



Western Licensing Unit,  
P O Box 101,  
Guildford,  
Surrey,  
GU1 9PE,

**Licensing Act 2003  
Representation in respect of a  
Premises Licence Application or Variation or a  
Club Premises Certificate Application or Variation.  
And Temporary Event Notice.**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance note at the end of the form. If you are completing this form by hand please print. Please ensure your answers are inside the boxes and written in black ink. You may use additional sheets if necessary. You may wish to keep a copy of the completed form for use by you at any hearing held by the Council or the Magistrates Court as a result of this representation.

**I, the undersigned, hereby make representations against the following application.**

**Details of premises or club premises whose application you wish to make representations against.**

<b>Name of Premises or Club</b> Mytchett SF Connect	
<b>Address of Premises or Club</b>  150 Mytchett Road Mytchett	
<b>Post town</b> Camberley	<b>Post code (if known)</b> GU16 6AE

**Type of application**

	Please tick ✓
<b>Premises Licence application</b>	
<b>Variation to a Premises Licence</b>	X
<b>Club Premises Certificate application</b>	
<b>Variation of a Club Premises Certificate</b>	

## Representor's Details

I am

Please tick one only ✓

1) A person who is not a responsible authority (please complete section (A) below)	<input type="checkbox"/>
2) A responsible authority (please complete section (B) below)	<input checked="" type="checkbox"/>

If you do not fall into one of the above categories you may not be entitled to make representations.

### Section A - DETAILS OF INDIVIDUAL REPRESENTOR (fill in as applicable)

Surname or Family Name
Forenames
Address of where you live (you can give an alternative address for correspondence later in this form)
Daytime Telephone
E-mail address (optional)

### Section B - DETAILS OF RESPONSIBLE AUTHORITY

Name of contact person completing this form <b>Inspector Robert Darkens</b>
Name of Authority <b>SURREY POLICE</b>
Address of Authority <b>P O BOX 101 GUILDFORD SURREY GU1 9PE</b>
Telephone number of contact person <b>01483 - 631786</b>

**Please state the ground(s) for the representation and how it relates to one of the licensing objectives. Please use additional blank sheets if necessary**

Surrey Police are objecting to the variation application on the grounds of crime and disorder

This is the 2<sup>nd</sup> application that has been received by Surrey Police regarding BP requesting a 24 hour alcohol licence for the BP garage situated at 150 Mytchett Road Mytchett Camberley

The garage is still one of the premises that is causing concern to the Surrey Heath Police neighbourhood team due to the high level of crime that occurs on a regular basis from the garage.

The first hearing was on the 19<sup>th</sup> November 2018 and the licensing committee's decision was to grant a temporary licence for 8 months with 2 conditions, the full committee's decision is attached to this representation.

At present the garage is using the temporary licence granted by the licensing committee and can sell alcohol 24 hours daily.

The application before the committee today shows that there is still a high level of crime from the garage and there has been no reduction in the crime at the premises since the committee hearing on the 19<sup>th</sup> November 2018.

Attached to this application is a list of crimes that have occurred at the premises since the 9<sup>th</sup> September 2018 to 19<sup>th</sup> May 2019 total crimes are 75

Make of without payment 54 crimes  
Thefts of goods 21

The Police strongly wish to object to the application on the grounds of crime and disorder as the premises licence holders have failed to reduce the amount of crime being committed at the premises

E-mail address of contact person (optional)

**@surrey.pnn.police.uk**

**This representation relates to the following licensing objectives(s)**

Please tick one or more boxes ✓

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

x

**If your representation does not relate to one of the above objectives your representation will be invalid.**

Please tick ✓

- I understand that this representation may result in a hearing before a Licensing Sub-Committee and if the decision of that Sub-Committee is appealed against, a hearing in the Magistrate's Court.
- I understand that this representation will become a public document and will be included in the agenda for any Licensing Sub-Committee hearing that may be held as a result of this representation.

X
X

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO KNOWINGLY OR RECKLESSLY MAKE A FALSE STATEMENT IN CONNECTION WITH THIS REPRESENTATION. THIS IS PUNISHABLE, ON CONVICTION, BY A FINE OF UP TO £5,000.**

This representation must be signed by:

a person making a representation or

a person authorised to do so by a Responsible Authority.

Signed  ..... Date ..23/5/19.....

Address for correspondence

Contact address for correspondence if different from that given in Sections A, B, or C above.

**11701 RAB CARNIE  
LICENSING ENFORCEMENT OFFICER  
CAMBERLEY POLICE C/O COUNCIL OFFICES  
KNOLL ROAD**

Post town Camberley

Post code GU15 3HD

Daytime Telephone number (if any)

**01483631786**

e-mail address (optional)

**RAB.CARNIE@SURREY.PNN.POLICE.UK**

All representations must be made by sending this form to the Licensing Authority to arrive there during the period of 28 consecutive days starting on the day after the day on which the application to which it relates was given to the Licensing Authority by the applicant. In the case of representations following a closure order this period is 7 days after the day on which the Licensing Authority received the notice under section 165(4) of the Act.

**Representations received outside these time limits will be deemed to be invalid.**

## LICENSING SUB-COMMITTEE – 19 November 2018

### The Application

This is an application by BP Connect for a variation to the premises licence at BP Connect filling station 150 Mytchett Road, Mytchett, Camberley, Surrey GU16 6AE. Representations have been received from one “other persons”.

At the hearing of the application in attendance were:

Mr Eddie Scott

Ms Rebecca Batten (Surrey Heath Solicitor)

Councillor Hutchinson

Councillor Ilnicki

Councillor Pitt

Mr Derek Seekings (Surrey Heath Licensing Officer)

Inspector Rab Carnie – Surrey Police

Mr Peter Savill (Representing Surrey Police)

For the Applicant:

Carl Davidson, BP Connect

Mr Robert Botkai (Applicant’s Solicitor)

### Evidence before the Sub-Committee

Representations have been received from one ‘Other Persons’, namely Mr K Clarke. Mr Clarke was not present at the hearing and his concerns were formally noted and recorded. He did submit a Regulation 8 Notice to this effect. This representation has been accepted by the Committee as read.

Oral representations were made by Mr. Botkai on behalf of the Applicant. The Application was amended to vary the licence on a temporary basis and to include proposals for two conditions to be attached.

Mr. Botkai offered a temporary variation to the licence was proposed for an 8 month period to be subject to a review from 6 months and that an Application for permanent variation of the licence would potentially follow a successful review. Mr. Botkai highlighted that if there was a spike in crime with the new temporary variation to the licence that BP would wish to revert to the original licence conditions as it is a responsible retailer and would not wish to suffer reputational damage. Mr. Botkai stated that BP Connect will robustly promote the four licensing objectives. Mr. Botkai concluded his presentation by requesting the licence be granted or for a temporary grant to be considered with the conditions that should there be a single man on duty the doors must remain closed with a pay window during the extended licencing hours and that if the premises was manned

by two staff, the door was to be opened only if the staff were content during the hours of 0000-0500hrs.

Councillor Ilnicki asked Mr. Botkai to clarify what monetary value constitutes a reportable theft.

Mr. Botkai responded that there was a threshold for reportable theft but this is not public information it is a police matter; however it was not the only concern of BP who did want to see actual crimes reduced, not just statistics.

Councillor Pitt requested to know how the theft of alcohol was tracked as in the time and item that was taken.

Mr. Botkai responded that a member of staff has reported the theft, the time of the occurrence and the value of the theft.

Councillor Pitt requested to know if there was a link to MOWP and theft.

Mr. Botkai did not know any correlation here as the MWOP often do not enter the building.

### **The Decision**

The Licensing Act encourages us to view our powers and responsibilities in the light of the community as a whole. The regime under the Act has a light touch approach to regulation and we carry out functions with a view to promoting the licensing objectives, having regard to the statutory guidance and to the Statement of Licensing Policy.

If the sub-committee is minded to attach any conditions to the proposed temporary licence, these must be appropriate to promote one or more licensing objectives. They must be proportionate in that they are tailored to the activities taking place, the size, location, type and characteristics of the business and do not repeat those which duplicate other statutory provisions.

We will consider the licensing objectives in the following order:

#### **Prevention of Crime and Disorder**

We note the concerns of the 'Responsible Authority' regarding crime and disorder but the Committee are satisfied that no evidence has been provided that this objective will be undermined. The Committee feel that the conditions proposed by the Applicant in the Operating Schedule are adequate to address any concerns and will be enforceable by BP Connect. We are also mindful that any Licence granted can be reviewed under the Act.

#### **The Protection of children from harm**

We have had regard to the Council's Statement of Licensing Policy which states that the Council will have particular regard to the safety of children when considering licence applications. It is a mandatory condition that all premises must have an age verification policy. The existing measures that the applicant operates are more than satisfactory to meet the requirements of the Statement of Licensing Policy and legislation in the Committees opinion.

#### **Public Safety**

There is no evidence before us upon which we can consider that this objective is not likely to be promoted.

### **Prevention of public nuisance**

No objection was raised by Environmental Health as a statutory responsible authority with regards to public nuisance. Whilst the written concerns of 'other persons' have been noted, there is no evidence before us that the premises will create the circumstances to which they refer to.

We therefore grant the Licence subject to the following conditions:

### **Conditions**

We have had regard to whether conditions are appropriate in accordance with the guidance and the licensing policy and note those offered by the Applicant in the operating schedule. In summary, we find it is appropriate to grant the temporary variation to the licence for a period of 8 months, with two conditions attached being:

- 1 If there is only one member of staff on duty between 0000 and 0500, the entrance door to the shop will be closed to customers and any sales between these hours will be made through the night pay window.
- 2 Where there is more than one member of staff on duty between the hours of 0000 and 0500, a remote door lock facility will be in use for all admissions of customers entering the premises and all customers entering the premises will be monitored.

These conditions are consistent with the proposed operating schedule, the wording to be determined by the Licensing Officer and Chairman of the Committee and to be provided to the Applicant within 5 working days.

Variation submitted – Premises Licence may not be up to date

Grading: Green

## Incidents Last year (82) ▼

ID	Date	Time	Incident No	
90869	03/11/2018	14:40	45180117673	MOWP
90833	01/11/2018	17:45	45180116887	MOWP
90787	27/10/2018	15:55	45180114951	MOWP
90728	20/10/2018	13:30	45180112318	MOWP
90730	20/10/2018	15:20	45180112319	MOWP
94381	15/10/2018	21:48	45180110281	MOWP
94380	08/10/2018	13:28	45180107573	MOWP
90570	05/10/2018		45180107573	MOWP
90475	02/10/2018	14:06	45180105340	MOWP
90431	28/09/2018	16:00	45180104164	THEFT ALCOHOL
90390	24/09/2018	18:35	45180102475	MOWP
90389	17/09/2018	21:32	45180102396	MOWP
90260	12/09/2018	22:04	45180098189	THEFT
90388	11/09/2018	19:24	45180102394	MOWP
90227	09/09/2018	17:14	45180096900	MOWP

1 2 3 4 5 6

Add Incident

CRIME - MAKE OFF  
WITHOUT PAYMENT  
▼



Variation submitted – Premises Licence may not be up to date

Grading: Green

**Incidents** Last year (82) ▼

ID	Date	Time	Incident No	
91234	08/12/2018	17:54	45180130698	THEFT
91208	05/12/2018	15:55	45180129495	MOWP
91155	02/12/2018	10:30	45180128395	MOWP
91135	28/11/2018	21:56	45180126867	THEFT ALCOHOL
91136	27/11/2018	22:08	45180126875	THEFT
94385	26/11/2018	22:45	45180126073	MOWP
91111	24/11/2018	17:06	45180126112	MOWP
90954	13/11/2018	17:30	45180119969	MOWP
90955	13/11/2018	16:42	45180119976	MOWP
94384	12/11/2018	19:42	45180120919	MOWP
90956	10/11/2018	12:50	45180120284	MOWP
94382	09/11/2018	15:45	45180119969	MOWP
94383	09/11/2018	15:53	45180119976	MOWP
90959	06/11/2018	19:43	4518012919	MOWP
90886	05/11/2018	15:45	45180118468	THEFT ALCOHOL

1 2 3 4 5 6

Add Incident  
 CRIME – MAKE OFF  
 WITHOUT PAYMENT

Variation submitted – Premises Licence may not be up to date

Grading: Green

**Incidents** Last year (82) ▼

ID	Date	Time	Incident No	
92074	07/02/2019	19:39	45190013953	MOWP
91939	29/01/2019	16:18	45190011084	MOWP
91875	27/01/2019	22:05	45190009658	MOWP
91878	27/01/2019	00:51	45190009705	THEFT
94386	27/01/2019	00:51	45190009707	THEFT
91862	26/01/2019	08:00	45190009310	MOWP
91794	20/01/2019	16:41	45190006951	THEFT
91786	18/01/2019	12:00	45190006305	MOWP
91720	14/01/2019	15:17	45190004750	MOWP
91694	12/01/2019	14:40	45190004030	THEFT
91600	06/01/2019	14:20	45190001938	THEFT
91602	06/01/2019	17:10	45190001977	THEFT ALCOHOL
91649	02/01/2019	19:03	45190003072	MOWP
91648	31/12/2018	10:25	45190003069	MOWP
91387	22/12/2018	14:55	45180135986	MOWP

1 2 3 4 5 6

Add Incident

Variation submitted – Premises Licence may not be up to date

Grading: Green

**Incidents** Last year (75) ▼

ID	Date	Time	Incident No	
93544	19/03/2019	20:10	45190029320	MOWP
93542	17/03/2019	19:53	45190029293	MOWP
92443	12/03/2019	11:37	45190026228	MOWP
92427	10/03/2019	14:00	45190025450	MOWP
92420	09/03/2019	08:00	45190025154	MOWP
92419	08/03/2019	10:45	45190025148	MOWP
92390	06/03/2019	12:19	45190024493	THEFT
92348	04/03/2019	17:10	45190023326	MOWP
92306	28/02/2019	15:32	45190021913	THEFT
92300	26/02/2019	20:58	45190021529	MOWP
92232	24/02/2019	16:39	45190020258	THEFT
92237	21/02/2019	06:50	45190019909	THEFT ALCOHOL
92147	16/02/2019	16:35	45190017317	MOWP
92159	13/02/2019	17:18	45190016277	MOWP
92075	08/02/2019	12:50	45190014289	THEFT

1 2 3 4 5

Add Incident

Variation submitted – Premises Licence may not be up to date

Grading: Green

**Incidents** Last year (75) ▼

ID	Date	Time	Incident No	
94366	19/05/2019	15:40	45190051951	THEFT
94165	03/05/2019	16:13	45190046245	MOWP
94095	30/04/2019	18:30	45190044702	MOWP
94167	30/04/2019	13:43	45190046261	MOWP
93989	19/04/2019	20:45	45190041748	THEFT
93848	13/04/2019	14:55	45190038542	MOWP
93847	12/04/2019	09:25	45190038528	MOWP
93813	10/04/2019	17:40	45190037360	MOWP
93815	10/04/2019	15:25	45190037327	MOWP
93754	05/04/2019	19:50	45190035857	THEFT
93756	05/04/2019	20:32	45190035863	THEFT
93659	28/03/2019	00:00	45190032560	MOWP
93631	26/03/2019	11:35	45190031583	MOWP
93620	24/03/2019	21:10	45190031297	THEFT
93543	19/03/2019	17:13	45190029313	MOWP

1 2 3 4 5

Add Incident