

Licensing Sub-Committee Hearings Meeting

**Council Chamber, Town Hall, High Street,
Colchester, CO1 1PJ**

Friday, 18 November 2016 at 10:00

The Licensing Sub-Committee hears and determines applications made under the Licensing Act 2003. This includes licensing the sale of alcohol and the provision of a variety of licensable activities such as recorded music, stage plays and the showing of films.

Information for Members of the Public

Access to information and meetings

You have the right to attend all meetings of the Council, its Committees and Cabinet. You also have the right to see the agenda, which is usually published 5 working days before the meeting, and minutes once they are published. A complete agenda containing details of all the applications is available for inspection at the Customer Contact Centre, Angel Court. Dates of the meetings are available on the Council's website or from Committee Services (see details at the bottom of the page).

Private Sessions

The Council will not record Licensing Sub-Committee Hearings due to their quasi judicial nature and in view of the personal and confidential information that may be disclosed as part of the proceedings which would not be appropriate to be published. The use of phones, tablets, laptops and other such devices is not permitted at Licensing Sub-Committee Hearings.

Mobile phones, pagers, cameras, audio recorders

Please ensure that all mobile phones and pagers are turned off before the meeting begins and note that photography or audio recording is not permitted.

Access

There is wheelchair access to the Town Hall from St Runwald Street. There is an induction loop in all the meeting rooms. If you need help with reading or understanding this document please take it to Angel Court Council offices, High Street, Colchester or Tel: 282222 or textphone (01206) 282266, and we will try to provide a reading service, translation or other formats you may need.

Facilities

Toilets are located on each floor of the Town Hall. A vending machine selling cold drinks is located on the ground floor.

Evacuation Procedures

Evacuate the building using the nearest available exit. Make your way to the assembly area in the car park in St Runwald Street behind the Town Hall. Do not re-enter the building until the Town Hall staff advise you that it is safe to do so.

Colchester Borough Council, Rowan House, 33 Sheepen Road, Colchester
Tel 282222 or textphone (01206) 282266
e-mail: licensing.committee@colchester.gov.uk
www.colchester.gov.uk

Licensing Sub-Committee Hearing Procedure for Hearings under the Licensing Act 2003

- (1) All questions and statements will be directed through the Chairman.
- (2) The Chairman will at the beginning of the Hearing explain to the parties the procedure to be followed and shall consider any request made by a party for permission for another person to appear at the Hearing.
- (3) The Hearing shall take the form of a discussion led by the Council's representative.
- (4) Cross examination shall not be permitted unless the Sub-Committee considers that cross-examination is required for it to consider the representations, application or notice as the case may be.
- (5) The Chairman of the Sub-Committee may require any person attending the Hearing who in his opinion is behaving in a disruptive manner to leave the Hearing and may:
 - (a) refuse to permit that person to return, or
 - (b) permit him to return only on such conditions as the Sub-Committee may specify.

Provided that any such person may before the end of Hearing submit to the Council in writing any information which they would have been entitled to give orally had they not been required to leave.

- (6) A party who wishes to withdraw any representations they have made may do so:
 - (a) by giving notice to the Council no later than 24 hours before the day or first day on which the Hearing is to be held, or
 - (b) orally at the Hearing.
- (7) The Sub-Committee in considering any representations or notice made by a party may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the Hearing, or with the consent of all other parties, at the Hearing.
- (8) The Sub-Committee shall disregard any information given by a party or any person to whom permission to appear at the Hearing had been given which is not relevant to:
 - (a) their application, representations or notice(as applicable) or in the case of another person, the application representations or notice of the party representing their appearance, and
 - (b) the promotion of the licensing objectives or, in relation to a Hearing to consider a notice given by a chief officer of police, the crime prevention objective.
- (9) If a party has informed the Council that he does not intend to attend or be represented at a Hearing, the Sub-Committee may decide to proceed with the Hearing in his absence.
- (10) If a party has not informed the Council that he does not intend or be represented at a Hearing and fails to attend or be represented at a Hearing, the Sub-Committee may:
 - (a) where it considers it to be necessary in the public interest adjourn the Hearing to a specified date (notice being given forthwith to the parties concerned of the date, time and place to which the Hearing has been adjourned), or

(b) hold the Hearing in the party's absence

Where the Sub-Committee agrees to hold the Hearing in the absence of a party, the Sub-Committee shall consider at the Hearing the application, representations or notice made by that party.

The Council's case:-

- (11) The Chairman will invite the Council's representative to summarise the report relating to the application under consideration.

The Applicant's case:-

- (12) The Applicant and/or representative will begin with their opening remarks and present their case.
- (13) The Applicant's witnesses (if any) will give evidence in support of the Applicant's case.
- (14) The Applicant and/or representative may question the Applicant's witness again to clarify any points which may have arisen.

Submissions from other persons or their representatives and from Responsible Authorities:-

- (15) Each party will present their case.
- (16) Each party's witnesses (if any) will give evidence in support of the party's case.
- (17) Each party and their witnesses may be questioned by the Chairman and members of the Sub-Committee.
- (18) Each party may question their witness again to clarify any points which may have arisen.
- (19) If the Applicant or other parties wish to question each other, questions may be directed through the Chairman.
- (20) Closing Statements may be made by the Applicant and/or representative.
- (21) The Chairman will ask the Legal Advisor whether there is anything else to be raised or settled before the proceedings are closed.

Determination of the application by the Sub- Committee

- (22) The Applicant and/or representative, other persons, Responsible Authorities and the members of the public and the press will leave the room to allow the Sub-Committee to determine the application. During this process the Sub-Committee members may ask for legal advice from the Legal Advisor.
- (23) The Applicant and/or representative, other persons, Responsible Authorities and the members of the public and the press will be invited to return to the room when the Sub-Committee's determination will be announced. Written details of the determination and the grounds upon which it is based will be sent to all parties concerned in accordance with the Hearings Regulations.

COLCHESTER BOROUGH COUNCIL
Licensing Sub-Committee Hearings
Friday, 18 November 2016 at 10:00

Member:

Roger Buston - Member, Nick Cope - Member, Dave Harris - Member

Substitutes:

All members of the Council who are not Cabinet members or members of this Panel who have undertaken the necessary training.

AGENDA - Part A
(open to the public including the press)

Members of the public may wish to note that Agenda items 1 to 5 are normally brief.

1 Appointment of Chairman

To appoint a Chairman for the meeting.

2 Welcome and Announcements

a) The Chairman to welcome members of the public and Councillors and to remind all speakers of the requirement for microphones to be used at all times.

(b) At the Chairman's discretion, to announce information on:

- action in the event of an emergency;
- mobile phones switched to silent;
- the audio-recording of meetings;
- location of toilets;
- introduction of members of the meeting.

3 Substitutions

Members may arrange for a substitute councillor to attend a meeting on their behalf, subject to prior notice being given. The attendance of substitute councillors must be recorded.

4 Declarations of Interest

The Chairman to invite Councillors to declare individually any interests they may have in the items on the agenda. Councillors should consult Meetings General Procedure Rule 7 for full guidance on the registration and declaration of interests. However Councillors may wish to note the following:-

- Where a Councillor has a disclosable pecuniary interest, other pecuniary interest or a non-pecuniary interest in any business of the authority and he/she is present at a meeting of the authority at which the business is considered, the Councillor must disclose to that meeting the existence and nature of that interest, whether or not such interest is registered on his/her register of Interests or if he/she has made a pending notification.
- If a Councillor has a disclosable pecuniary interest in a matter being considered at a meeting, he/she must not participate in any discussion or vote on the matter at the meeting. The Councillor must withdraw from the room where the meeting is being held unless he/she has received a dispensation from the Monitoring Officer.
- Where a Councillor has another pecuniary interest in a matter being considered at a meeting and where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Councillor's judgement of the public interest, the Councillor must disclose the existence and nature of the interest and withdraw from the room where the meeting is being held unless he/she has received a dispensation from the Monitoring Officer.
- Failure to comply with the arrangements regarding disclosable pecuniary interests without reasonable excuse is a criminal offence, with a penalty of up to £5,000 and disqualification from office for up to 5 years.

5 Eastwood SF Connect

9 - 50

See report by the Head of Professional Services

6 Exclusion of the Public (not Scrutiny or Executive)

In accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public, including the press, from the meeting so that any items containing exempt information (for example confidential personal, financial or legal advice), in Part B of this agenda (printed on yellow paper) can be decided. (Exempt information is defined in Section 100I and Schedule 12A of the Local Government Act 1972).

Part B

(not open to the public including the press)

7 **Minutes**

To approve the minutes of the meeting on 9 September 2016

e-mail: democratic.services@colchester.gov.uk
website: www.colchester.gov.uk

Licensing Sub-Committee Item 5	18 November 2016
Eastwood SF Connect	FOR GENERAL RELEASE

Purpose of the Report	To determine an application for a new premises licence, under the Licensing Act 2003, for Eastwood SF Connect.
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1. Application

Applicant and Premises	
Application Type	New Premises (ref M090097)
Applicant	BP Oil Ltd
Premises	Eastwood SF Connect
Premises Address	Ipswich Road, Colchester CO4 0EX
Premises description	Petrol Forecourt Store
Ward	Highwoods

Proposed licensable activities and hours

Supply of alcohol							
On/Off the premises or both			On sales		Off sales		Both
Day	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Start	07.00	07.00	07.00	07.00	07.00	07.00	07.00
End	23.00	23.00	23.00	23.00	23.00	23.00	23.00
Seasonal variations	n/a						
Non-standard timings	n/a						

2. Conditions

Offered on the operating schedule

1. A CCTV system will be installed, or the existing system maintained, such system to be fit for the purpose.
2. The CCTV system shall be capable of producing immediate copies of recordings on site. Copies of recordings will either be recorded on good quality video tape or digitally on to CD/DVD or other equivalent medium.
3. Any recording shall be retained and stored in a suitable and secure manner for a minimum of 28 days and shall be made available, subject to compliance with Data Protection legislation, to the Police for inspection on request.
4. The CCTV system will incorporate a camera covering the entrance door and the alcohol display areas and will be capable of providing an image which is regarded as identification standard. The precise positions of the cameras may be agreed, subject to compliance with the Data Protection legislation, with the Police from time to time.
5. The system will display, on any recording, the correct time and date of the recording.
6. The system will be in place to maintain the quality of the recorded image and a complete audit trail maintained.
7. The CCTV system will be maintained so as to be fully operational throughout the hours that the premises are open for any licensable activity.
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.
9. Adequate waste receptacles for use by customers shall be provided in and immediately outside the premises.
10. The premises licence holder will ensure that an age verification policy will apply to the premises whereby all cashiers will be trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form of identification that complies with any mandatory condition that may apply to this licence.

2. Representations

Local Residents		Appendix 3
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3. Policy Context

Policy references are given for guidance only, they should not be regarded as a substitute for the Policy which contains the necessary detail for all parties in making and determining applications

2.2 The aims of this Licensing Policy are to pursue and promote the licensing objectives by encouraging:

- Desirable destinations for a wide range of age groups
- Licensed premises suitable for the area within which they are located
- Diversity of entertainment throughout the town centre that appeals to a wider audience
- A wide range of uses of premises

2.6 The Licensing Authority considers it extremely important that licensed premises operate as good neighbours within their community. Operators of licensed premises are encouraged to consult with local residents and businesses prior to submitting applications to ensure they are aware of, and can address, any needs or concerns they may have.

2.7 Additionally, existing licensed premises are encouraged to have regular dialogue with residents and businesses in the local area to ensure the promotion of the licensing objectives on an ongoing basis.

2.11 If there is a relevant representation, the application will be considered against the policies and steps taken which are appropriate and proportionate to promote the licensing objectives

2.15 It is acknowledged that conditions can only be imposed that seek to manage the behaviour of customers when they are on the premises and within the control of the licensee or in the immediate vicinity of the premises.

4. Background Information

Information relevant to the licensing and/or operation of the premises

The application in front of the Sub-Committee has been reduced in scale by the applicants and is now in line with the planning consent for the site which permits operating hours of 07.00 to 23.00. Please note the hours and activities now requested are those set out in this report and not those contained in the application at Appendix 1

Representations to the original application were received from local residents, Environmental Control and the Licensing Authority. Following the reduction in hours for the sale of alcohol and the removal of late night refreshment from the application, the Licensing Authority, Environmental Protection and some local residents have withdrawn their representations. The representations contained in the report are from residents who have either expressly indicated that they wish to maintain their objection or from residents who have not indicated whether they wish to withdraw their representation in the light of the amended application.

5. Options available to the Sub-Committee

The Sub-Committee must take such of the following steps as it considers appropriate to ensure the promotion of the licensing objectives –

- Grant the application as requested
- Grant the application whilst imposing additional conditions
- Exclude or reduce the hours of operation of any licensable activities included within the application
- Reject the whole or part of the application

Appendices

Appendix 1	Application
Appendix 2	Premises plan
Appendix 3	Representations

Report Author

John Ruder, Licensing Manager	email jon.ruder@colchester.gov.uk telephone 01206 282840
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**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 BP Oil UK Limited

(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 Eastwood SF Connect Ipswich Road			
Post town	Colchester	Post code	CO4 0EX

Telephone number at premises (if any)	
Non-domestic rateable value of premises	54,000

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 in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ 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)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	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)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	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 BP Oil UK Limited	
Address Registered Office:	Preferred Address:
Chertsey Road Sunbury on Thames Middlesex TW16 7BP	Witan Gate House 500-600 Witan Gate Milton Keynes MK9 1ES
Registered number (where applicable) 00446915	
Description of applicant (for example, partnership, company, unincorporated association etc.) Company	
Telephone number (if any) 0203 683 9969	
E-mail address (optional) N/A	

Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year			
3	0	0	9	2	0	1	6

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

Day		Month		Year			
1	1	1	1	1	1	1	1

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

A petrol forecourt store which is to sell a broad range of groceries, household products and alcohol.

Situated at Eastwood SF Connect, Ipswich Road, Colchester, CO4 0EX.

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) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

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

☒

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

☒

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish			Both <input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur					
Fri			<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> (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri					
Sat			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 (please read guidance note 5)		
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			
Fri			<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> (please read guidance note 5)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed					
Thur			State any seasonal variations for the performance of live music (please read guidance note 4)		
Fri					
Sat					
Sun					
			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 (please read guidance note 5)		

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<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> (please read guidance note 5)		
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri					
Sat			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 (please read guidance note 5)		
Sun					

H

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

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 type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) The provision will take place inside the premises but customers may leave the premises with items purchased.		
Mon	0000	0500			
	2300	2400			
Tue	0000	0500			
	2300	2400			
Wed	0000	0500	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
	2300	2400			
Thur	0000	0500			
	2300	2400			
Fri	0000	0500	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 (please read guidance note 5)		
	2300	2400			
Sat	0000	0500			
	2300	2400			
Sun	0000	0500			
	2300	2400			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (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	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	0600	2400			
Tue	0600	2400			
Wed	0600	2400			
Thur	0600	2400	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 (please read guidance note 5)		
Fri	0600	2400			
Sat	0600	2400			
Sun	0600	2400			

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

Name Carl Davidson	
Address 26 Stamford Road Kettering	
Postcode	NN16 8LH
Personal Licence number (if known) 05CD-34UE-QH8Y-C9DY	
Issuing licensing authority (if known) Kettering Borough Council	

K

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)

The premises will sell other age restricted products.

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4) The opening hours of the store are not a licensable activity and the applicant asks that the hours not be restricted by the premises licence.
Day	Start	Finish	<u>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</u> (please read guidance note 5)
Mon	0000	2400	
Tue	0000	2400	
Wed	0000	2400	
Thur	0000	2400	
Fri	0000	2400	
Sat	0000	2400	
Sun	0000	2400	

M 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)

b) The prevention of crime and disorder

1. A CCTV system will be installed, or the existing system maintained, such system to be fit for the purpose.
2. The CCTV system shall be capable of producing immediate copies of recordings on site. Copies of recordings will either be recorded on good quality video tape or digitally on to CD/DVD or other equivalent medium.
3. Any recording shall be retained and stored in a suitable and secure manner for a minimum of 28 days and shall be made available, subject to compliance with Data Protection legislation, to the police for inspection on request.
4. The CCTV system will incorporate a camera covering the entrance door and the alcohol display areas and will be capable of providing an image which is regarded as identification standard. The precise positions of the cameras may be agreed, subject to compliance with Data Protection legislation, with the police from time to time.
5. The system will display, on any recording, the correct time and date of the recording.
6. A system will be in place to maintain the quality of the recorded image and a complete audit trail maintained.
7. The CCTV system will be maintained so as to be fully operational throughout the hours that the premises are open for any licensable activity.

c) Public safety

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.

d) The prevention of public nuisance

Adequate waste receptacles for use by customers shall be provided in and immediately outside the premises.

e) The protection of children from harm

The premises licence holder will ensure that an age verification policy will apply to the premises whereby all cashiers will be trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form of identification that complies with any mandatory condition that may apply to this licence.

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	Wetherwood LLP
Date	1 September 2016
Capacity	Solicitors duly authorised on behalf of the Applicant

For joint applications signature of 2nd applicant or 2nd 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	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Winckworth Sherwood LLP
(Ref: CVE/88/689/RPB)
Minerva House
5 Montague Close

Post town London

Post code SE1 9BB









Telephone number (if any) 020 7593 0277

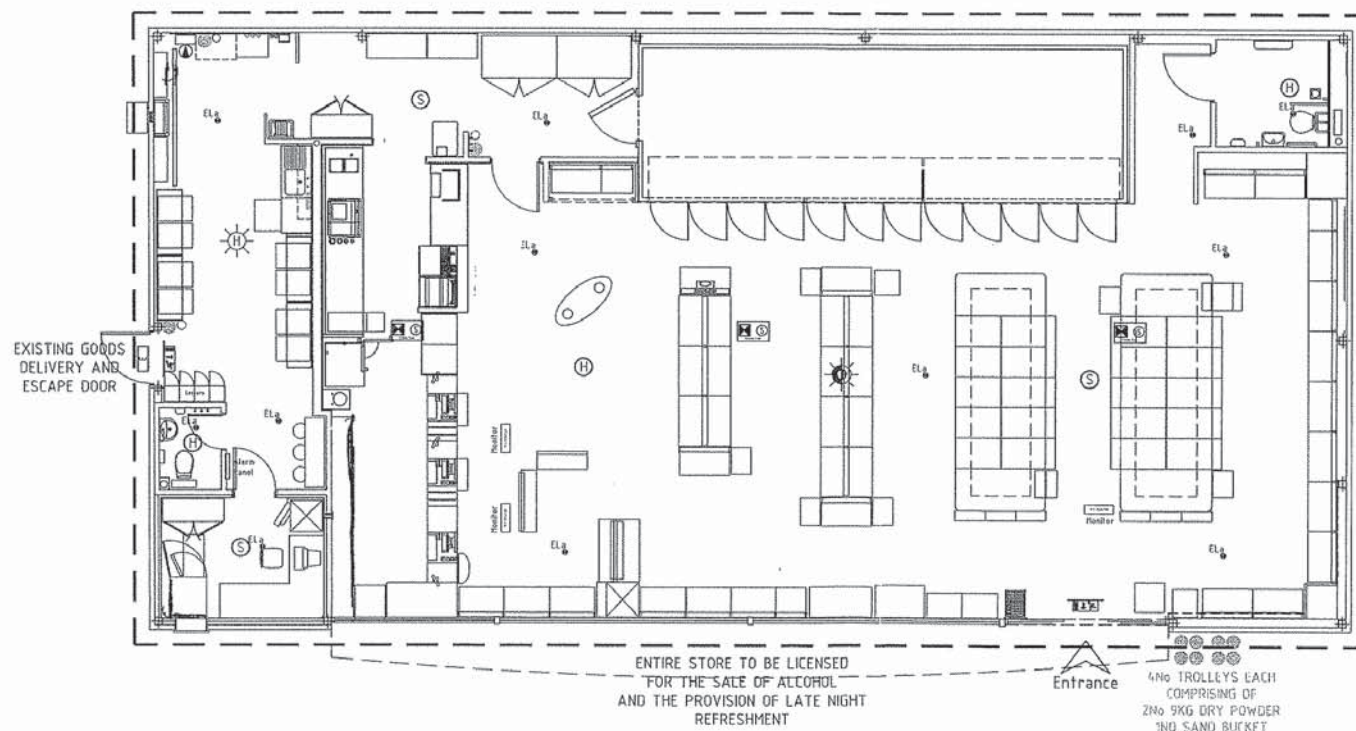
If you would prefer us to correspond with you by e-mail your e-mail address (optional)
cedwards@wslaw.co.uk

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.

EL3 **EMERGENCY LIGHTING**

- | | |
|---|-----------------------------------|
|  | NEW L.C.D. CEILING MONITOR |
|  | POWDER FIRE EXTINGUISHER |
|  | CO FIRE EXTINGUISHER |
|  | FIRE BLANKET |
|  | SMOKE DETECTOR |
|  | HEAT DETECTOR |
|  | EMERGENCY INTERNAL EGRESS SIGNAGE |
|  | EXTERNAL EMERGENCY EGRESS SIGNAGE |



SHOP LAYOUT



SITE O.S. LOCATION MAP 1:2500

NO.	DATE	DESCRIPTION
REVIEWS		
STATUS		PLANNING DRAWING
 <div style="text-align: center;"> BP OIL UK Ltd Asset Development </div>		
BP OIL UK Ltd Asset Development WISAM GATE HOUSE PLOUGH KEVNES HICKS HURV ES Tel no 01908 953000 Fax no 01908 953099		EASTWOOD SF CONNECT WPSWICH ROAD COLCHESTER COA 0EX
DRAWING PL PERALL DATE: AUG 79M CHECKED ECHEND DATE: AUG 79M APPROVED BP LICENSING DATE: AUG 79M CHECKED ECHEND DATE: SCALE: 1:1000	<u>PREMISES LICENSE</u> <u>NEW SHOP LAYOUT</u>	
SCALE DRAWING, UNLESS NOTED TO THE CONTRARY		DRAWING NUMBER <div style="text-align: center; font-size: 1.5em;">15198 - 79 - PL</div> ARCHITECT -
APPROVED FOR AS BUILT		

Sent: 08 September 2016 09:39

To: Licensing.Committee

Subject: Re: Eastwood SF Connect, Ipswich Road, Colchester

OBJECTION TO LICENCE APPLICATION RE: BP OIL LTD, Eastwood SF Connect Service Station, Ipswich Road, Colchester, CO4 0EX

With regards to the above application I wish to object to a licence being granted on the grounds of it being totally unsuitable for this residential area.

The property is a petrol filling station being redeveloped in a residential area & should a licence be granted it would be detrimental to local residence in so far as the probable noise level, safety of residence & property etc, plus the litter which will likely to come from younger or excessive drinkers using this facility which is predominantly a Petrol Station first & foremost.

The Staff on a petrol forecourt are pre occupied with serving the forecourt & attentive to forecourt activity, therefore are unable to handle or concerned by probable actions from purchases of alcohol drinking in the nearby vicinity.

As a local resident [REDACTED] we already have a problem with litter from the existing station + Glass & beer cans both empty & part full being left in the chase during the evening & night.

As a resident of [REDACTED] we all take personal responsibility in collecting this rubbish deposited which will clearly get worse. (It should not be local residence who do this but do so in having a pride in where we live)

Should you grant this application then I would also ask that you advise your street cleaning to alleviate local residence from this already problematic demand by more activity on litter collection from [REDACTED]

[REDACTED] is also a public footpath which is used by local residence in Highwoods & Highwoods Country Park so let keep it a pleasant place to live & visit.

We also do not consider that drinking on the premises should be granted for (Safety of other users & local residence). The application is for 24 Hour opening but the planning approval for the site is restricted to 7am- 11pm!!!

We already have 2 nearby business's who have a licence to sell alcohol (how many are needed? (Tesco Highwood's, & a further one on Ipswich Road itself (by the Railroad bridge)

We also have frequent congregations of people in [REDACTED] @ night & consider with the noise of shouting/swearing etc this is likely to increase the nuisance to residence & people using the chase as a public footpath to get home to the Highwood's area.

In Essence the location & site is unsuitable for granting of a Alcohol Licence & with existing very nearby facilities legitimate alcohol purchases can be made (rather than encourage social drinkers from a petrol forecourt)

Mandy Wood

To: EPS Support
Subject: RE: Ipswich RD BP Garage

[REDACTED]
Sent: 24 September 2016 17:30
To: Licensing Committee
Subject: Ipswich RD BP Garage

Thankyou for contacting me, re my email.
Please find amended email.

I would like the BP garage to be refused a 24 hour license to sell alcohol and refreshments.

My four points for refusal are as follows:

1. There will be more crime and disorder. As people will be hanging around drinking. I have already had a very long pole which went across the wall at the front of the house. Pulled out of the wall, an thrown at my car. The pole is at the side of the driveway now. (photo on request or pop along an see it) This was when the Esso garage was open 24 hours. I never put the pole back as young people were continually being a nuisance. They threw rubbish in the garden. Ripped up plants. Throw things at the car etc. Sit on the grass verge singing, whilst they were drunk. The police didn't want to know.
2. Public Safety. Well, its not safe when drunk idiots are throwing poles at cars. They also wheel spin out the garage late at night. There have been a few near misses. A car hit the bollards, when a young guy wheel spinned out of the garage in front of him. I don't feel safe taking the dog for a walk late at night. Esp when alot of men are around the garage. And they are driving like idiots. I worry in case they mount the pavement and hit either the dog and myself. Or who ever i maybe with.
3. Public Nuisance. Is when people rip my pole out an throw it at the car! Making a noise. Loud music. Laughing, mucking around, shouting, arguing, singing, wheel spinning, revving engines, skidding around the road to an from the garage. Pulling up plants, jumping on an of my wall. Kicking my wall. Now part has broke. (again photo on request or pop along and see it)
4. Protection of children under harm. I have my 4y granddaughter, every other weekend. Plus 2/3 days and nights in the week. She goes to bed between 7pm - 8pm. I also have my other 2 granddaughters who live in Carlisle down for 2 - 3 weeks summer holidays, and either a week or all over Christmas. I really don't think it would be safe or fair to have the garage open 24 hours with alot of young children either staying or living opposite the garage. With the behaviour of the so called adults, i dont think its safe. the noise frightens the children. When people are trying to damage my property, that really scares them.

Also the lights from the garage are very bright. They shine through the curtains. When the Esso was there, I used to have put a thick blanket up around the curtain pole to help keep the lights out. I really don't want that all night.

Thanks
[REDACTED]

Sent: 20 September 2016 15:23
To: Licensing Committee
Subject: Eastwood Service Station

I gather that Eastwood Service Station is applying for a licence to serve alcohol and to stay open all night.

To both these, I wish to register an objection.

I believe it is inappropriate to mix alcohol and driving, even at arm's length like this, so alcohol at service stations is not wise. Only this last week the Essex County Standard reported not a few cases of drivers convicted for being severely over the legal limit. We should minimise this risk.

It is also inappropriate to have such premises open through the night in a residential area. The disturbance of bright lighting and the noise of cars braking and then accelerating out of the station would disturb nearby houses in all directions.

There is also a risk that passers-by on foot, even those turned away from the nearby public house because of their inebriation, would avail themselves of the facilities and cause local noise, littering and vandalism, of which we have unfortunate experience in the past.

For both shopping and petrol purchase, there is already 24-hour provision at the Tesco Extra store which is very close.

[REDACTED]

[REDACTED]

The Licensing Team
Colchester Borough Council
PO Box 889, Rowan House
33 Sheepen Road
Colchester
Essex
CO3 3WG

11 September 2016

Re: Eastwood SF Connect, Ipswich Road, Colchester, CO4 0EX

The above application should be rejected in its entirety on numerous counts as stated below.

The council planning has put conditions for opening hours of 7am to 11pm for good reason. There is also a court order on the site for the same reason.

[REDACTED]

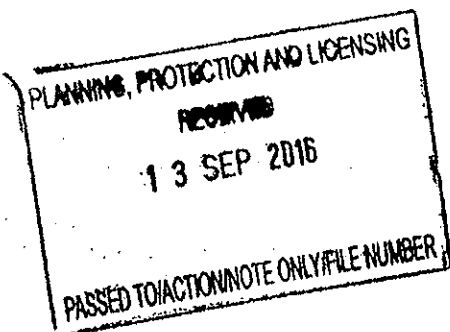
[REDACTED] The canopy light and illuminated signs will be on all night & article 8 of the human rights act (concerning the enjoyment of our home) says that quiet time should be 8hrs sleep.

The impact on my bungalow [REDACTED] will be immense, with car doors slamming, horns sounding, car alarms going off, car radios blaring, light pollution, then there are the youngsters using the café/shop as a gathering place and leaving empty crisp packets, cans & all manner of other rubbish to float or be thrown into my front garden.

All this has happened before when the Esso garage opened all night because the council did not put a condition on the garage and it was intolerable. We had to fight to get it closed & it took 4 yrs and a near nervous break down But I would do it all again if necessary!

Yours sincerely,

[REDACTED]



THE LICENSING TEAM
COLCHESTER BOROUGH COUNCIL
P.O. BOX 889
ROWAN HOUSE
33, SHEEPEN ROAD
COLCHESTER ESSEX
CO3 3WG.

3rd Sept 2016

REFERENCE: - EVE/88/689/ R.P.B. 1st SEPT 2016
APPLICATION FOR LICENCE TO SELL ALCOHOL AT
B.P. OIL U.K. LTD
EASTWOOD S.F. CONNECT
IPSWICH ROAD
COLCHESTER ESSEX
CO4 0EX.

PLANNING, PROTECTION AND LICENSING RECEIVED
- 8 SEP 2016
PASSED TO ACTION NOTE ONLY FILE NUMBER

DEAR SIRS, LICENSING TEAM,

WE ARE WRITING WITH REFERENCE TO THE APPLICATION
FOR B.P. OIL U.K. LTD SITUATED AT IPSWICH ROAD
COLCHESTER.

1/ HAVING LIVED HERE AT THE ABOVE RESIDENCE FOR
THE LAST 56 YRS AND PUT UP WITH NOISE AND POLLUTION
SINCE ESSO OPENED THE PETROL FILLING STATION MANY
YEARS AGO, ALTHOUGH THEY HAD LICENCE TO SELL ALCOHOL!!

WE SUFFER NOISE FROM CAR DOORS SLAMMING, RADIO
NOISE FROM CUSTOMERS CARS, NOISE FROM GROUPS OF
PEOPLE / TEENAGERS ETC DROPPING CANS AND LITTER ALONG
THE PAVEMENTS OUTSIDE OUR RESIDENCE.

2/ WE ALSO HAVE PROBLEMS WITH CARS SCREECHING OUT
OF THE GARAGE AT SPEED.

3/ NOISE FROM LORRIES UNLOADING AT THE EARLY HOURS
ESPECIALLY FROM NEWSPAPER DELIVERIES ETC.

4/ LOTS OF POLLUTION ESPECIALLY MORE NOTICEABLE
SINCE ESSEX COUNTY COUNCIL TOOK OUT TREES FROM

2

Ref:- C.U.E/88/689/R.P.B. 3rd SEPT 2016
OUTSIDE OF OUR RESIDENCE. A TOTAL OF THREE
(3) TREES TAKEN AWAY.

AT LEAST WITH SOME TREES ABOUT THE AREA
THEY HELP TO REDUCE POLLUTION, ESPECIALLY AS
THE ROAD IMMEDIATELY OUTSIDE OUR RESIDENCE
IS HEAVILY CONGESTED MORNING AND NIGHT.

~~5/~~ WE ARE TOTALLY AGAINST THE APPLICATION
AND WE WOULD EXPECT THE LICENSING TEAM
TO CONSIDER OUR VIEWS BEFORE EVEN CONSIDERING
ALLOWING THE LICENCE TO SERVE ALCOHOL FOR LATE
NIGHT REFRESHMENTS BETWEEN THE HOURS OF 00:00 HRS
AND 05:00AM AND BETWEEN 23:00 HRS - 24:00 HRS.

6/ WE ACCEPT THAT ALCOHOL CAN BE SERVED FOR
CONSUMPTION OFF PREMISES (WHICH CAN CAUSE PROBLEMS)
AS IT WAS ALLOWED TO THE PREVIOUS OWNER.
WE DO SUFFER FROM NOISE, POLLUTION, LITTER,
LIGHTING, AND NOISE FROM UNLOADING VEHICLES.

7/ WHICH WAY WILL THE NOISE TRAVEL??

8/ HOW MUCH EXTRA TRAFFIC WILL THE OPENING OF
THIS GARAGE PRODUCE??

9/ AS RESIDENTS WITHIN THE AREA WE ARE TOTALLY AGAINST
THE PROVISION OF ALCOHOL LICENCE FOR ANY EARLY
HOUR OPENINGS.

10/ IN ORDER TO ALLOW US AS COUNCIL TAX PAYERS
SOME QUIETNESS DURING THE NIGHT WE TOTALLY
OBJECT ANY OPENING HOURS FROM 11PM - 6AM IN
THE MORNING.

11/ WE HAVE HAD ENOUGH OF EARLY MORNING NOISE
AND DOOR SCRAMMING, SO THEREFORE PLEASE
TAKE IN CONSIDERATIONS FOR US RESIDENTS
WHO UP TILL NOW ACCEPTED NOISE ETC (FROM

3
REF: C.V.E/88/689/ R.P.B. 3rd SEPT 2016

THE PREVIOUS GARAGE OWNERS,

THEREFORE, WOULD YOU PLEASE TAKE ALL THOSE PREVIOUS POINTS MENTIONED IN THIS LETTER AND TAKE DUE CONSIDERATION INTO ACCOUNT BEFORE ALLOWING THE APPLICATION FOR THE SALE OF ALCOHOL IN THE EARLY HOURS FOR REFRESHMENTS??

WE ARE TOTALLY AGAINST THE PRACTICE OF ALLOWING ANY OPENING HOURS BETWEEN 11PM AND 6AM. AND AGAINST THE LICENCE TO SELL ALCOHOL EXCEPT FOR DAILY CONSUMPTION. OFF PREMISES LICENCE.


WE ARE NOT AGAINST UPDATING OF FILLING STATIONS BUT BE AWARE THAT TESCO'S HAVE A FILLING STATION $\frac{1}{2}$ MILE ROUND THE CORNER IN HIGHWOODS.

THEREFORE THE NEED FOR ANOTHER FILLING STATION AND SHOP/RESTAURANT IS NOT A NECESSITY. JUST A BIG BARE!!

AND FINALLY, WHAT ABOUT THE VALUE OF OUR PROPERTY, WILL WE BE ABLE TO SELL IF NEEDED? AND WILL WE GET A GOOD PRICE TAKING INTO CONSIDERATION THE NEARNESS OF A FILLING STATION IF ALLOWED TO OPERATE 24 HOURS!!??

PLEASE CONSIDER OUR VIEWS BEFORE MAKING YOUR DECISIONS!!

YOURS FAITHFULLY



FRD SARAH WHITE
COLCHESTER BOROUGH COUNCIL

LICENSING SUB-COMMITTEE (COORDINATOR)

REF: CUE/88/689/R.P.B.

SNLW/090097/ENSTWOOD ST. CONNECT.

DEAR SARAH WHITE,

13th OCT. 2016

PLEASE FIND ENCLOSED ANSWER FORM AS REQUESTED BY YOURSELF FOR THE LICENSING SUB-COMMITTEE MEETING ON 21ST OCTOBER 2016.

I AM INTENDING TO BE PRESENT ON THIS DAY, AS IT IS AN IMPORTANT ISSUE TO US.

AS BEFORE, WE ARE CONCERNED ABOUT THE FOLLOWING

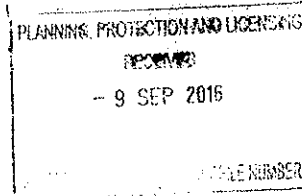
- 1/ POLLUTION
- 2/ NOISE - CAR DOORS ETC -
- 3/ LITTER, BOTTLES CANS ETC DEPOSITED INTO GARDENS.
- 4/ LIGHTING.
- 5/ DISTURBANCE FROM VEHICLES LEAVING AND ENTERING GARAGE.
- 6/ 24HRS ^{HO} LICENCE / ORDINARY LICENCE WAS ACCEPTABLE AS PUBLIC HOUSES.

SINCE THE ESSO GARAGE CLOSED WE HAVE HAD SOME QUIET NIGHTS OF BEING ABLE TO SLEEP.

ALSO IT SHOULD BE CONSIDERED THAT WITHIN HALF A MILE OF THIS SITE THERE IS A TESCO GARAGE AND STORE WHICH SELLS ALCOHOL ETC, NO NEED FOR ANOTHER ONE!!
WE DEFINATELY DO NOT WANT 24HR LICENSING AT THIS SITE!!

YOURS SINCERELY

To the Licensing Team
Colchester Borough Council
From [REDACTED]



367 Ipswich Road, Colchester CO4 0HL

Ref: Licence Application from BP Oil, Eastwood SF Connect, Ipswich Road, Colchester CO4 0EX.

24 Hour Opening and Alcohol Licence.

It is obvious to me that BP fails to grasp the concept of a residential area. A place where residents have a right to peace and quiet. Article 8 of the Human Rights Act acknowledges the right to the enjoyment of our homes. Eight hours night time respite is recognised by the World Health Organisation the Planning and Environmental Depts. C.B.C.

Perhaps BP has yet to acknowledge that this is not an Industrial site in Bingley. (see Planning Application 160608).

A RESIDENTIAL AREA IS NOT THE PLACE FOR A 24 HOUR SERVICE STATION. ESSO TRIED BETWEEN FEBRUARY 1992 AND March 1996. This came about because Redevelopment in 1983 left the site without any conditions, creating a living nightmare for residents. Mr Colin Daines the Environmental Officer C.B.C. tried to encourage the staff of Eastwood to control the noise. (even offering relocation) Control was beyond their capabilities. So in Summer 1995 a Noise Abatement Notice was issued, the noise continued unabated resulting in the court order. Closure was set for March 11th 1996. It was established that it is impossible to control customer noise, which is generated when entering the forecourt, whilst on the forecourt and when leaving. I do not believe BP would be able to control customer noise either. I certainly do not wish to repeat the 4 year saga of 24 hour opening, and I am certain neither does the council.

The noise generated by customers on the forecourt can be discerned well above the road noise. Traffic Flow is very different from Doors Banging, Shouting, Horns, Music, Alarms Tannoy system at full throttle, Screeching Tyres and Accelerations. The human ear is more receptive to these sounds. When the road traffic dies down during the evening these intrusive sounds suddenly become even more invasive.

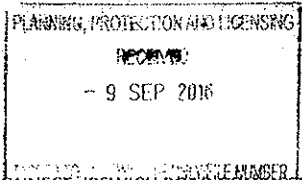
Over the past three weeks since closure prior to re-development, the noise levels on the road have dropped dramatically, demonstrating that most noise nuisance rests squarely with the petrol station.

My request to the team is to refuse this Licence application for 24 hour opening. After 11pm the only real noise will be generated by customers going to and from the petrol station. After midnight/1am when the street lights are switched off, it will result in one huge mass of light, when the whole area should be in darkness, conducive to sleep. Our homes will be invaded by the light pollution from the site and from the headlights of the vehicles leaving the petrol station.

Alcohol Licence. I do not see the need for an all day Licence perhaps 6pm to 10pm would be more appropriate.

[REDACTED]

6th September 2016



The Licensing Team
Colchester Borough Council.

Application:- B.P. OIL LTD EASTWOOD SF CONNECT, IPSWICH ROAD, COLCHESTER CO4 0EX.

24 HOUR OPENING LICENCE-18 HOUR SALE OF ALCOHOL LICENCE

I respectfully request the team to reject the 24 Hour opening and retain the conditional opening hours agreed at committee on 30th June 2016 of closure from 11pm to 7am, thus maintaining the equilibrium between business (BP our neighbour) and the required respite of 8 hours for the residents.

MY REASON FOR OBJECTION:-

Eastwood, established long after the houses were built, was redeveloped in 1983.

Between February 1992 and March 1996 the garage opened without notification for 24 hours a day, 7 days a week all year. This was due to the lack of conditions being placed in 1983.

The nightly intrusion over a 4 year period was intolerable for residents (logged nightly at the request of the Environmental Dept.) If you are deprived of sleep, eventually you are unable to function during the day.

It was accepted that noise generated on a forecourt is impossible to control by a council or owner of a site. Eventually a Noise Abatement Notice was issued. Because of their inability to abide by the Noise Abatement Notice, Esso was taken to the Magistrates Court December 1995 resulting in closure overnight from March 1996. A sort of peace prevailed, but the Order was infringed on numerous occasions. A 24 hour Licence application made earlier this year was quickly withdrawn.

I believe the uncomplicated conditions imposed by C.B.C. on 30th June 2016 is in the best interest of B.P. the residents and the council. Closure between 11pm and 7am. No deliveries outside of these hours. No setting up or removing stands on the forecourt between 11pm and 7am. Easy for staff to follow and easy for the council to enforce.

With a shop 3 times larger it would be assumed that noise nuisance would increase above the levels of 92/96.

Then on a nightly basis it became a, Meeting place for youths, Taxi cabs with radios playing, boot and bonnet banging and talking.(shouting) Late Night Revellers after leaving the town centre. Football matches using tin cans, several fights. Customers' radios, shouting, door slamming, horns and alarms etc.

By midevening the road quietens, and with the street lights being extinguished Midnight/1am it is pitch black. This redeveloped, highly illuminated site will shine like a beacon into our homes and be a magnet for all the aforementioned to the detriment of this wholly residential area, and the sanity of the residents.

The residents are entitled to the right of enjoyment of their homes so that is why I again ask you to reject the Licence for 24 hour opening.

I do not believe a garage is a suitable place for an Alcohol Licence, however I will not object to it being granted between 6pm and 10pm.

[REDACTED]

Dated 4th September 2016.

The Licensing Team

Colchester Borough Council.

Application. BP Oil Ltd. Eastwood SF Connect. Ipswich Road Colchester CO4 OEX.

24 Hour Opening Licence-18 Hour Alcohol Licence.

This is an addendum to our correspondence 4th & 5th September 2016.

The residents surrounding this site are entitled by right to receive the 8 hours respite agreed on 30th June 2016 by the Planning Committee, something we have been deprived off for over 2 decades.

Planning Consent was agreed for a 3 times larger shop with opening times 7am to 11pm conditional. We require this to remain.

I believe all parties concerned need to recognise this is a wholly residential area, totally unsuitable to 24 hour opening. Nightly disturbances endangers our health.

Considering the expanded redevelopment that has been consented to BP, this Licence Application demonstrates a perverse affront and slight to all the residents. After due consideration we feel that the area will not benefit from the issuing of an Alcohol Licence, once again it become a magnet for youths probably resulting in underage drinking. There is evidence around the area of drinking sessions, resulting in litter and noise nuisance.

Our previous correspondence stated we would not object to the Alcohol Licence between 6pm and 10pm. We withdraw this and require the team to reject both 24 hour opening and the 6am to midnight Alcohol Licence.

Twenty four hour opening made residents' lives hell. Rejecting this application in its entirety will return the equilibrium between residents' and business needs.


26th September 2016.

Sarah White

Licensing & Committee Co-ordinator
Page 44 of 50

Why eight hours' sleep is the key to a healthy heart

WE'RE often warned of the dangers of too little sleep - but it seems too much may be just as harmful.

Sleeping for more than nine hours or less than seven hours a night could raise the risk of heart problems, experts say.

Both increase the chances of obesity, type 2 diabetes, high blood pressure, high cholesterol and clogged arteries, a major review concluded.

In turn, these factors drive up the risk of having a heart attack or stroke. The American Heart Association last

By **Ben Spencer**
Medical Correspondent

night published a comprehensive statement highlighting the links between poor sleep and cardiovascular health.

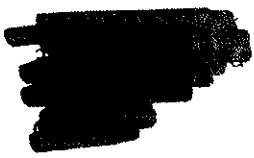
It said emerging evidence suggests that sleep alters the metabolism and hormone balance of the body - affecting cholesterol, insulin, blood pressure and inflammation.

Those who get too little sleep are also known to eat more - and have healthier diets - than those who get a good

night's rest. And those who sleep for too long are likely to be less active during the day.

The experts stressed that there is no firm evidence for what constitutes too much or too little sleep - but around eight hours is considered the ideal for most adults.

Dr Marie-Pierre St-Onge, of Columbia University in New York, said: 'Patients need to be aware that adequate sleep is important, just as being physically active and eating a balanced diet are important for cardiovascular health.'


21st September 2016.


To: Colchester Borough Council
Planning Department

Dear Sirs,

Re: Licence Application from BP Oil, Eastwood SF Connect, Ipswich Road, Colchester CO4 0EX
24 Hour Opening and Alcohol Licence.

I am writing to object to the above application, which will impact significantly on the quality of the local environment with light and noise pollution, from vehicles and people and site amenities.

It is not necessary to offer this facility to this area as petrol and food are available on a 24 hours basis at a supermarket outlet on the local Highwoods estate.

I  fear this proposal, if allowed, will impact substantially on my family's ability to have quiet enjoyment of our home or allow sufficient darkness to enable us to sleep in the overnight/early hours which will directly affect our quality of life in a negative way -denying us the right to get restful sleep in night-time hours.

As well as noise and light pollution, and I believe that perception of noise is magnified to the human ear in the traditionally quiet night time hours, I am also concerned at the effect of social disturbances by the site becoming a magnet for practices such as late night car racing, a meeting-up point, and general noise disturbance e.g. anti- social behaviour.

None of this will be conducive to sleeping, nor will the light pollution and lack of darkness to aid night time rest, which could impact on the health of my family both day and night due to the stress and lack of sleep if this application is granted.

I believe BP proposals to impose 24 hour business operations on residents are detrimental and inconsiderate to their neighbours.


I do not support the sale of alcohol at a garage site in order to dissuade drink driving, but at any rate believe it should be strictly limited for instance from 6pm to 10pm only.


But my overall request is that the conditional closure during the hours 11pm to 7am at this site -thankfully imposed by the reasonable analysis of the planning committee of Colchester Borough Council on 30th June 2016- be both upheld and guarded in perpetuity.

I believe this stance is in accordance with the right to peace and quiet as set out in Article 8 of the Human Rights Act, and also the eight hours night time respite recognised by the World Health Organisation and formally request that this simple clause be upheld as part of a condition of any type of operation at this site, both now and in the future.

The illumination of the site, which BP are providing entirely unreasonable assertions over in terms of measurement of effect to the environment, would also be of grave overnight concern to me, in fact the harshness of LED lights is unsatisfactory and difficult to look at in a residential area. Headlights from cars are also intrusive through bedroom curtains.

For the sake of providing a decent environment to enable local residents to have any chance of rest and peace at night, please reject this application.

Yours faithfully,




21st September 2016.

To: Colchester Borough Council
Planning Department

Dear Sirs,

Re: Licence Application from BP Oil, Eastwood SF Connect, Ipswich Road, Colchester CO4 0EX
24 Hour Opening and Alcohol Licence.

I am writing to lodge my formal objection to the above application, which would cause a materially different environment in this locality due to a combination of noise, social and light disturbance, changing forever this historically residential area to a commercial all-night zone.

As a local resident I fundamentally disagree with this latest proposal. It will rob my family and I of any chance of a peaceful and quiet enjoyment of our homes, leaving us with no ability to get restful sleep in night-time hours.

This is due to the considerable noise which results from the operation of the garage and the customers who use it, and the beaming LED lights which BP keep insisting has no environmental impact, despite not living opposite them themselves, an opinion from which I beg to differ.

BP's attitude towards residents I believe does not look well on them and we have enjoyed a much quieter environment during the temporary garage closure, thus proving the impact of this business.

The sale of alcohol will further encourage an all night noisy environment with banging doors, people arguing in the early hours, increased all night road traffic and operational sounds / car alarms / head lights and the likelihood from historic experience from 1982-1986 when 24 hour opening occurred is that, realistically, the garage will become a magnet for socially undesirable activities which will make everyone feel considerably less safe in our own homes.

We need the chance for peace and quiet so we can function normally during the day.


I therefore request that the conditional opening that the planning committee of Colchester Borough Council imposed on 30th June 2016 at this site, stipulating closure from 11pm to 7am in accordance with the right to peace and quiet as laid out in Article 8 of the Human Rights Act, and eight hours night time respite recognised by the World Health Organisation be upheld.

This straightforward clause is critical to the protection of the environment for local residents against both the noise levels and the light pollution which would otherwise pour into our homes illuminating our night time hours like a green beacon.

I also request that if an alcohol licence be granted at all that it be granted only restricted to the hours between 6pm and 10pm.

Please reject this application and afford the residents and local area the protection we surely need,

Yours faithfully,



[REDACTED]

Licensing Team
Colchester Borough Council
P O Box 889
Rowan House
33 Sheepen Road
Colchester CO3 3WG

5th September 2016

Ref: CVE/88/689/RPB

Dear Sir or Madam

With reference to the above numbered application we would like to strongly oppose permission be granted for selling alcohol 24 hours at Eastwood Service Station, Ipswich Road, Colchester CO4 0EX. It is totally unnecessary for this garage to be open after 23.00 and 06.00 for alcohol, food or fuel disturbing local residents.

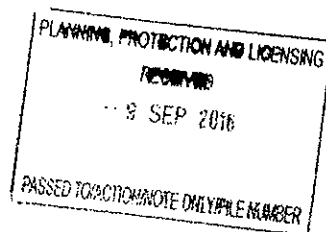
There are several outlets on Ipswich Road that already sell alcohol until late or all night besides Highwoods Tesco's being open 24 hours which is just minutes away from the garage.

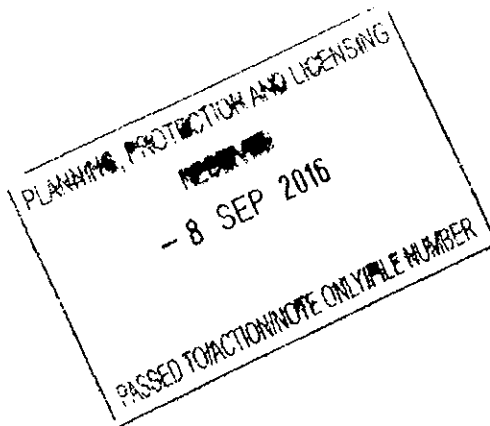
Traffic noise in and out of the garage can be excessive during the day and we certainly do not want sleepless nights from cars, motorbikes, other vehicles and customers creating a noise in and out of the garage during the night.

Please note our opposition together with other local residents.

Yours faithfully

[REDACTED]





[REDACTED]

[REDACTED]

Date Monday 5th September 2016

Dear Sirs,

Re: Opening Times at Eastwood SF Connect Ipswich Road

I write to inform you of my absolute opposition to the (carefully worded) application to open the petrol station on the Ipswich road 24 hours a day.

I have lived on the Ipswich road for over 30 years, in this time the venue and provision of services has grown, the majority of which I accept as improvement, however I have already experienced what 24 hours opening means, excessive noise in the early hours, cars screeching out, waste discarded in gardens and misery for those living in close proximity for what I can only imagine to be minimum profit for the managing company.

This is a populated residential area; a 24 hour garage is not required. For those who require alcohol, food and refreshments there is a 24 hour Tesco store minutes away on a site that does not impact on the lives of those around.

I am more than happy to elaborate any of the above if you wish to discuss further, and I do hope that you consider what you find acceptable on your doorstep when making your judgement.

Yours sincerely

[REDACTED]

2

on the front of the Garage
Which will be a lot brighter and
will be glaring into our home's
and affect our sleep.

Yours Sincerely.

[Redacted Signature]

26 SEP 2016

1

Winckworth
Sherwood LLP
Hiverna House
Montague Close
London SE1 9BB

22.9.2016

Dear Sir

I am writing in about the Esso
Garage in IPSWICH Rd Q1 CO4 0HL
which is about to change.

I have lived [Redacted]

For 20 years it is a very busy road
in the day and evening, come about
10 o'clock it calms down but if
it stays open all through the
night 24/7 it is going to change
the Quality of Peoples lives living
opposite with Traffic in and out for
Fuel & Food, the new lights along