

## Licensing Act 2003

### Representation by a Responsible Authority

**Note:** Please be aware that this form may be viewed by the Applicant or by a representative of the Applicant. It may also be read out in public at the Licensing Panel hearings.

Representations may be made at any time during a period of 28 consecutive days starting on the day after the application was given to the Licensing Authority.

Representations are only relevant to an application if they relate to at least one of the four Licensing Objectives listed below:

- 1. The Prevention of Crime and Disorder**
- 2. Public Safety**
- 3. Prevention of Public Nuisance**
- 4. The Protection of Children from Harm**

Please enter your details below:

Responsible Authority:	Lincolnshire Police
Contact Officer:	Pc 642 McConville
Address:	Lincolnshire Police Licensing, Myle Cross Centre Macaulay Drive Lincoln LN2 4EL
Telephone Number:	101 – Lincolnshire - 3298438
E-mail:	countylicensinggroup@lincs.pnn.police.uk

Please provide details of the application to which your representation refers:

Name:	One Stop Sutton Bridge – applicant Raju GORANIYA
Address:	48 Bridge Road Sutton Bridge PE12 9UA
Application Details:	Premises Licence Application
Date Application Received:	24/06/20

Please provide details of your representation in the box below. Indicate which of the Licensing Objectives your representation refers to by ticking the relevant box(es):

- **The Prevention of Crime and Disorder** **X**
- **Public Safety** **X**
- **Prevention of Public Nuisance** **X**
- **The Protection of Children from Harm** **X**

In relation to this application, the following Guidance issued under Section 182 of the Licensing Act 2003 has been considered –

*From Section 9.12....Each responsible authority will be an expert in their own field....for example the police have a key role in managing the night-time economy.....However, any responsible authority under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations. Licensing Authorities must therefore consider all relevant representations from responsible authorities carefully, even where the reason for a particular responsible authority's interest or expertise in the promotion of a particular objective may not be immediately apparent.*

This application is for a premises licence to enable the applicant to operate a convenience store conducting off sales only between the hours of 0600-2300 hours daily, 7 days a week, with the same opening hours. The applicant did not approach Lincolnshire Police Licensing Department prior to the application being submitted. Had they done so they would have been advised to email a draft copy of the application so that a consultation could commence. However since the application has been submitted Lincolnshire Police have consulted with the applicant.

The conditions offered in the application, although well intentioned, are inadequate and do not address the risk posed and therefore do not fully promote the licensing objectives. Lincolnshire Police suggests removing the wording in part M of the application and replacing it with the wording suggested by Lincolnshire Police below. These conditions are specific and measurable and will assist the applicant in robustly promoting the licencing objectives.

If possible, please suggest alterations to the application that would resolve the problem mentioned above, again paying attention to the **Licensing Objectives**:

Lincolnshire Police have consulted with the applicant, who has fully agreed the conditions and suggested changes to the application below.

The applicant's home address and the address on his personal licence is [REDACTED] [REDACTED] and not that of 48 Bridge Road Sutton Bridge, and it's the [REDACTED] address the applicant has agreed to have for the DPS as opposed to the shop address.

The applicant has agreed to remove any mention of alcohol for deliveries, internet, mail order and the conditions associated with it, as he has have no intention of doing this and it is not in his business plan.

The applicant wants to remove the non-standard timing for New Year's Eve as he intends to open 0600-2300hrs every day of the year and not go outside this.

The applicant has now realised that the conditions offered in the application are poor and is happy to removing them and replacing them with that's below.

### **Steps Taken To Promote the Licensing Objectives**

#### **b) 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](mailto: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.

#### **c) 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.

#### **d) 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.

#### **e) 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.

Have you contacted the applicant to discuss this representation?

Yes X No

Do you consider mediation could resolve the issue?

Yes X No

Do you propose to attend or be represented at any Licensing Panel hearing?

Yes X No

Please tick this box if you consent to any notice of any hearing being sent to you to via the e-mail address provided by you above. X

(Please note if any notice is sent to you by electronic means, you will also receive confirmation of the same in writing).