

Subject: FW: Chobham service station. Update on objections.

From: Juliet Dunsmuir
Sent: 15 March 2017 21:02
To: licensing
Cc: Derek Seekings
Subject: Chobham service station.

Dear Licensing Committee,

Ref: Application for 24 hour alcohol licence at Chobham Petrol Station

I have previously written to state my objection to the application to extend the hours during which alcohol can be sold at the Chobham Petrol Station. As I am unable to attend your hearing [on Monday 20th march](#), I would like to use this opportunity to expand and clarify the reasons for my objection. I trust you will give these due considerations and I urge to reject this application as a direct consequence.

Permission to extend just the opening hours to 24 hours has only recently been granted (on appeal)

The planning application to extend opening hours to 24 hours at this site was originally rejected by committee in March 2016 with the reason for refusal given as:

“by reason of operating at unsocial hours and the associated comings and goings of vehicles, activity and disturbance would result in an unneighbourly form of development that would be harmful to the residential amenity of the adjoining residential properties contrary to Policy DM9 of the Surrey Heath Core strategy Development Management Policies Document 2012 and the National Planning Policy Framework 2012.”

This decision was overturned at Appeal on 19th December 2016 which was three months ago, yet the extended opening hours have still not been implemented. One has to wonder why.

Given the 2 opposing views taken by the original Planning Committee and the Planning Inspectorate – it would seem wise to take a cautious approach to this latest application to vary conditions. It would make sense to delay extending the hours for the sale of alcohol until there is direct incontrovertible evidence of the ACTUAL impact on residential amenities from the extended opening hours. This would also allow the site management a reasonable period of time to train and settle in new staff members.

Anti-social behaviour as a result of late night alcohol sales

At both stages of the planning application, comment was made in reference to the sale of alcohol and the impact this might have anti-social behaviour should extension to opening hours be granted.

The SHBC Planning Officer originally recommended the 24 hour opening for approval, and her reasons for recommendation included this:

"Given also that the licensing hours do not coincide with the extended hours, it is not considered that [the proposal](#) is likely to result in any significant adverse effects on amenity resulting from anti-social behaviour."

In his Appeal Decision of 19th December 2016, Mr Hayden Baugh-Jones wrote:

“I note the concerns regarding alcohol sales from the PFS. However, the hours for selling alcohol are already restricted and are not proposed to change. Therefore the PFS would not attract late night revellers seeking to purchase alcohol after other local establishments had closed.”

It would appear that had the original application to extend opening hours INCLUDED a commitment to extending the sale of alcohol, both planning professionals would have had cause to include less favourable wording in their reports.

Chobham is currently a quiet, peaceful village at night and residents would like it to remain that way. There is no call for the sale of alcohol during the early hours and therefore this provision would be drawing customers into the village from other locations. Permission for Rontec to sell alcohol throughout the night would also set a precedent for other local retailers to extend their hours and sell alcohol [24/7](#) too, further diminishing Chobham's village qualities and residential amenity.

Public Safety

In Rontec's current licence reference is made to the control measures which the premises licence holder must adhere to in relation to the 4 objectives. You will note there are currently 10. The lack of any further steps offered within the application to vary it, makes it apparent that the applicant feels the current measures will suffice. Selling alcohol [at three o'clock](#) in the morning surely requires a more robust approach than that required [at five o'clock](#) in the afternoon. Who determines what the 'adequate' staffing levels described below equate to?

“8. The premises licence holder will at all times maintain adequate levels of staff. Such staff levels will be disclosed, on request, to the licensing authority and police. “

For instance, a lone worker may be acceptable during the early evening when there are other customers on the forecourt, but it would be foolhardy to suggest the same level of staffing would be safe during the quiet night hours, especially if the shop has to be open to allow customers in rather than having a night desk with the protection that that affords.

However, should Rontec suggest that the night pay window will be in use, this raises the concern that “late night revellers” will create a noise disturbance whilst directing the staff around the shop to collect their preferred purchases.

At the time of the original planning committee hearing, representation from a residential neighbour of the site quoted 2 recent occasions where late night assaults on lone staff members had been reported to the police (31/01/16 and 02/02/16). Whilst I am not personally aware of any more recent incidents, it might be considered that adding the element of night time alcohol sales will only fuel the fire and increase the risk of violent or criminal disturbances.

I urge you to refuse this application to vary the premises license currently in place for Chobham Service Station. This would enable the site to move into its permitted trading hours of 24 hours unencumbered by the added concerns of the late night sale of alcohol or refreshments. Should it be clearly proven, after a reasonable period of time that this has had no detrimental effect on the residential amenities of the neighbours, then I believe that Rontec will have a more clearly defined argument for a subsequent application to be approved.

Kind regards

Juliet Dunsmuir