

**New grant or variation of premises licence  
Or club premises certificate  
Form for representations from Hampshire Constabulary**

Before completing this form, please refer to FPP 07001 (Licensing (Licensing Act 2003))

**Hampshire Constabulary is a responsible authority and wish to make a representation regarding under the Licensing Act 2003, regarding the:**

<input type="checkbox"/> 1: Grant for a personal licence	(Object within 14 days)
<input type="checkbox"/> 2: Grant for a temporary event notice (TEN)	(Object within 3 days)
<input type="checkbox"/> 3: Transfer of a premises licence	(Object within 14 days)
<input type="checkbox"/> 4: Variation of designated premises supervisor	(Object within 14 days)
<input checked="" type="checkbox"/> 5: Grant/Variation of a premises licence/club prem' certificate	(Object within 28 days)
<input type="checkbox"/> 6: Minor variations	(Object within 10 working days)

Name of Applicant:	Shell Garage Goldsmith Avenue
Name of Proposed DPS:	

Details of relevant conviction ( Personal Licence Applications ONLY)

Postal address of premises:	Shell Fratton Goldsmith Avenue Southsea Portsmouth
Postcode:	PO48BH

**Details of responsible authority applicant**

Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other title / Rank:	PC
Surname: Cherry	First Names: Jackie
Current postal address :	Licensing and Alcohol Harm Reduction Team Core 5, Ground Floor Portsmouth Civic Offices Portsmouth Hampshire
Postcode:	PO1 2AL
Daytime telephone number:	██████████
E-mail address: (optional)	jaqueline.cherry ██████████



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Hampshire Constabulary is a responsible authority and the applicant has the delegated authority of the Chief Officer of Police in respect of his responsibilities under the Licensing Act 2003

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This application to object relates to the following licensing objective(s)

- |   |                                     |  |
|---|-------------------------------------|--|
| 1) The prevention of crime and disorder | <input checked="" type="checkbox"/> | <i>Please select<br/>one or more<br/>boxes</i> |
| 2) Public safety                        | <input checked="" type="checkbox"/> |  |
| 3) The prevention of public nuisance    | <input checked="" type="checkbox"/> |  |
| 4) The protection of children from harm | <input checked="" type="checkbox"/> |  |

Please state the ground(s) for representation:

On behalf of the Chief Officer of Police, I am writing to lodge an objection against the proposed new application to allow Shell Garage, Goldsmith Avenue, Portsmouth to hold a 24 hour Licensable premises licence.

I object on the following grounds:

- 1) The prevention of Crime and Disorder
- 2) Public Safety
- 3) The prevention of public nuisance
- 4) The protection of children from harm

The police have concerns that the current Licence holders are unwilling to accept proposed licensing conditions recommended by Hampshire Police Licensing Department onto their premises licence.

Shell Garage Goldsmith Avenue have submitted a new application, (Appendix A) not only requesting that their premises remain open for 24 hours but with the condition that they can carry out Licensable activities throughout this period, whilst having no previous licensable activities at these premises to gage whether or not staff adhere to conditions or not.

Conditions that Hampshire Police Licensing consider appropriate for a 24 hour Licensable premises have been sent via their solicitors Lockett and Co.

To date, after phone calls and further emails to the solicitors amending some of the conditions that the premises themselves have requested, there is still no agreement or acceptance of any of the proposed conditions.

The conditions have been recommended owing to the locality of the premises, (Appendix B) the garage is located on a very busy "A" road between Fratton Station and Portsmouth Football Ground where an extensive amount of football supporters both local and travelling fans journey along to reach their destination.

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On most football days there are large numbers of designated police to try and contain any crime and disorder and antisocial disorder which unfortunately for my representation provides a reduced record of statistics against this road owing to the prevention work involved.

This premises is also located very near to two other Licensed premises, Premises A and Premises B, both premises have extra conditions on their licence owing to the above factors. (Appendix C & D)

In fact Premises A have had their conditions placed on their premises licence by Portsmouth City Council Licensing Committee after a hearing, and in fact these conditions are more impactive then what is being requested on this occasion. I have used these conditions along with Premises B which is a recent premises licence as a bench mark for what the Council expect from their licenced premises within certain areas.

I have attached both a copy of the 1st proposed conditions that have been requested to be added to the new application for Shell garage. (Appendix E) and have also documented directly onto this representation.

1) CCTV

1.a The premises shall have sufficient cameras located within the premises to cover all public areas including outside of the premises covering the entrance and exits.

1.b CCTV warning signs to be fitted in public places.

1.c The CCTV system must be operating at all times whilst the premises are open for licensable activity. All equipment shall have a constant and accurate time and date generation.

1.d The recording system will be able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 28 days.

1.e Records must be made on a weekly basis and kept for inspection to show that the system is functioning correctly and that data is being securely retained.

1.f The DPS or premises manager must be able to demonstrate that the CCTV system has measures to prevent recordings being tampered with, i.e. password protected.

1.g There shall be sufficient members of trained staff at the premises during operating hours to be able to provide viewable copies immediately to police and other enforcement agencies on request when investigating allegations of offences or criminal activity. Any images recovered must be in a viewable digital format. Footage supplied in a digital format will also have a copy of the CCTV system software enabled to allow playback.

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2) Incident book

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

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

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

2.d The Premises Licence Holder shall ensure that the incident log is checked, entries reviewed and signed and dated on a weekly basis.

3) Refusals book

3.a A written log shall be kept of all refusals including refusals to sell alcohol. The Premises Licence Holder shall ensure that the refusals log is checked, signed and dated on a weekly basis.

3.b The refusals log will be kept and maintained at the premises and will be available for inspection immediately upon request by Hampshire Constabulary and any responsible authority.

3.c The record of refusals will be retained for 12 months.

4) Challenge 25

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

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

4.c If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person.

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4.d 'Challenge 25' posters shall be displayed in prominent positions at the premises.

5) Training

5.a Staff will be trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18, the signs and symptoms of drunk persons and the refusal of sale due to intoxication.

5.b. Records will be kept of such training which must be signed and dated by the member of staff who has received that training.

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

5.d In addition to their training a written test related to the training given will be conducted before the staff member is permitted to sell or authorise alcohol. The test will consist of a minimum of ten questions of which the pass rate is 80%. Anyone who fails to reach the prescribed pass rate will be retrained and re-tested. Anyone not attaining the pass rate will not be permitted to sell or authorise the sale of alcohol until the pass rate is attained. There will be a minimum of two sets of questions to be used in the training which will be rotated upon each subsequent six month training session.

5.e All training records will be made immediately available for inspection by Hampshire Constabulary and any responsible Authority upon request. Training records will be kept for a minimum period of two years. Training records will be kept on the licensed premises to which they relate to.

6) Authorisation of supply of alcohol in absence of DPS

6.a. A record will be kept at the premise of any persons that the DPS has authorised to supply alcohol. Further to this when the DPS is absent from the premise a list will be made available stating who will be managing the venue.

7) Single Cans

7.a There shall be no sale of single cans of beer, lager or cider from the premises.

8) High Strength Beer, Lager, Cider

8.a No beers, ciders or lager of 6.5%ABV or over shall be sold by retail, excluding premium products as agreed in writing, in advance with the police licensing team.

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9) Signage & evening sales of alcohol from premises

9.a Signage will be displayed outside the premises informing customers they are not to consume alcohol on the forecourt and asking them to leave the premises quietly.

9.b The entrance door to the shop will be closed to customers between the hours of 23:00 and 06:00. Any sales between these hours will be made through the night pay window.

OR

9.c Between the hours of 2300 and 0600 there will be a minimum of 2 members of staff on duty.

10. Advertising

10.a The premises shall only advertise alcohol outside of the premises in line with its national/head office devised policies and advertising material and there shall be no such advertising material used outside the premises which is devised by employees working and based at the premises.

11. Football and Event Related Conditions

All conditions in this section relate to instances where football matches (as defined in condition 11) and events (as defined in condition 12) are being held at the football stadium known as Fratton Park.

11.a For the purposes of these conditions, a football match must be a designated football match as defined in law, under The Football Spectators (Prescription) Order 2000 (SI 2000/2126) and the Football (Offences) (Designation) Order 2000 (SI 2000/2329).

11.b For the purposes of these conditions, an event will be any regulated entertainment lead event held within the football stadium known as Fratton Park, where the organiser can confirm at least 48 hours before that the attendance will be greater than 5000.

11.c The following conditions will last from 2 hours prior to the advertised start time of the match or event, until 1 hour from the conclusion of the match or event.

11.d Where a relevant football match or event is due to take place, the premises license holder must ensure there is signage at all access and egress points to and from the licensable area. These signs must make it clear that persons attending the match or event will not be served alcohol.

11.e Where a relevant football match or event is due to take place and the police commander (or their authorised representative) makes it clear that the requirements in conditions 11a -11e are to be abided by for that football match or event then, all alcohol sales in the period covered by these conditions will be prohibited. Where this requirement is

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made then the premises license holder must be informed immediately in an agreed way. The only exception to this will be where a sale is part of a larger transaction involving non-alcoholic goods. Any such sale must be authorised by a member of staff deemed by the premises license holder to hold a supervisory position.

11.f The premises license holder will ensure that at all times alcohol is available for sale an SIA licensed security officer will be on duty in the licensable area.

(Appendix F & G) Correspondence received from solicitors advising that their client would prefer their own wording for some of the proposed conditions. Correspondence from Hampshire Police Licensing agreeing these changes; However, Hampshire Police Licensing felt that the new wording wasn't sufficient to support the Licensing Objectives so requested some additional wording to be added where necessary to each condition.

(Appendix H) Applicant also confirmed that the consultation period for this application finishes at Midnight on 2nd February 2017 and that they are happy to continue mediation after this time should it be required.

Mr Lockett, Solicitor contacted Hampshire Police Licensing after representation paperwork produced, and expressed why the football conditions are not required at this time; I am in agreement with him but have asked him to document this so that if the situation alters in the future this can be addressed at this time.

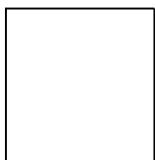
Further communication received from solicitor regarding conditions, however the correspondence still doesn't clarify which conditions their clients propose to accept and which they are not willing to consider. ( Appendix J )

Hampshire Constabulary as a responsible authority request that the above conditions are imposed on the new premises licence for Shell Garage, Goldsmith Avenue and that should the licence be granted without these conditions being imposed, then this will undermine the Licensing Objectives of crime and disorder and public nuisance.

Amendment to Rep.

After speaking with Sgt Snow he has confirmed that he wishes the football conditions to stay on the licence as the reasons given by Mr Lockett for removing them are not factually correct. Mr Lockett is seeking advise from his clients.





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**It is an offence, under section 158 of the Licensing Act 2003 to make a false statement  
in or in connection with this representation**

Police recommendations (including any conditions)

Unfortunately at the time of this objection being raised the Applicant has not committed to any of the proposed conditions.

Signature of Officer Completing

Name Cherry Collar Number: 24272  
Signature: \_\_\_\_\_ Date: 2/2/17

Signature of Authorising Officer

Name \_\_\_\_\_ Collar Number: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_