

SUBJECT:	APPLICATION FOR A VARIATION OF A PREMISES LICENCE at: Buckingham Simply Food Connect, Stratford Road, Buckingham, MK18 1NY
Report Author	Kerryann Ashton – Licensing Officer
Ward/s Affected	Buckingham East

1. Purpose of Report

To provide Members with information enabling the determination of an application for a variation to the premises licence, in respect of which relevant representations have been received. The application has been submitted by BP Oil UK Ltd (“the applicant”) in respect of Buckingham Simply Food Connect, Stratford Road, Buckingham, MK18 1NY (“the premises”).

2. Background

- 2.1 The premises is located approximately 300 metres from the centre of Buckingham on the south side of the A422. There are a significant number of residential dwellings within close proximity. The premises is located within the special Buckingham Town Centre ‘Terminal Hours Policy’ area. This policy states that applications to open beyond midnight will normally be refused unless the applicant satisfies the licensing authority that it can operate without harming the licensing objectives and any application to open beyond 1:30am will be refused.
- 2.2 A location plan showing the premises is attached to this report marked **Appendix 1**. The current layout plan is attached as **Appendix 2**.
- 2.3 The premises currently have the benefit of a premises licence permitting the sale of alcohol for consumption off the premises. The licence was granted under by a Licensing Sub Committee on 29 September 2005. A copy of the current licence is attached as **Appendix 3**.

3. The Application

- 3.1 This application is for the variation of the current premises licence to take immediate effect. A copy of the application is attached as **Appendix 4**.
- 3.2 The variations sought are as follows: To extend the hours for the sale of alcohol.

<u>Current activities and hours</u>	<u>Proposed activities and hours</u>	<u>Effect of Variation</u>
<p>Supply of alcohol (off the premises)</p> <p>Standard days and timings: Everyday 0800 - 2300</p> <p>Seasonal variations: None Non-Standard timings: None</p>	<p>Supply of alcohol (off the premises)</p> <p>Standard days and timings: Everyday 0000 - 2400</p> <p>Seasonal variations: None Non-Standard timings: None</p>	Additional hours at the start and end of the session
<p>Late Night Refreshment</p> <p>Standard days and timings: Everyday 2300 - 0500</p> <p>Seasonal variations: None Non-Standard timings: None</p>		No change
<p>Hours premises are open to the public</p> <p>Everyday 0000 - 2400</p> <p>Seasonal variations: None Non-Standard timings: None</p>		No change

3.3 The following Conditions imposed on the Premises Licence in Annex 2 to be removed as follows and replaced with the applicants operating schedule:

Annex 2 -Conditions consistent with the operating schedule

Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hour means the hours set out on page one of this licence.

The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
- (b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (c) the sale of alcohol to a trader or club for the purposes of the trade or club;

- (d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

Alcohol shall not be sold in an open container or be consumed in the licensed premises.

General licensing objectives

- a) The plan which accompanies this application indicates the proposed position for the display and storage of alcohol.
- b) The alcohol may be displayed or stored, from time to time, in different positions within the premises.

The prevention of crime and disorder

- a) A CCTV system will be maintained which is fit for the purpose. The system will incorporate a camera covering the entrance door and be capable of providing an image which is regarded as identification standard.
- b) The CCTV system will incorporate a recording facility and any recording will be retained and stored in a suitable and secure manner for a minimum of one calendar month. A system will be in place to maintain the quality of the recorded image and a complete audit trail maintained.
- c) The CCTV system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.
- d) The precise position of the cameras may be agreed with the police from time to time.
- e) The supply of hot food shall not be made through the night pay window.

The prevention of public nuisance

- a) Adequate waste receptacles for use by customers shall be provided in and immediately outside the premises.
- b) Prominent, clear and legible notices shall be displayed on and around the premises requesting the public to respect the needs of local residents and to leave the premises and area quietly and to dispose of litter responsibly.
- c) The supply of hot food shall not be made through the night pay window.

Public safety

- a) The applicant will at all times maintain adequate levels of staff. Such staff levels will be disclosed, on request, to the licensing authority and police.

The protection of children from harm

- a) All staff will be trained to request evidence of age from any person seeking to buy alcohol and appearing to the member of staff to be under the age of 18. Such evidence is to be of a photographic nature such as a passport or photographic driving licence until other effective identification technology, such as thumbprint or pupil recognition, is introduced.

3.4 On the 25 May 2021 the applicant submitted an email to licensing services to amend their application:

Between the hours of 2400 and 0800:

- The sale of alcohol is for delivery only.
- Delivery of alcohol shall be to a residential address or place of work [specified in the customer order. The delivery of alcohol must be by way of hand over to a person.
- Prominent, clear and legible notices must be displayed at all exits requesting staff and couriers to respect the needs of local residents and to leave the premises and the area quietly

A copy of the email is attached as **Appendix 5**.

4. Relevant Representations

4.1 Responsible Authorities:

4.1.1 The Chief Officer of Police: Response received - No objection

4.1.2 Environmental Health Department: Response received - No objection

4.1.3 Licensing Authority: Response received - No objection

4.1.4 No responses were received from any other Responsible Authority.

4.2 Other persons: Twenty valid objections were received during the 28 day consultation process which ended on 28 April 2021 a report showing the representations is attached marked **Appendix 6**.

4.3 No letters of support were received during the 28 day consultation period.

5 Licensing Officer's Observations:

5.1 The Relevant Representation from other parties mainly raises the follows issues:

- The prevention of public nuisance

6. Policy Considerations

6.1 Regard must be had to the Council's adopted Licensing Policy published November 2015 section 4.7, which details the Council's approach to licensing hours. Shops, stores and supermarkets should normally be free to provide sales of alcohol for when determining this application. Of particular relevance consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours. Also in accordance with paragraphs 4.3 and 4.4 of the Licensing Authority's policy, the Licensing Authority's approach to determining licensed hours is to respect the right of residents to peace and quiet and in general will take a stricter approach to licensing hours in areas of higher residential density. It is recommended that this application be refused for the reasons given to best ensure the promotion of the licensing objectives. Paragraph 4.7 of the Licensing Authority's policy acknowledges that there may be good reason to restrict hours in respect of 'off sales' at shops, stores and supermarkets in certain locations such as Buckingham Town Centre.

Regard must also be had to the Buckingham Town Centre 'Terminal Hours Policy' area. This

policy states that applications to open beyond midnight will normally be refused unless the applicant satisfies the licensing authority that it can operate without harming the licensing objectives and any application to open beyond 1:30am will be refused.

- 6.2 Regard must also be had to the national Guidance issued by the Home Office under Section 182 of the Licensing Act 2003, as amended. Of particular relevance are section 9 which refers to determining applications and section 10 regarding conditions attached to premises licences and in particular paragraphs 10.13 to 10.15 regarding hours of trading relating to shops.

7. Links to Council Policy Objectives

- 7.1 Licensing contributes to the Council's key priorities of strengthening communities by enabling more leisure opportunities. Appropriate use of licensing controls helps protect the vulnerable by ensuring only well run premise that promote the protection of children from harm are permitted to provide licensable activities. Efficient and effective application of licensing arrangements helps promote prosperity by ensuring interventions are targeted to problem areas, while compliant business are encouraged to flourish. In addition, licensed operators provide good employment opportunities for local residents and encourage tourism.
- 7.2 The Council's Licensing Policy helps achieve the Community Plan objectives of reducing crime and fear of crime, a prosperous place to live and work and a pleasant and healthy environment.

8. Resources, Risk and Other Implications

- 8.1 **Resource:** The only resource implications to date have been officer time however if the applicant or persons making relevant representations appeal against the decision of the Licensing Sub – Committee this would result in legal fees to defend the appeal and further costs. In the event of a successful appeal the Council may also have to pay the applicant/other party's costs.
- 8.2 **Human Rights:** The Licensing Sub - Committee's decision regarding this application will have Human Rights implications in respect of both the Applicant and the persons making relevant representations which also need to be considered equally and fairly so that the decision is proportionate and the right balance is met. The referral of this matter to the Sub - Committee is laid down in the Licensing Act 2003, as amended and is also in accordance with Article 6 of the Human Rights Act 1998, the right to a fair hearing, which is an absolute right. The Applicant and the persons making relevant representations have been notified of the Hearing and invited to make representations. A statutory right of appeal to the Magistrates Court and the right (if it arises) to challenge the Sub-Committee's decision by way of Judicial Review to the High Court also ensure a fair hearing to both the Applicant and the persons making relevant representations.
- 8.3 Article 8 and Article 1 of the First Protocol - the right to respect for private/family life and peaceful enjoyment of property/possessions (including Licences) - also need to be considered. The persons making relevant representations have a right to respect for their private and family life and their home. They are entitled not to be disturbed by unreasonable noise and/or nuisance. However, this is a qualified right and has to be balanced against the rights of others including the rights of businesses in the area to operate.

- 8.4 Article 14 of the Human Rights Act 1998 - the right to freedom from discrimination, which is an absolute right – also needs to be considered. The human rights provided under the Human Rights Act 1998 must not be subject to discrimination under various headings, including race, national or social origins, association with a national minority group, or other status.
- 8.5 Interference with these rights is acceptable within the terms of the Human Rights Act 1998 if it safeguards the rights of others, is legitimate, proportionate and balanced in that there is a need to find a fair balance between the protection of individual rights and the interests of the community at large – other than rights under Article 6 and 14 which are absolute rights and cannot be interfered with.
- 8.6 Therefore if Members refuse to grant the application to vary the Premises Licence in whole or part or grant it subject to Conditions this will be a breach of the rights of the Applicant unless such refusal (in full or part) is and/or the Conditions imposed are appropriate, proportionate and can be justified, on balance, by being outweighed by the rights of the community at large to peaceful enjoyment of their property/possessions. Any restriction placed upon the Premises Licence must not go beyond what is strictly necessary to achieve its legitimate purpose in order to mitigate the interference with the community at large's enjoyment of their property/possessions.
- 8.7 By taking into consideration all the material considerations relating to this application and balancing the interests/rights of all parties involved it is considered that the Licensing Sub-Committees decision will be both proportionate and justified having had regard to the Human Rights Act 1998.
- 8.8 The Equality Act 2010, including the Council's Public Sector Equality Duty, must be taken into account when making decisions in relation to licensing applications.

9. Determination by the Licensing Sub-Committee

- 9.1 The Sub Committee is obliged to determine applications in the light of the above and any other material considerations with a view to promoting the four licensing objectives. Regard must also be had to the Council's Licensing Policy, November 2015, Home Office Guidance issued under Section 182 of the Licensing Act 2003, as amended, relevant representations received and the evidence presented at the Hearing.
- 9.2 Each application must be considered on its own merits and any conditions attached to premises licences must be tailored to the individual style and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed, may be unlawful where they cannot be shown to promote the licensing objectives in any individual case.
- 9.3 The Sub Committee must avoid duplication of other legal requirements and should only impose conditions on a premises licence which are appropriate and proportionate for the promotion of the licensing objectives and where additional and/or supplementary measures are required in order to promote the licensing objectives.
- 9.4 The following options are available to the Licensing Sub Committee:
- 9.4.1 Grant the Variation Application in full or part - subject to any Conditions to be

attached to the premises licence (which modify, or add to or vary the Conditions already imposed on it) which are consistent with the Operating Schedule and which are considered appropriate and proportionate for the promotion of the four licensing objectives in response to relevant representations received - and any relevant Mandatory Conditions.

On a “without prejudice” basis, a draft list of **proposed Conditions** is attached to this Report marked “The Schedule”.

9.4.2 Reject the whole of the Variation Application.

9.4.3 Grant the Variation Application subject to different conditions for different parts of the premises or licensable activities if this is considered appropriate and proportionate to promote the four licensing objectives and in response to the representations received).

9.5 The Sub-Committee is asked to note that

9.5.1 It may not reject the whole or part of the application or modify or add to or vary the existing conditions - merely because it considers it desirable to do so. It must actually be **appropriate and proportionate** in order to promote the four licensing objectives and be in response to the representations received and full reasons must be given for the Sub-Committees decision.

9.5.2 When determining the application to vary the Premises Licence consideration must be given to the effect of the variations proposed. Any modification or variation to Conditions or any additional Conditions to be added to the Premises Licence must also be as a result of the effect of the variation if granted on the promotion of the four licensing objectives.

THE SCHEDULE

The Mandatory Conditions

The Mandatory Conditions

Mandatory Condition - s19 of the Licensing Act 2003 - Supply of Alcohol

No supply of alcohol may be made under the premises licence:

- (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made authorised by a person who holds a personal licence

MANDATORY CONDITIONS SPECIFIED BY THE LICENSING ACT 2003 (MANDATORY LICENSING CONDITIONS) ORDER 2010 AS AMENDED BY THE LICENSING ACT 2003 (MANDATORY LICENSING CONDITIONS)(AMENDMENT) ORDER 2014:

Mandatory Condition 1

- (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or .
 - (b) an ultraviolet feature.

MANDATORY CONDITIONS SPECIFIED BY THE LICENSING ACT 2013 (MANDATORY CONDITIONS) ORDER 2014:

Mandatory Condition 5

- 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a);
- (b) "permitted price" is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence—
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(b).

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4.—(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Proposed conditions

Conditions proposed by the applicant for inclusion upon the Premises Licence as part of the application operating schedule

General

Not Stated

The prevention of crime and disorder

1. A digital 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 on site. Copies of recordings will either be recorded digitally on to CD/DVD or other equivalent medium.
3. Any recording will be retained and stored in a suitable and secure manner for a minimum of 31 days and shall be made available, subject to compliance with Data Protection legislation, to the police for inspection on request.
4. 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. The CCTV system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity

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.

The prevention of public nuisance

1. Adequate waste receptacles for use by customers shall be provided in and immediately outside the premises.
2. Signage shall be displayed at the entry and exit of the site to request that customers consider and respect those local residents living in the immediate vicinity.

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 or method of identification that complies with any mandatory condition that may apply to this licence.

Conditions volunteered by the applicant after the notice of hearing was served:

Between the hours of 2400 and 0800:

- The sale of alcohol is for delivery only.
- Delivery of alcohol shall be to a residential address or place of work [specified in the customer order]. The delivery of alcohol must be by way of hand over to a person.
- Prominent, clear and legible notices must be displayed at all exits requesting staff and couriers to respect the needs of local residents and to leave the premises and the area quietly

Informative/s -

This Premises Licence does not purport to grant planning permission for the use of the premises hereby permitted by this Licence and/or for the hours of operation hereby permitted by this Licence and the Applicant is advised to contact the Planning Department to check compliance with the relevant planning legislation/requirements and to submit any necessary planning applications prior to operation.

Officer Contact: Kerryann Ashton (01296 585 560)
email address: kerryann.ashton@bucksshire.gov.uk

Background Papers:	<ul style="list-style-type: none">• Application ref PR202104-251190• Licensing Act 2003, as amended• Licensing Policy – Aylesbury Vale Area Published November 2015.• Home Office Guidance issued under Section 182 of the Licensing• Act 2003, as amended
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APPENDIX 1

Appendix 1

Buckingham Simply Food Connect, Stratford Road, Buckingham

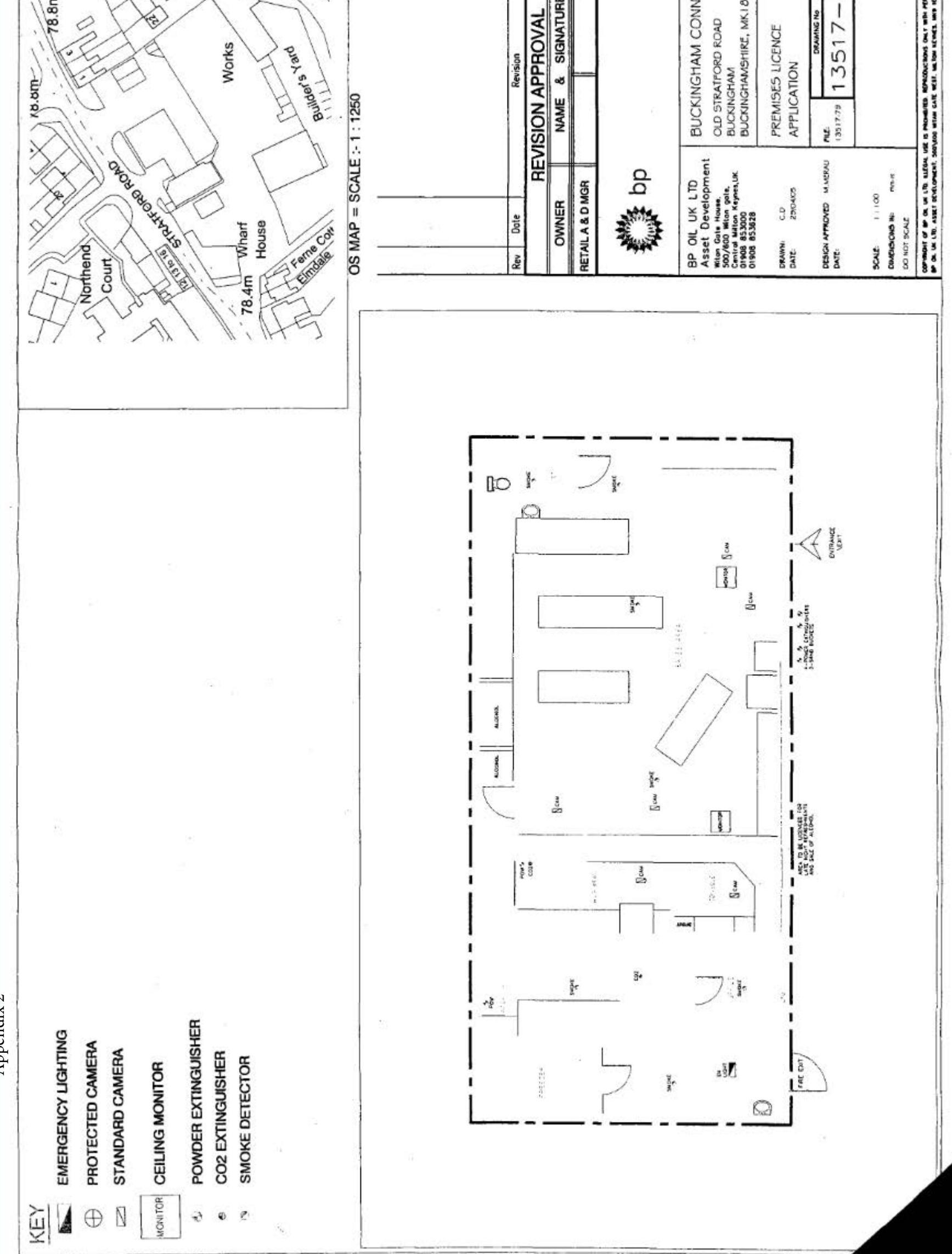


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APPENDIX 2





**Directorate for Communities
Licensing Department**
The Gateway
Gatehouse Road
Aylesbury
HP19 8FF

Licensing.av@buckinghamshire.gov.uk
01296 585605
www.buckinghamshire.gov.uk

Premises Licence

Premises Licence Number PR202101-248963 (PR0372)

Date Issued 25 Jan 2021

Premises Details

Address - Location Buckingham Simply Food Connect
BUCKINGHAM FILLING STATION, STRATFORD ROAD,
BUCKINGHAM, MILTON KEYNES, MK18 1NY

Telephone Number 01280 825520

Where the licence is time limited, the dates Not Applicable

Licensable Activities

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities:

Opening Times Monday: 00:00 - 00:00 Tuesday: 00:00 - 00:00
Wednesday: 00:00 - 00:00 Thursday: 00:00 - 00:00 Friday:
00:00 - 00:00 Saturday: 00:00 - 00:00 Sunday: 00:00 -
00:00

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Off the premises

Retail Sale of Alcohol	Monday: 08:00 - 23:00 Tuesday: 08:00 - 23:00 Wednesday: 08:00 - 23:00 Thursday: 08:00 - 23:00 Friday: 08:00 - 23:00 Saturday: 08:00 - 23:00 Sunday: 08:00 - 23:00
Late Night Refreshments	Monday: 23:00 - 05:00 Tuesday: 23:00 - 05:00 Wednesday: 23:00 - 05:00 Thursday: 23:00 - 05:00 Friday: 23:00 - 05:00 Saturday: 23:00 - 05:00 Sunday: 23:00 - 05:00
Indoors/Outdoors/Both	Indoor

Licence Holder

Name	BP Oil UK Ltd
Address	Witan Gate House, 500-600 Witan Gate, Milton Keynes, MK9 1ES
Telephone Number	01908 853000
Email Address	Not Stated
Company No	00446915

Designated Premises Supervisor

Name	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED]
Telephone Number	Not Stated
Email Address	Not Stated

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal Licence Number	MK 00083266
Issuing Council	Milton Keynes Council

[REDACTED]
Martin Dickman
Service Director Neighbourhood Services

Annex 1 – Mandatory Conditions

The following conditions apply to all premises licences under the circumstances described, with the exception of community premises which are subject to the alternative licence condition. These following conditions are in addition to any conditions shown on the licence under Annex 2 and Annex 3.

Premises licences authorising the sale or supply of alcohol

Conditions 3, 4 and 6 do not apply to premises only licensed for consumption of alcohol “off” the premises.

Condition 1

No supply of alcohol may be made under the premises licence –

- (a) At a time when there is no designated premises supervisor in respect of the premises licence; or
- (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Condition 2

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Condition 3

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

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.

- a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

Condition 4

The responsible person must ensure that free potable (drinking) water is provided on request to customers where it is reasonably available.

Condition 5

(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

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

(a) a holographic mark or

(b) an ultraviolet feature.

Condition 6

The responsible person shall ensure that –

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

(i) beer or cider: $\frac{1}{2}$ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Condition 7

A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

a. For the purposes of the condition set out in paragraph 1 –

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) “permitted price” is the price found by applying the formula –

$$P = D + (D \times V)$$

Where –

(i) P is the permitted price

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –

(i) The holder of the premises licence

(ii) The designated premises supervisor (if any) in respect of such a licence, or

(iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

If the premises licence allows exhibition of films

Condition 8

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.
3. Where
 - (a) The film classification body is not specified in the licence, or
 - (b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.
4. In this section "children" means any person aged under 18; and film "classification body" means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for classification).

If the premises licence has conditions in respect of door supervisors

Condition 9

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:
 - (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 - (b) be entitled to carry out that activity by virtue of section 4 of the Act.
2. But nothing in subsection (1) requires such a condition to be imposed:
 - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or
 - (b) in respect of premises in relation to:
 - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

3. For the purposes of this section:

- (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and
- (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Annex 2 - Conditions consistent with the operating schedule

Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hour means the hours set out on page one of this licence.

The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
- (b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (c) the sale of alcohol to a trader or club for the purposes of the trade or club;
- (d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

Alcohol shall not be sold in an open container or be consumed in the licensed premises.

General licensing objectives

- a) The plan which accompanies this application indicates the proposed position for the display and storage of alcohol.
- b) The alcohol may be displayed or stored, from time to time, in different positions within the premises.

The prevention of crime and disorder

- a) A CCTV system will be maintained which is fit for the purpose. The system will incorporate a camera covering the entrance door and be capable of providing an image which is regarded as identification standard.
- b) The CCTV system will incorporate a recording facility and any recording will be retained and stored in a suitable and secure manner for a minimum of one calendar month. A system will be in place to maintain the quality of the recorded image and a complete audit trail maintained.
- c) The CCTV system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.
- d) The precise position of the cameras may be agreed with the police from time to time.
- e) The supply of hot food shall not be made through the night pay window.

The prevention of public nuisance

- a) Adequate waste receptacles for use by customers shall be provided in and immediately outside the premises.
- b) Prominent, clear and legible notices shall be displayed on and around the premises requesting the public to respect the needs of local residents and to leave the premises and area quietly and to dispose of litter responsibly.
- c) The supply of hot food shall not be made through the night pay window.

Public safety

- a) The applicant will at all times maintain adequate levels of staff. Such staff levels will be disclosed, on request, to the licensing authority and police.

The protection of children from harm

- a) All staff will be trained to request evidence of age from any person seeking to buy alcohol and appearing to the member of staff to be under the age of 18. Such evidence is to be of a photographic nature such as a passport or photographic driving licence until other effective identification technology, such as thumbprint or pupil recognition, is introduced.

Annex 3 - Conditions attached after a hearing by the licensing authority

N/A



**Buckinghamshire
Application to vary a premises licence
Licensing Act 2003**

For help contact
licensing.av@buckinghamshire.gov.uk
Telephone: 01296 585605

* required information

Section 1 of 18

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference	<input type="text" value="Not Currently In Use"/>	This is the unique reference for this application generated by the system.
Your reference	<input type="text" value="TLV/88/308"/>	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.
Are you an agent acting on behalf of the applicant?		Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.
<input checked="" type="radio"/> Yes	<input type="radio"/> No	

Applicant Details

* First name	<input type="text" value="BP Oil UK Limited"/>	
* Family name	<input type="text" value="BP Oil UK Limited"/>	
* E-mail	<input type="text" value="tvlahovic@wslaw.co.uk"/>	
Main telephone number	<input type="text"/>	Include country code.
Other telephone number	<input type="text"/>	
<input type="checkbox"/> Indicate here if the applicant would prefer not to be contacted by telephone		

Is the applicant:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House?	<input checked="" type="radio"/> Yes	<input type="radio"/> No	Note: completing the Applicant Business section is optional in this form.
Registration number	<input type="text" value="00446915"/>		
Business name	<input type="text" value="BP Oil UK Limited"/>		If the applicant's business is registered, use its registered name.
VAT number	<input type="text" value="-"/>	<input type="text" value="N/A"/>	Put "none" if the applicant is not registered for VAT.
Legal status	<input type="text" value="Private Limited Company"/>		

Continued from previous page...

Applicant's position in the business	Legal Team	
Home country	United Kingdom	The country where the applicant's headquarters are.
Registered Address		Address registered with Companies House.
Building number or name	BP Oil UK Limited	
Street	Chertsey Road	
District		
City or town	Sunbury on Thames	
County or administrative area	Middlesex	
Postcode	TW16 7PB	
Country	United Kingdom	

Agent Details

* First name	Tina	
* Family name	Vlahovic	
* E-mail	tvlahovic@wslaw.co.uk	
Main telephone number	0207 593 5104	Include country code.
Other telephone number		

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House?

Yes

No

Note: completing the Applicant Business section is optional in this form.

Registration number	OC3344359	
Business name	Winckworth Sherwood LLP	If your business is registered, use its registered name.
VAT number	-	Put "none" if you are not registered for VAT.
Legal status	N/A	
	Limited Liability Partnership	

Continued from previous page...

Your position in the business	Licensing Assistant	The country where the headquarters of your business is located.
Home country	United Kingdom	
Agent Registered Address		Address registered with Companies House.
Building number or name	Minerva House	
Street	5 Montague Close	
District		
City or town	London	
County or administrative area		
Postcode	SE1 9BB	
Country	United Kingdom	

Section 2 of 18

APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number PR202101-248963 (PR0372)

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name	Buckingham SF Connect
Street	Stratford Road (A422)
District	
City or town	Buckingham
County or administrative area	
Postcode	MK18 1NY
Country	United Kingdom

Premises Contact Details

Telephone number	
------------------	--

Continued from previous page...

Non-domestic rateable
value of premises (£)

71,500

Section 3 of 18

VARIATION

Do you want the proposed variation to have effect as soon as possible?

Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Describe Briefly The Nature Of The Proposed Variation

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.

The premises is a petrol forecourt store located on Stratford Road (A422), Buckingham, MK18 1NY.

The variation is to do the following:

1. To extend the sale of alcohol to between the hours of 0000 and 2400 daily for consumption off the premises.
2. To remove the embedded restrictions on the licence.
3. To remove the conditions listed under Annex 2.
4. To include in Annex 2 the conditions in boxes b to e of Section 16 of the application.

Section 4 of 18

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes No

Section 5 of 18

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes No

Continued from previous page...

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Yes No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes No

Section 8 of 18

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes No

Section 9 of 18

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

Yes No

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes No

Section 11 of 18

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes No

Continued from previous page...

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes No

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

Will the sale of alcohol be for consumption?

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 14 of 18

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide 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 etc gambling machines etc.

The premises sells alcohol and other age restricted products.

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Conditions listed under Annex 2.

I have enclosed the premises licence

Continued from previous page...

- I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 18

LICENSING OBJECTIVES

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

- a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

- b) The prevention of crime and disorder

1. A digital 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 on site. Copies of recordings will either be recorded digitally on to CD/DVD or other equivalent medium.
3. Any recording will be retained and stored in a suitable and secure manner for a minimum of 31 days and shall be made available, subject to compliance with Data Protection legislation, to the police for inspection on request.
4. 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. The CCTV system will be maintained and 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

1. Adequate waste receptacles for use by customers shall be provided in and immediately outside the premises.
2. Signage shall be displayed at the entry and exit of the site to request that customers consider and respect those local residents living in the immediate vicinity.

- 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

Continued from previous page...

* licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/aylesbury-vale/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

Appendix 5

Dear Sir / Madam

Please find below correspondence I have received from the applications solicitor in respect of the Buckingham SF Connect -BP Simply Food - Variation application Buckingham.

If after reading the correspondence you wish to withdrawn your representation please let me know.

Kerryann Ashton
Licensing Officer
Communities Directorate
Buckinghamshire Council

01296 585560

Kerryann.ashton@buckinghamshire.gov.uk
licensing.av@buckinghamshire.gov.uk

The Gateway, Gatehouse Road, Aylesbury, Buckinghamshire, HP19 8FF

Tue 5/25/2021 10:08 AM

Hi Kerryann

Buckingham SF Connect -BP Simply Food - Variation application Buckingham SF Connect -BP Simply Food - Variation application

I am authorised to amend the application to include the following conditions:

Between the hours of 2400 and 0800:

- The sale of alcohol is for delivery only.
- Delivery of alcohol shall be to a residential address or place of work [specified in the customer order]. The delivery of alcohol must be by way of hand over to a person.
- Prominent, clear and legible notices must be displayed at all exits requesting staff and couriers to respect the needs of local residents and to leave the premises and the area quietly

I hope that the above goes some way towards addressing the concerns raised by interested parties.

Kind regards

Robert

Robert Botkai rbotkai@wslaw.co.uk

Appendix 6

Comment 1

From: [REDACTED]
To: [Licensing Mailbox](#)
Subject: [EXTERNAL] BP garage Buckingham objection to plans
Date: Saturday, April 24, 2021 6:43:57 AM

April 2021

Licensing Services Manager
The Gateway
Gatehouse Road
Aylesbury HP19 8FF
licensing@aylesburyvaledc.gov.uk

Dear Sir or Madam,

I write to object to the application by BP Oil UK Limited regarding extending their off-license to 24 hours at their Buckingham garage on Stratford Road.

The social impacts of granting this change in license are of serious concern , especially:

- This is a garage, and primarily used by motorists for refuelling. The sale of intoxicating substances in garages is problematic given the dangers of drink-driving.
- The garage is surrounded by residences which are by-and-large inhabited by older people, for whom additional late-night business would be disturbing and distressing. Additional accommodation for older people is also being build about 300 metres away from the garage.
- BP's current license allows for purchase of alcohol during sociable hours. Extending these to unsociable hours is likely have mostly unbeneficial social consequences, e.g. for problem or lone drinkers, or late-night revellers.
- BP proposes providing rubbish bins on and around its site to mitigate problems with litter, despite the current and proposed licenses stipulating consumption must be off-site. This is acknowledgement from BP that a 24-hour license will increase street drinking during unsociable hours in close proximity of the premises.

The mitigations proposed in the application by BP Oil UK Ltd do not address these concerns sufficiently, nor does the application demonstrate that significant benefit will be felt by the community to offset these negative likely outcomes.

Please note this objection to the granting of an extension to their liquor licence to 24 hours, and deny the application.

Yours faithfully,

Signed: [REDACTED]

Name: [REDACTED]

Address: [REDACTED]

--

April 2021

Licensing Services Manager
The Gateway
Gatehouse Road
Aylesbury HP19 8FF
licensing@aylesburyvaledc.gov.uk

Ref: PR 202104-251190
Buckingham Filling Station
Stratford Rd.
Buckingham
MK18 1NY

Dear Sir or Madam,

I write to object to the application by BP Oil UK Limited regarding extending their off-license to 24 hours at their Buckingham garage on Stratford Road.

The social impacts of granting this change in license are of serious concern , especially:

- This is a garage, and primarily used by motorists for refuelling. The sale of intoxicating substances in garages is problematic given the dangers of drink-driving.
- The garage is surrounded by residences which are by-and-large inhabited by older people, for whom additional late-night business would be disturbing and distressing. Additional accommodation for older people is also being built about 300 metres away from the garage.
- BP's current license allows for purchase of alcohol during sociable hours. Extending these to unsociable hours is likely have mostly unbeneficial social consequences, e.g. for problem or lone drinkers, or late-night revellers.
- BP proposes providing rubbish bins on and around its site to mitigate problems with litter, despite the current and proposed licenses stipulating consumption must be off-site. This is acknowledgement from BP that a 24-hour license will increase street drinking during unsociable hours in close proximity of the premises.

The mitigations proposed in the application by BP Oil UK Ltd do not address these concerns sufficiently, nor does the application demonstrate that significant benefit will be felt by the community to offset these negative likely outcomes.

Please note this objection to the granting of an extension to their liquor licence to 24 hours, and deny the application.

Yours faithfully,

Signed:

Name:

Address:



- [Close Window](#)
- [Print This Page](#)

Committee Clerk 's comment

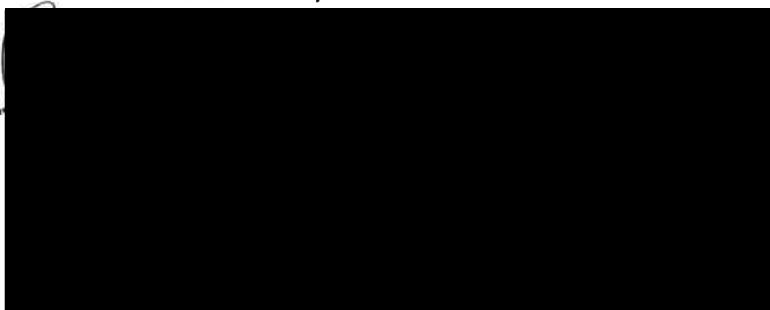
Web Comment Name	Committee Clerk 's comment	Owner	Robert SA Meadows
Email	committeeclerk@buckingham-tc.gov.uk	Address	Buckingham Town Council Buckingham Library Verney Close Buckingham MK18 1JP
Phone	01280816426	Commentator Type	Parish Council
Salutation		Public	<input type="checkbox"/>
Name	Committee Clerk	Stance	Object
First Name		Reason	The prevention of public nuisance
Last Name		Original Text	<p>The garage's location is adjacent to several small residential housing estates. Members are opposed to the extension of the current licencing hours and felt the current hours of 8am to 11pm were sufficient for the sale of alcohol.</p> <p>The TownCouncil is opposed the variation of premises licence to allow the sale of alcohol 24 hours a day from the Buckingham Filling Station on Stratford Road. On the grounds: It is extremely close to quiet residential housing. Allowing the sale of alcohol this late at night will lead to noise and antisocial behavior in local streets at a time when local residents are in bed</p>
Process	PR202104-251190	Text	<p>The garage's location is adjacent to several small residential housing estates. Members are opposed to the extension of the current licencing hours and felt the current hours of 8am to 11pm were sufficient for the sale of alcohol.</p> <p>The TownCouncil is opposed the variation of premises licence to allow the sale of alcohol 24 hours a day from the Buckingham Filling Station on Stratford Road. On the grounds: It is extremely close to quiet residential housing. Allowing the sale of alcohol this late at night will lead to noise and antisocial behavior in local streets at a time when local residents are in bed</p>
Related Party			
Comment Status	Active	Last Modified By	Public Register Site Guest User, 22/04/2021 10:27
Created By	Public Register Site Guest User, 22/04/2021 10:27	Last Modified By	Public Register Site Guest User, 22/04/2021 10:27



Dear Sir,

Please accept the message below as my personal opposition to the Application for the Licence at BP Garage Buckingham to be extended throughout the night.

As Chairman of the RBL in Buckingham, a father of 3 sons and retired Deputy Headmaster of the Royal Latin School such a Licence is of no help to the elderly, family values or a younger generation encouraged to be healthy.



Posted on Social Media

The Chairman of the Buckingham and District Royal British Legion has been asked by the widow of a past member to help her in opposing the Application by the B.P. Garage (& M&S shop) in Buckingham to sell alcohol throughout the night. The lady concerned and many others, especially the elderly who live close to the garage in North End Court, Mary MacManus Drive and Wharfside Place are understandably concerned about potential noise and other disruptions throughout the night.

There are many opportunities to buy alcohol and from many outlets during more sociable hours. To sell alcohol throughout the night and from a garage is socially irresponsible and not to the credit of B.P. or M&S. There appears to be little concern for immediate neighbours, elderly or otherwise.

The hope is that this Application will be opposed by those standing in local elections and by members of the public.

Correspondence opposing the Application has to be sent by 28th April to:

AVDC Licensing Team
The Gateway
Gatehouse Road
Aylesbury HP19 8FF



21st April 2021

Licensing Services Manager

Dear Sir.

I write to object to the application by BP Oil UK Ltd. regarding extending their off license to 24 hours at their Beltingham garage at Stratford Road.

The social impact of granting this change in license are of serious concern :-

This is a garage and primarily used for refuelling. The sales of intoxicating substances in garages are problematic given the dangers of drink-driving.

The garage is surrounded by residences - especially some provided for older residents. Additional late night business would be disturbing and distressing.

BPI's current license allows for the purchase of alcohol during sociable hours. Extending this to unsociable hours will have unbeneficial social consequences for problems or lone drinkers or late night revellers.

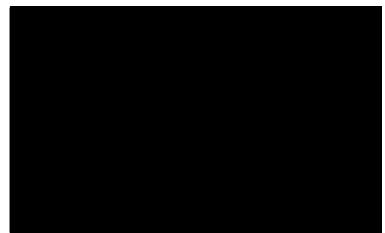
BPI proposes providing rubbish bins on and around the site to mitigate problems with litter. acknowledgement from BPI that a 24 hour license will increase street drinking despite the current and proposed licenses stipulating that consumption must be offsite.

The application does not demonstrate that any significant benefit will be felt by the community to offset these negative, likely outcomes.

Please note this objection to the granting of an extension to the liquor license to 24 hours and deny the application.

Yours faithfully

AVDC Licencing Team
The Gateway
Gatehouse Road
Aylesbury
HP19 8FF



24th April 2021

Dear Licensing Officer

**Application to vary a Premises Licence
BP Oil UK, Buckingham MK18 1NY**

The purpose of the BP Filling Station is the provision of petrol. This BP garage provides 24-hour service every day of the year with its M&S Outlet, Wild Bean Café, toilet facilities, two car washes and the petrol pumps.

The application to sell alcohol 24-hours a day, but which cannot be consumed on the premises, means purchasers have to consume it off-site. The BP is on the Stratford Road with properties including cottages, multi-occupancy properties, elderly people residences, and with a commercial yard at the entrance to the town centre. In 2021 there will be a 60-bedded care home and apartments in Cornwalls Meadow and the Grand Junction/13 High Street will be opening as a late night, high class, restaurant with an alcohol licence 300m away.

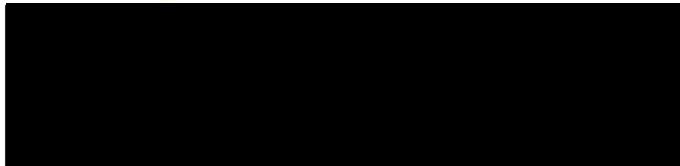
I object most strongly to this application for the following reasons

1. All shops, pubs, restaurants and football clubs have to observe strict licensing regulations and do not sell alcohol out of hours – late night and early morning. Why then should a petrol station sell alcohol 24 hours every day?
2. The CCTV coverage is for the protection of the garage, it does not record sound and only shows what is happening in the shop and forecourt.
3. There is little evidence of notices requesting patrons to leave the premises quietly and to respect local residents.
4. The responsible citizen can purchase their refreshments during the day or evenings at shops which are open. It is the casual drinker, late night party goer, groups, the gang of bored youths and the alcoholic that would be more likely to want to purchase liquor. There is the potential for these people to indulge in anti-social behaviour.
5. Once the entrance doors to the shop are shut, sales have to be purchased through the night-hatch and there is often a staff member working single-handed. How is that person going to tell if the customer is inebriated or under age.

I do not feel a petrol filling station should sell alcohol at all. If allowed, then only between the hours of 8am to 11pm daily.

On a personal level, I have seen the effects on friends and family when their daughter was killed by a drunk driver. I strongly object to the 24-hour sale of alcohol.

Yours faithfully



April 2021

Licensing Services Manager
The Gateway
Gatehouse Road
Aylesbury HP19 8FF
licensing@aylesburyvaledc.gov.uk



Dear Sir or Madam,

I write to object to the application by BP Oil UK Limited regarding extending their off-license to 24 hours at their Buckingham garage on Stratford Road.

The social impacts of granting this change in license are of serious concern , especially:

- This is a garage, and primarily used by motorists for refuelling. The sale of intoxicating substances in garages is problematic given the dangers of drink-driving.
- The garage is surrounded by residences which are by-and-large inhabited by older people, for whom additional late-night business would be disturbing and distressing. Additional accommodation for older people is also being build about 300 metres away from the garage.
- BP's current license allows for purchase of alcohol during sociable hours. Extending these to unsociable hours is likely have mostly unbeneficial social consequences, e.g. for problem or lone drinkers, or late-night revellers.
- BP proposes providing rubbish bins on and around its site to mitigate problems with litter, despite the current and proposed licenses stipulating consumption must be off-site. This is acknowledgement from BP that a 24-hour license will increase street drinking during unsociable hours in close proximity of the premises.

The mitigations proposed in the application by BP Oil UK Ltd do not address these concerns sufficiently, nor does the application demonstrate that significant benefit will be felt by the community to offset these negative likely outcomes.

Please note this objection to the granting of an extension to their liquor licence to 24 hours, and deny the application.

Yours faithfully,

April 2021

Licensing Services Manager
The Gateway
Gatehouse Road
Aylesbury HP19 8FF
licensing@aylesburyvaledc.gov.uk

Ref: PR 202104-251190
Buckingham Filling Station
Stratford Rd.
Buckingham
MK18 1NY

Dear Sir or Madam,

I write to object to the application by BP Oil UK Limited regarding extending their off-license to 24 hours at their Buckingham garage on Stratford Road.

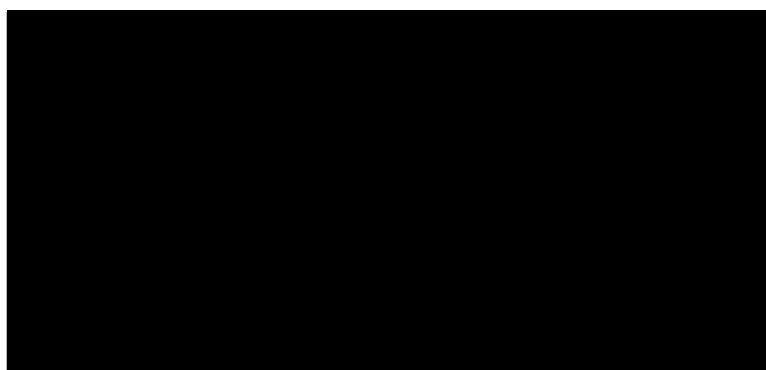
The social impacts of granting this change in license are of serious concern , especially:

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- BP proposes providing rubbish bins on and around its site to mitigate problems with litter, despite the current and proposed licenses stipulating consumption must be off-site. This is acknowledgement from BP that a 24-hour license will increase street drinking during unsociable hours in close proximity of the premises.

* - INCREASINGLY IN THE FREE CAR PARK AT NIGHT BEHIND WITHIN THE PLACE
The mitigations proposed in the application by BP Oil UK Ltd do not address these concerns sufficiently, nor does the application demonstrate that significant benefit will be felt by the community to offset these negative likely outcomes.

Please note this objection to the granting of an extension to their liquor licence to 24 hours, and deny the application.

Yours faithfully,



PUBLIC NOTICES

LICENCE APPLICATIONS

Licensing Act 2003

Application to vary a Premises Licence
Name of Applicant: BP Oil UK Limited.
Address: Buckingham SF Connect, Stratford Road
(A422), Buckingham, MK18 1NY. Licensing
Authority: Buckinghamshire Council. Licensing
Authority Address: Licensing Services Manager, The
Gateway, Gateway House, Aylesbury, HP19 8FF,
licensing@aylesburyvaledc.gov.uk (where a record of the
application may be inspected during normal office hours).
Licensing Authority Website: www.aylesburyvaledc.gov.uk
The applicant has applied to the Licensing Authority to vary
the premises licence for the above premises as follows: 1.
To extend the hours for the sale of alcohol to between the
hours of 0000 and 2400 daily for consumption off the
premises. 2. To vary the licence conditions. Any person or
responsible authority (as defined by the Licensing Act
2003) may make representations to the Licensing Authority
no later than 28 April 2021. Any representations made to
the Licensing Authority must be in writing.

It is an offence to knowingly or recklessly make a false
statement in connection with an application and the
maximum fine for which a person is liable on summary
conviction for the offence is an unlimited fine.

Dated: 31 March 2021

Whickworth Sherwood LLP
Minerva House, 5 Montague Close, London, SE1 9BB
Ref: TLV/00088/00308/RFB
Solicitors and authorised agents for the applicant.

21 April 2021

Licensing Services Manager
The Gateway
Gatehouse Road
Aylesbury HP19 8FF
licensing@aylesburyvaledc.gov.uk

Dear Sir or Madam,

I write to object to the application by BP Oil UK Limited regarding extending their off-license to 24 hours at their Buckingham garage on Stratford Road.

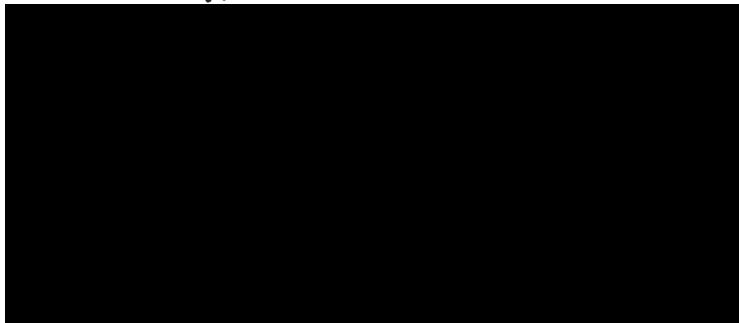
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The mitigations proposed in the application by BP Oil UK Ltd do not address these concerns sufficiently, nor does the application demonstrate that significant benefit will be felt by the community to offset these negative likely outcomes.

Please note this objection to the granting of an extension to their liquor licence to 24 hours, and deny the application.

Yours faithfully,



21 April 2021

Licensing Services Manager
The Gateway
Gatehouse Road
Aylesbury HP19 8FF
licensing@aylesburyvaledc.gov.uk

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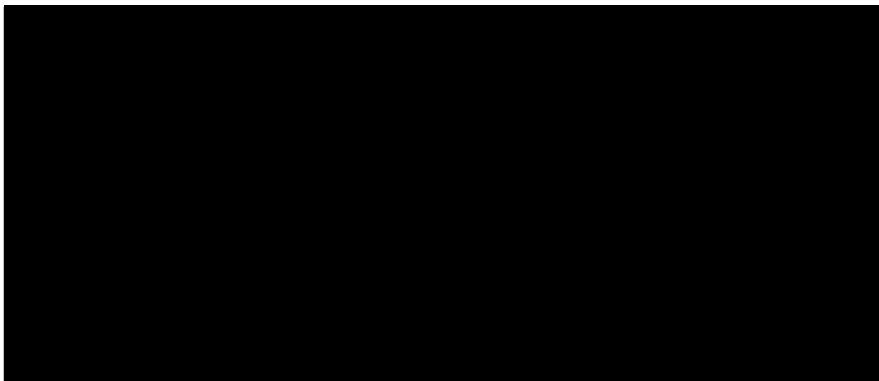
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The mitigations proposed in the application by BP Oil UK Ltd do not address these concerns sufficiently, nor does the application demonstrate that significant benefit will be felt by the community to offset these negative likely outcomes.

Please note this objection to the granting of an extension to their liquor licence to 24 hours, and deny the application.

Yours faithfully,



21 April 2021

Licensing Services Manager
The Gateway
Gatehouse Road
Aylesbury HP19 8FF
licensing@aylesburyvaledc.gov.uk

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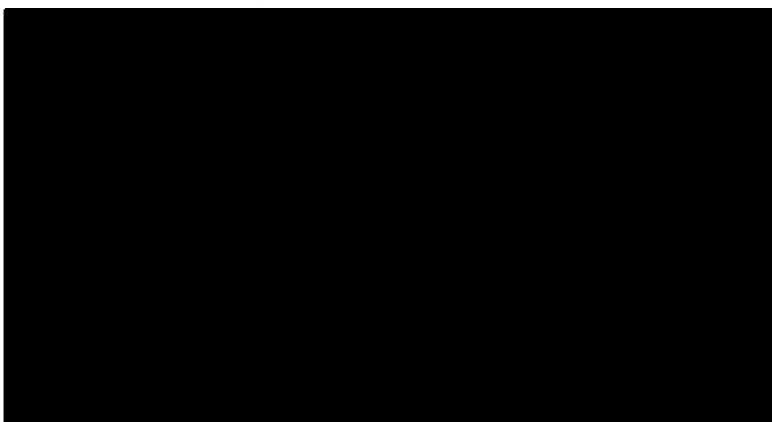
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The mitigations proposed in the application by BP Oil UK Ltd do not address these concerns sufficiently, nor does the application demonstrate that significant benefit will be felt by the community to offset these negative likely outcomes.

Please note this objection to the granting of an extension to their liquor licence to 24 hours, and deny the application.

Yours faithfully,



[REDACTED]

27th April 2021

Licensing Services Manager
The Gateway
Gatehouse Road
Aylesbury
Bucks. HP19 8FF

Ref: PR 202104-251190
Buckingham Filling Station
Stratford Rd.
Buckingham
MK18 1NY

Dear Sir or Madam,

We write to object to the above application by BP Oil UK Limited to extend their off-license to 24 hours at the above location, for the following reasons.

1. This is a garage filling station and mainly used for that purpose. It already seems inappropriate for a filling station to sell alcohol considering the drink-driving issues. To have alcohol available 24 hours may tempt certain drivers to buy, and drink, thinking that as it is night time with less traffic it doesn't matter so much.
2. The garage is surrounded by residential housing, and situated in an area with sheltered housing for elderly people at Mary MacManus Drive, North End Court, and a new complex being built just 300 metres away at Cornwalls Meadow.
3. There are already problems with disturbance by evening drinkers in Mary MacManus Drive, which is directly opposite the BP Station, and in the nearby Stratford Road Car Park. This has awakened residents. To extend the licensing hours will increase the likelihood of disturbance during the night.
4. With a reduced Police presence in Buckingham, dealing with these sort of disturbances will be more problematic.
5. As the shop gets known there will be an increase in traffic, on what is at present a fairly quiet road during the night.
6. The Application is vague about the level of staffing. At present only one person is on duty, who may well feel intimidated by a troublesome customer who insists on being served, even though underage or inebriated, or by a number of people in that condition, and serve them anyway. With a group determined to get alcohol, even two staff may feel unable to refuse their demands. This could easily lead to further disturbances as described above.
7. The proposals by BP Oil UK Ltd. to fix CCTV cameras and provide rubbish bins on and around the site do not adequately address the above concerns, which are mostly out of range of coverage by the proposed CCTV cameras.

We therefore object most strongly to the above application.

Yours faithfully,

[REDACTED]

Comment 13

From: [REDACTED]
To: [Licensing Mailbox](#)
Subject: [EXTERNAL] Objection to BP Oil Buckingham off licence application.
Date: Thursday, April 22, 2021 8:58:42 AM

Dear Sir or Madam,

I write to object to the application by BP Oil UK Limited regarding extending their off-license to 24 hours at their Buckingham garage on Stratford Road.

The social impacts of granting this change in license are of serious concern , especially:

- This is a garage, and primarily used by motorists for refuelling. The sale of intoxicating substances in garages is problematic given the dangers of drink- driving.
- The garage is surrounded by residences which are by-and-large inhabited by older people, for whom additional late-night business would be disturbing and distressing. Additional accommodation for older people is also being build about 300 metres away from the garage.
- BP's current license allows for purchase of alcohol during sociable hours. Extending these to unsociable hours is likely have mostly unbeneficial social consequences, e.g. for problem or lone drinkers, or late-night revellers.
- BP proposes providing rubbish bins on and around its site to mitigate problems with litter, despite the current and proposed licenses stipulating consumption must be off-site. This is acknowledgement from BP that a 24- hour license will increase street drinking during unsociable hours in close proximity of the premises.

The mitigations proposed in the application by BP Oil UK Ltd do not address these concerns sufficiently, nor does the application demonstrate that significant benefit will be felt by the community to offset these negative likely outcomes.

Please note this objection to the granting of an extension to their liquor licence to 24 hours, and deny the application.

Yours faithfully

[REDACTED]
[REDACTED]

Comment 14

From: [REDACTED]
To: [Licensing Mailbox](#)
Subject: [EXTERNAL] BP Oil UK Ltd off-license Extension Objection
Date: Thursday, April 22, 2021 9:30:09 PM

Dear Sir or Madam,

I write to object to the application by BP Oil UK Limited regarding extending their off-license to 24 hours at their Buckingham garage on Stratford Road.

The social impacts of granting this change in license are of serious concern , especially:

- This is a garage, and primarily used by motorists for refuelling. The sale of intoxicating substances in garages is problematic given the dangers of drink-driving.
- The garage is surrounded by residences which are by-and-large inhabited by older people, for whom additional late-night business would be disturbing and distressing. Additional accommodation for older people is also being build about 300 metres away from the garage.
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The mitigations proposed in the application by BP Oil UK Ltd do not address these concerns sufficiently, nor does the application demonstrate that significant benefit will be felt by the community to offset these negative likely outcomes.

Please note this objection to the granting of an extension to their liquor licence to 24 hours, and deny the application.

Yours faithfully,

[REDACTED]

Comment 15

From: [REDACTED]
To: [Licensing Mailbox](#)
Subject: [EXTERNAL] BP Oil UK Limited regarding extending their off-license to 24 hours at their Buckingham garage on Stratford Road.
Date: Friday, April 23, 2021 9:36:40 PM

To: Licensing Services Manager

The Gateway

Gatehouse Road

Aylesbury HP19 8FF

Dear Sir or Madam,

I write to object to the application by BP Oil UK Limited regarding extending their off-license to 24 hours at their Buckingham garage on Stratford Road, Buckingham.

The social impacts of granting this change in license are of serious concern , especially:

- This is a garage, and primarily used by motorists for refuelling. The sale of intoxicating substances in garages is problematic given the dangers of drink-driving.
- The garage is surrounded by residences which are by-and-large inhabited by older people, for whom additional late-night business would be disturbing and distressing. Additional accommodation for older people is also being built about 300 metres away from the garage.
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Please note this objection to the granting of an extension to their liquor licence to 24 hours, and deny the application.

Regards,

[REDACTED]

April 2021

Licensing Services Manager
The Gateway
Gatehouse Road
Aylesbury HP19 8FF
licensing@aylesburyvaledc.gov.uk

Dear Sir or Madam,

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Please note this objection to the granting of an extension to their liquor licence to 24 hours, and deny the application.

Yours faithfully,

Signed:
.

Name:
[REDACTED]

April 2021

Licensing Services Manager
The Gateway
Gatehouse Road
Aylesbury HP19 8FF
licensing@aylesburyvaledc.gov.uk

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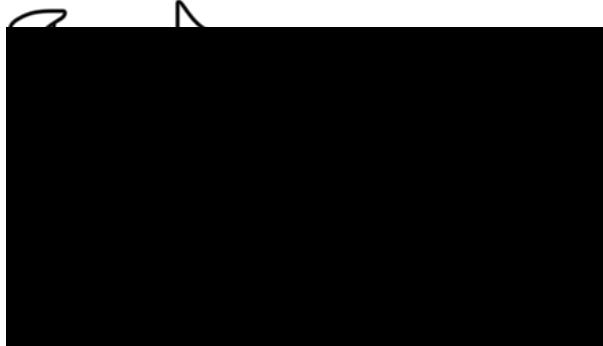
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Please note this objection to the granting of an extension to their liquor licence to 24 hours, and deny the application.

Yours faithfully,

Signed:
Name:
Address:




The Salvation Army Buckingham Corps

Captains Vanessa and Xander Coleman
Commanding Officers

Date: 21 April 2021

Licensing Services Manager
The Gateway
Gatehouse Road
Aylesbury HP19 8FF



Dear Sir or Madam,

I write to register The Salvation Army Buckingham Corps' objection to the application by BP Oil UK Limited regarding extending their off-license to 24 hours at their Buckingham garage on Stratford Road.

The Salvation Army is one of the largest teetotal organisations in the world, and takes the role of alcohol in society seriously because of the devastating consequences alcohol use can have for families and individuals. The Salvation Army's vast experience working with those in addiction to alcohol convinces us that those at risk of negative consequences from alcohol use need protection, which is something that robust licensing regulations can aid.

Specifically, I have the following concerns regarding the social impacts of granting this change in license:

- The sale of intoxicating substances in garages is a matter of some concern given the growing problem of drink-driving.
- The garage is surrounded by residential properties which are mainly filled by older people, for whom additional business late at night would be disturbing.
- Current licensing allows for purchase of alcohol during sociable hours, and the extending these to unsociable hours is likely negatively impact those for whom drinking is already a problem, e.g. addicted or lone drinkers, or disruptive late-night revellers.

It is my view that the application by BP Oil UK Ltd does not address these concerns sufficiently, or demonstrate that significant benefit will be felt by the community to offset these negative likely outcomes.

I therefore object to the granting of an extension to their liquor licence to 24 hours, and request the licensing team to deny the application.

Yours faithfully,

[Redacted]
X

Commanding Officer



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- [Print This Page](#)

Warren Whyte's comment

Web Comment Name	[REDACTED]	Owner	Robert SA Meadows
Email	[REDACTED]	Address	[REDACTED]
Phone	[REDACTED]	Commentator Type	[REDACTED]
Salutation		Public	[REDACTED]
Name	Warren Whyte	Stance	Object
First Name		Reason	The prevention of public nuisance
Last Name		Original Text	This petrol station is located at the edge of a residential area and would be of significant concern in encouraging late night and early hours alcohol trade contrary to our normal Buckingham town centre timescales. There is no justification for the hours of sales to be more extensive than other establishments in Buckingham and puts at risk a return to the anti-social behaviour and additional nuisance that was experienced in the past.
Process	PR202104-251190	Text	This petrol station is located at the edge of a residential area and would be of significant concern in encouraging late night and early hours alcohol trade contrary to our normal Buckingham town centre timescales. There is no justification for the hours of sales to be more extensive than other establishments in Buckingham and puts at risk a return to the anti-social behaviour and additional nuisance that was experienced in the past.
Related Party			
Comment Status	Active	Last Modified By	Public Register Site Guest User, 21/04/2021 15:50
Created By	Public Register Site Guest User, 21/04/2021 15:50	Public Register Site Guest User, 21/04/2021 15:50	

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April 2021

Licensing Services Manager
The Gateway
Gatehouse Road
Aylesbury HP19 8FF
licensing@aylesburyvaledc.gov.uk

Ref: PR 202104-251190
Buckingham Filling Station
Stratford Rd.
Buckingham
MK18 1NY

Dear Sir or Madam,

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Signed:

Name:
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