Drive	25/02/11
P Jones	47 Robert Raikes AV Tuffley	26/02/11
	3 Robert Raikes AV	26/02/11
Mrs Greening	93 THORNSBY AVE TUFFLEY	26/02/11
	5 Lembre Road	26/2/11
	20 COTTESWOLD RD	26/2/11
	10 HOLMWOOD DRIVE GLOS	26/2/11
	68 WOODVALE, KINGSWAY	26/2/11
	Flat 8 Block 1 Barton Rd	26/2/11
 (MARK CHARLES MARK BAKER)	22 LARCHWOOD DRIVE	26, 2, 11
	105 GRANGE RD TUFFLEY	26/2/11
	3 ROBERTS RAKIES AVE "	26/2/11.
T CHARLES	32 LARCHWOOD DRIVE TUFFLEY.	26, 2, 11
D. HUGHES	24 CLACFORD RD "	26/2/11
B Adams	2 Crypt Court Tuffley	11 11
KELLY HUGHES	24 CHACORD RD TUFFLEY	11 11
Simon Evans	30 Bourton Tuffley	26/2/2011
	BACHELORS HALL MITCHELSBAY	28/2/2011
K Price	7 Barton Rd Lunden	28/2/2011
	8 MALLARD CHSE QUENBY	27/02/2011
	53 Forest View Road Tuffley	27/2/11
Avis Bullman	116 Stonechat Avenue, Gloucester	27/2/11

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SIGNATURE	ADDRESS OR PHONE NUMBER	DATE
	15 ROSEBANK, 170 STROUD RD.	27/2/11
	11, DUNEDIN WAY W.S.M	27/2/11
JILL GARDINER	01452 535131	27/2/11
GLORIA BOYCOFF	01452 - 302883	27/02/11
C. BAERNARD	01452 308070	27/02/11.
S. BAERNARD	01452 308070	27/02/11.
M. GARDINER	01452 413158	27/02/11
LORETTA GARDINER		27/02/11
S. Foytke	01452-381233	27/2/11
S. Merritt	01452 534468	28/2/11
M. C.	01452 547409	28 02 11
	01452 546371	28.02.11.
S. TIPPINS	FLAT 12, 1 BARTON RD, TUFFLEY, GLOS.	28.2.11
J. PANTING	SWINDRUSTL RD, TUFFLEY GLOS 540672	28.2.11
M. KENNEDY	SWINDRUSTL RD, TUFFLEY GLOS 540672	28.2.11
M. Ellis	01452 410546	28/2-11
W. Simmonds	01452 502130	28/2/11
M. HAINES	FLAT 12, 1 BARTON RD, TUFFLEY. GLOS	28/2/11
D. Green	01594 860858	28/2/11
L. Barrett	01594 860858	28/2/11
Ruth Innes	01452 618 346	28/2/11.
	<del>01452 546371</del> 01453 763052	28/2/11
James	<del>01452 546371</del> 01452 417278	01/3/11
Alex Hannard	07805120476	02/03/11

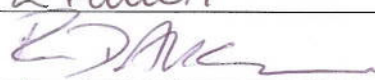
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SIGNATURE	ADDRESS OR PHONE NUMBER	DATE
J. B. Horries	18A ROBERT RAIKES AV TUFFLEY	1-3-11
Mr Longford	25 HOLST WAY TUFFLEY	3-3-11
C. A. WEBB	10, Tennyson Ave	4-3-11
L. Hutton	86 Podsmead Road	4-3-11
	THE CANNAGE, RANDWICK.	4-3-11.
M. KNAPMAN	61 Cecil RD	4-3-11
Jamie Philip chert	local	4-3-11.
Julie Beard	1 The Paddocks, Tuffley	4-3-11.
JP Chandler	GL2 ONA 11	4-3-11
P. Lawrence	GL4 OJR 25	4-3-11
M. Stokes	GL4 OUS.	4-3-11
Paul Stokes	GL4 OUS.	4-3-11
Burden Carter	GL2 ZEL.	4-3-11
Dan. Shaw	GL4 GSF	4-3-11
Nikki Barton	GL14PN 19 Hathorby Road	4-3-11
KARL JONES	GL4 OLD <sup>31 BOURTON ROAD</sup>	4/3/11
CELINA DOULL	" "	4/3/11
RAY CAMERON	GL4 OAB	4/3/11
MICHAEL TEESDALE	GL4 OAE	4-3-2011.
ROGER LAWE	304, STROOD RD GL6	" " "
Phil Thompson	17 CHURCH RD, GL65	7/3/2011
I. D. LLOYD	25 FOREST VIEW ROAD.	7/2/2011

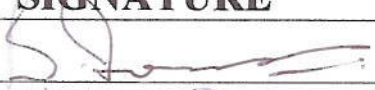
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SIGNATURE	ADDRESS OR PHONE NUMBER	DATE
	01452 522279.	27 <sup>th</sup> Feb. 2011
Richard Sheppard	01452 520077	27-2-11
P. Gordon	2 Woods Orchard Road GL40BT	27-2-11
Bernard Baycott	19, Woods Orchard Rd, GL4 0BU	27-02-11
T.J. Gaffney	18 Woods Orchard Rd.	27-2-11
T. BARNARD	0789432790.	27-2-11
BARNARD	07452 545827.	
K. B. B. B.	391, Stroud Road, Gloucester 07712 679072	27-2-11
John	01452 760851	28-2-11
Don Suter	07749931567	213/11
Wish Turner	10 Severn Ave, 01452 309753	2/3/11
Dave Eley	01452 524893	3/3/11
Linda Mendall	01452 310271	3/3/11
Michael Craymer	0796 667 2205	3/3/11
Margaret Craymer	01452 526143.	3/3/11
K. Y. Bell	01452-538376	3/3/11
K BELL	" "	" "
J. Brown	07842303297.	3/3/11
Sirley Turner	01452 521 369.	3/3/11
John Turner	01452 521 369	3/3/11
MARGARET HAWKINS	01452 522881	3/3/11
E. STONE	23, Stumble Rd	3-3-11
Bertha Stokes	01452 306307	3-3-11
M. S. S.	07875871205	3-3-11





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SIGNATURE	ADDRESS OR PHONE NUMBER	DATE
M. J. P.	119 FINLAY ROAD, GLOUCESTER	12.03.2011
P. Stephens	As above	12.03.2011
L. Am	As above	12.03.2011
S. J. P.	As above	12.03.11
M. G. P.	60 Selwyn Rd GL4 6RZ	- " -
P. M.	As above	12.3.11
C. G. P.	As above	12.3.11

**GARAGES**

- 5.23 Section 176 of the 2003 Act prohibits the sale or supply of alcohol from premises that are used primarily as a garage, or are part of premises used primarily as a garage. Premises are used as a garage if they are used for one or more of the following:
- the retailing of petrol;
  - the retailing of derv;
  - the sale of motor vehicles; and
  - the maintenance of motor vehicles.
- 5.24 The licensing authority must decide whether or not any premises is used primarily as a garage. The approach endorsed so far by the courts is based on intensity of use to establish primary use. For example, if a garage shop in any rural area is used more intensely by customers purchasing other products than by customers purchasing the products or services listed above, it may be eligible to seek authority to sell or supply alcohol.
- 5.25 Where there is insufficient evidence to establish primary use, it is for the licensing authority to decide whether to grant the licence and deal with any issues through enforcement action or to defer granting the licence until the primary use issue can be resolved to their satisfaction.

**LARGE SCALE TIME-LIMITED EVENTS REQUIRING PREMISES LICENCES**

- 5.26 Licensing authorities should note that a premises licence may be sought for a short, discrete period. The 2003 Act provides for the giving of temporary event notices which are subject to various limitations (see Chapter 7 of this Guidance). Any temporary event which is not within these limits, would require the authority of a premises licence if the premises or place is currently unlicensed for the activities involved. For example, this would arise if the event would involve more than 499 attending or if a temporary event notice were given and would result in the limit for individual premises of 12 notices in a calendar year being exceeded.
- 5.27 The procedures for applying for and granting such a licence are identical to those for an unlimited duration premises licence except that it should be stated on the application that the applicant's intention is that the period of the licence should be limited. Licensing authorities should clearly specify on such a licence when it comes into force and when it ceases to have effect. If the sale of alcohol is involved, a personal licence holder must be specified as the designated premises supervisor.
- 5.28 Temporary events may range from relatively small local events, like traditional performances of a play, which may last for five days, to major pop festivals lasting only one day. The largest temporary events may attract huge crowds of over 100,000 people and the risks to public safety and to crime and disorder as well as public nuisance may be considerable.

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**PREMISES LICENCE MANDATORY CONDITIONS**

Where licence authorises supply of alcohol

1. No supply of alcohol may be made under this licence
  - (a) at a time when there is no designated premises supervisor in respect of this licence, or
  - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
2. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.

Where licence authorises the exhibition of films

1. Admission of children (persons aged under 18) to the exhibition of films must be restricted in accordance with any recommendation made by the British Board of Film Classification.

Where door supervisor(s) are employed by way of a licence condition

1. Unless specifically exempted by Section 21(2) of the Licensing Act 2003 any individual who, by virtue of a condition of this licence, must be at these premises to carry out a security activity must be licensed by the Security Industry Authority. "Security activity" means an activity to which paragraph 2(1)(a) of Schedule 2 to the Private Security Industry Act 2001 applies.

Mandatory Licensing Conditions (With effect 6<sup>th</sup> April and 1<sup>st</sup> October 2010)

1.—(1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
  - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
  
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
  
- (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
  - (i) the outcome of a race, competition or other event or process, or
  - (ii) the likelihood of anything occurring or not occurring;
  
- (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

**2.** The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

**3.** The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

**4.—(1)** The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

**5.** The responsible person shall ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml; and

(b) customers are made aware of the availability of these measures.