

DECISION NOTICE

LICENSING ACT 2003 – TO CONSIDER AN APPLICATION FOR THE GRANT OF A PREMISES LICENCE FOR ONE STOP, 48 BRIDGE ROAD, SUTTON BRIDGE, PE12 9UA.

PRESENT

Members of the Panel:

Councillor F Biggadike Councillor H Bingham Councillor J Tyrrell (Chairman)

Officers:

D Hall (Licensing and Business Support Manager) A Howlett/A Franklin (Democratic Services Officer (Clerk to the Panel))
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In attendance:

S Wolstenholme-Smy (Legal Advisor to the Panel) R Goraniya (Applicant) R Jordan (Representative) Sgt K Enderby (Lincolnshire Police) PC G McConville (Lincolnshire Police)

The Panel considered the application for the grant of a Premises Licence for One Stop, 48 Bridge Road, Sutton Bridge, PE12 9UA.

DECISION

The Panel considered the written and verbal evidence presented by all parties, in arriving at this determination.

The Panel took due notice of the Licensing Act 2003, and the Regulations made under it, the guidance issued under Section 182 of the Licensing Act 2003 and South Holland District Council's Statement of Licensing Policy.

The Licensing Panel in particular took into account the number of objections received by " other persons". The " other persons" did not attend the hearing. The objections were in the view of the Licensing Panel, speculative, generalised and some not relevant to the licensing regime and in particular the matters complained of cannot be contributed to the premises as it is a new business.

The Applicant has agreed to remove from the Application the sale of alcohol for deliveries, internet, mail order and the conditions associated with it and remove the non-standard timing for New Year's Eve as they intend to open 0600-2300 hrs every day of the year.

The Lincolnshire Police have put forward conditions to replace those conditions previously suggested by the Applicant and incorporated in the Premises Licence

Application. The Applicant agrees with these conditions proposed by the Police. The Panel considers that these conditions are a robust tool to ensure the licensing objectives are adhered to and are satisfied that the issues identified by the “other persons” which are relevant to the licensing regime should be dealt with. If there are complaints relevant to any of the licensing objectives then the Police can take appropriate steps and an application can always be made for the Premises Licence to be reviewed.

The Panel noted the experience of the Applicant and therefore the premises should be a well run business.

The conditions are -

The prevention of crime and disorder

A CCTV system shall be installed, recording and maintained in working order and operated at the premises to the satisfaction of Lincolnshire Police, specifically:

- a) There shall be a minimum of one high resolution colour camera, fitted in a weatherproof housing, for external coverage of the entrance.*
- b) There shall be a minimum of one high-resolution colour camera fitted to each public entrance/exit. To provide a quality head and shoulder image for facial recognition/identification purposes of all persons entering the premises.*
- c) There shall be sufficient cameras able to cope with the normal operating illumination to reasonably cover all licensed public areas.*
- d) Recordings must be kept for a minimum of 31 days and endorsed with the accurate, correct time/date (BST/GMT adjusted).*
- e) Police and/or Authorised Licensing Officers shall be able on attendance to view immediate playback of any incident without the necessity for download.*
- f) Recordings of incidents at the premises must be provided to the police following lawful request.*
- g) A member of management shall be on the premises at all times they are open to the public who is capable of operating the CCTV system and providing recordings on request. When this is not possible recordings shall be provided within 24 hours of the original request.*
- h) Recording equipment shall be housed in a secure room/cabinet where access and operation is strictly limited to authorised persons.*
- i) In the event of a system malfunction, the Designated Premises Supervisor or the Premises Licence Holder must immediately notify Lincolnshire Police Licensing Department tel 101, ask for Lincolnshire, ask for the alcohol licensing or email countylicensinggroup@lincs.pnn.police.uk. Details of this malfunction must be recorded in the premises refusals/incident book. Arrangements for its repair must be*

made without delay. The Licensing Authority and Police Licensing must be notified when the system is again operational.

Public safety

An incident/refusals recording system shall be kept at the premises, in which details of crime and/or disorder or alcohol refusals relating to the premises shall be recorded. It shall contain the following details;

- * Time, date of incident/refusals.*
- * Nature of the incident/refusal.*
- * Result of the incident/refusals.*
- * Action taken to prevent such incidents.*
- * Retained for a period of no less than 12 months and made available to Lincolnshire Police for inspection upon request.*

The prevention of public nuisance

The outside area of the premises will be checked daily for litter, any found will be disposed of in an appropriate manner.

Signage will be displayed outside the premises asking people not to congregate in the immediate area.

Signage will be displayed at the exit asking customers to consider nearby residents and to please leave the area quietly.

The protection of children from harm

The premises shall operate the "Challenge 25" Proof of Age Policy to prevent the sale or supply of alcohol to persons under 18 years of age. The policy shall require any person who appears to be under the age of 25 years to produce one of the following forms of identification:

- * A recognised proof of age card credited under the British Retail Consortiums Proof of Age Standards Scheme (PASS);*
- * Photo driving licence;*
- * Passport.*

Notices shall be prominently displayed advising customers of the Challenge 25 policy.

All point of sale staff shall undergo twelve monthly training in the challenge 25 proof of age scheme and all other relevant policies with a record kept of the date of training, signed by the member of staff being training and the trainer. Each entry shall

be retained for a period of 12 months from date of completion. This record shall be made available for inspection by Lincolnshire Police Officers or other relevant authority.

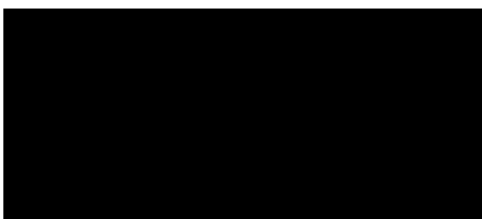
In addition to the above the Licensing Panel includes additional conditions under the Prevention of Public Nuisance

- *Customers will be issued with identifiable bags where any bags are issued by the premises staff.*
- *A rubbish bin will be placed immediately outside the premises, and checked and emptied at regular intervals.*

The Licensing Panel therefore grants the Premises Licence Application subject to the above conditions, which for the avoidance of doubt replace those conditions contained in the Application.

RIGHT OF APPEAL

Under Schedule 5 of the Licensing Act 2003 there is a right of appeal to the Magistrates Court. Any appeal must be commenced by notice of appeal given by the Appellant to the Magistrates Court within 21 days beginning with the day on which the Appellant was notified by the Licensing Authority of the decision appealed against.



Signed: Councillor J Tyrrell (Chairman of the Panel)
Date: 12 August 2020

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