

LICENSING SUB-COMMITTEE

Wednesday, 4 August 2021

11.00 am

Virtual Meeting Via Zoom

Membership: Councillors Pat Vaughan (Chair), Alan Briggs and Jane Loffhagen
Substitute member(s): Councillor L Bushell
Officers attending: Rob Cuffling, Democratic Services, and Louise Simpson, Legal Services

AGENDA VIRTUAL MEETING

Join from a PC, Mac, iPad, iPhone or Android device:
Please click this URL to join.

<https://us06web.zoom.us/j/84892142014?pwd=UW5yNzkzR0U4cnUrcUpBVllvZkl1dz09>

Passcode: 661689

Or join by phone:
Dial 0330 0885830

Quoting the following information as prompted 301 715 8592
Webinar ID: 848 9214 2014
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Please be aware that subject to regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005, the licensing authority may exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public.

SECTION A

Page(s)

1. Declarations of Interest

Please note that, in accordance with the Members' Code of Conduct, when declaring interests members must disclose the existence and nature of the interest, and whether it is a disclosable pecuniary interest (DPI) or personal and/or pecuniary.

2. Procedure for Hearings

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3. Application for a Premises Licence: High Street Convenience Store, Unit 7, Stonebow Centre, Silver Street, Lincoln. LN2 1DY

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LICENSING SUB-COMMITTEE

Procedure for Hearings

- (1) The Chair will introduce him/herself and will introduce the other members of the sub-committee, the Licensing Officer, the Clerk to the sub-committee and any other officers present to advise the sub-committee.
- (2) The Chair will request all parties taking part in the proceedings to introduce themselves to the Sub -Committee.
- (3) The Chair will then ask the Licensing Officer to open the proceedings by:
 - stating the nature of the matter to be considered;
 - giving the name of the applicant or licence holder; and
 - where appropriate, the name of the premises or place concerned; and
 - outlining the application and the relevant representations and/or notices made and/or given in respect of the application.
- (4) The Chair will then ask the Licensing Officer to confirm whether or not the formal requirements in respect of the matter to be considered have been complied with.
- (5) If not satisfied as to any formal requirements, the sub-committee will decide whether to:
 - continue with its consideration of the matter; or
 - adjourn the proceedings to enable the formal requirements to be completed; or
 - dismiss the application.
- (6) The Chair will then explain the procedure the sub-committee intends to follow at the hearing and shall advise the parties of the period of time each will be allowed to make their application and/or representation. If the Chair considers that there is no need for a time limit, he should say so.
- (7) The sub-committee will then consider any representations in regard to the period of time allowed for the parties and any request made by a party for permission for another person to appear at the hearing to assist the licensing authority in regard to that party's application, representations or notice (such permission will not be unreasonably withheld).

- (8) The procedure for the hearing shall be as follows:
- (a) The applicant, or their representative, will present their case. In presenting the case the applicant, or their representative, may give evidence and may call any other person, given permission to appear by the sub-committee, to assist in the proceedings. Each shall, in turn:
 - give evidence;
 - may be questioned by any other party;
 - may be questioned by members of the sub-committee;
 - may, if necessary, be re-questioned by the applicant or their representative calling them.
 - (b) If a time limit has been imposed, the applicant and/or their representative shall not, in presenting the case, exceed the period of time allowed for this purpose.
 - (c) The other party or parties, or their respective representatives, will each, in turn, present their case(s). Where there is more than one other party, in the absence of agreement, the sub-committee will decide the order in which the cases shall be presented. In presenting the case any party, or their representative, may give evidence and may call any other person, given permission by the sub-committee to appear, to assist in the proceedings. Each shall, in turn:
 - give evidence;
 - may be questioned by any other party;
 - may be questioned by members of the sub-committee;
 - may, if necessary, be re-questioned by the applicant or their representative calling them.
 - (d) If a time limit has been imposed each other party and/or their representative shall not, in presenting the case, exceed the period of time allowed for this purpose.
 - (e) Once all parties have put their cases to the sub-committee, each party will be given the opportunity of summing up their case in the order they were presented. The Chair may propose that no more than 5 minutes will be allowed to each party for this purpose, but may take representations if any are made.
 - (f) Members of the sub-committee may ask the parties, or any persons present to assist, for any additional information or clarification required.
- (9) The Chair will then advise the parties that the sub-committee will retire to determine the application. The sub-committee will be accompanied by the Clerk to the sub-committee, whose only role will be to record the decision and the reasons for that decision. The sub-committee may, after retiring, call upon the Licensing Authority's legal representative if it requires clarification on a point of law.
- (10) The sub-committee will consider its decision. The decision of the majority of the sub-committee shall be the decision of the sub-committee.

- (11) There are timescales, depending on the nature of the application, by which the sub-committee must determine an application and the timescale will be included in the officer's report.
- (12) If the hearing requires a decision at the conclusion of the hearing then having reached a decision, the sub-committee shall reconvene to announce the decision to the parties. Before doing so, where legal advice has been sought, the legal representative will inform the parties of what advice was given and the parties shall be afforded the opportunity to comment on that advice.
- (13) If the decision does not have to be made at the conclusion of the hearing the sub-committee must make its decision within five working days beginning with the day or last day on which the hearing was held. This does not preclude the Sub-committee making its decision on the day or last day of the hearing.
- (14) The Chair will announce the sub-committee's decision together with the reasons for the decision. This will, where applicable, include details of any conditions imposed and the reasons for their imposition or, where no conditions have been imposed, the reason(s) for not doing so.

POINTS TO NOTE RELATING TO HEARINGS

- (a) Members of the sub-committee must remain throughout all of the hearing.
- (b) Members of the sub-committee must confine themselves to questions and **NOT** embark on discussions upon the merits or otherwise of the application or evidence until they consider their decision.
- (c) The strict rules of evidence do not apply so hearsay evidence is admissible.
- (d) Where a large number of interested parties are involved in a particular hearing, they will be encouraged to appoint a spokesperson or spokespersons so as to avoid duplication of evidence.
- (e) A general assumption will be made that all parties have read and understood the relevant paperwork and background documents before attending the hearing. There should be no need for parties to duplicate word for word the contents of their written submissions.
- (f) Unless indicated otherwise, the hearing will take place in public. If the public are to be excluded then full reasons for doing so will be given by the Chair.
- (g) In determining applications and representations members of the sub-committee will give appropriate weight to:
 - The argument and evidence presented by all parties;
 - The four licensing objectives of the Licensing Act 2003, namely
 - (a) the prevention of crime and disorder,
 - (b) the prevention of public nuisance,
 - (c) public safety, and
 - (d) the protection of children from harm;
 - The Statement of Licensing Policy of the City of Lincoln Council;
 - Section 182 Statutory Guidance issued by the Home Office;
 - Any steps necessary to promote the licensing objectives; and
 - Information contained in any operating schedule submitted by the applicant.
- (h) The general principles under which members of the sub-committee will consider all licensing applications are:
 - A fair and unbiased mind;
 - On its own merits;
 - Any pre-conceived opinions and resolutions will be put aside;
 - They will act without any prejudice or partiality;
 - They will consider both the interests of the public and the rights of the applicant; and
 - They will treat all applicants fairly and equally.
- (i) The sub-committee is required to give reasons for its decision. Such reasons need to be clear and include an explanation of why it has reached its decision including what it relied on to do so (e.g. what evidence was accepted, and what evidence was rejected, and why).
- (j) If, in making its decision, the Sub-Committee considered it proper to depart from the Section 182 Guidance or its own Licensing Policy it is also required to give full reasons for so departing.

SUBJECT:	APPLICATION FOR A PREMISES LICENCE HIGH STREET CONVENIENCE STORE, UNIT 7, STONEBOW CENTRE, SILVER STREET, LINCOLN, LN2 1DY
DIRECTORATE:	COMMUNITIES & ENVIRONMENT
LEAD OFFICER:	ROB CUFFLING, LICENSING OFFICER

1. Purpose of Report

1.1 To determine an application for a premises licence made by VPS PVT Limited in respect to premises known as High Street Convenience Store, Unit 7, Stonebow Centre, Silver Street, Lincoln, LN2 1DT

2. The Application

2.1 Under the provisions of section 17 of the Licensing Act 2003 on the 18th June 2021 an application was received from VPS PVT Limited. A copy of the application can be seen at **Appendix A**.

2.2 The application seeks to authorise the following activities:
Retail sale of alcohol for consumption off the premises for the hours 00:00 to 24:00 for seven days a week.
Provision of late night refreshment both indoors and outdoors for the hours 23:00 to 05:00.

2.3 There are no other licensable activities applied for.

2.4 The premises shall be open to the public from 00:00 to 24:00, however customers will be served by a night hatch from 23:00 to 05:00

3. Promotion of Licensing Objectives

3.1 In submitting their application, the applicant is required to describe any steps intended to be taken in order to promote the following 4 licensing objectives:

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

3.2 Section M of the application form found at **Appendix A** describes the steps that the applicant intends to take to promote the licensing objectives.

4. **Relevant Representations – Responsible Authorities**

4.1 On the 8th July 2021 the Chief Officer of Police for Lincolnshire has made a representation objecting to the grant of the licence stating that the licensing objectives of: Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, and The Protection of Children from Harm were at risk.

4.2 A copy of the representation and supporting documents can be found at **Appendix B**.

5. **Relevant Representations - Other Persons**

5.1 There have been no representations from any other persons

6.1 **Other Information**

6.1.2 Lincolnshire Police make reference to a PSPO as part of their representation.

6.1.3 A PSPO is a power contained in the Anti-Social Behaviour, Crime and Policing Act 2014 and puts restrictions in place to deal with particular forms of nuisance or problems.

6.1.4 Within the City of Lincoln a PSPO is also in effect, which includes the area where the premises are located. A copy of the City of Lincoln PSPO can be found as part of the police representation **Appendix B(ii)**

6.1.5 The PSPO was initially adopted in 2015 for a period of 3 years, having been reviewed and renewed in 2021 for a further 3 year period.

6.1.6 It should be noted that the PSPO is not a ban on the drinking of alcohol in a public space, rather an offence occurs if an individual fails to comply with an officer's request within the restricted area of the PSPO to stop drinking and/or surrender alcohol.

6.2 **Section 182 Guidance and Licensing Authority Policy**

6.2.1 The duty of the Licensing Authority is to promote the licensing objectives having regard to the Act and Regulations made thereunder, Guidance issued under S182 of the Act by the Home Office and the Council's own Licensing Policy.

6.2.2 Copies of the Statutory Guidance issued by the Home Office, known as Section 182 guidance and a copy of the Council's Statement of Licensing Policy will be available for consultation at the hearing.

6.2.3 The Council's policy requires the Sub-Committee to determine applications on their own merits.

6.2.4 The Sub-Committee must consider the points raised in the representation at **Appendix B**, on the likely effect of the grant of this licence on the licensing objectives identified within them. The onus falls upon those making

representations to show that such consequences, based on the balance of probabilities (i.e. more probable than not), are a likely effect of the grant of a licence.

6.2.5 S182 paragraph 8.41:

In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. Licensing authorities and responsible authorities are expected to publish information about what is meant by the promotion of the licensing objectives and to ensure that applicants can readily access advice about these matters. However, applicants are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application.

6.2.6 S182 paragraph 8.42:

Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:

- *the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;*
- *any risk posed to the local area by the applicants' proposed licensable activities; and*

any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.

6.2.7 Paragraph 1.13 of the Council's Licensing Policy states:

The licensing process can only seek to manage those measures within the control of the licensee or premises user and should not to be seen as the primary mechanism for the general management of anti-social behaviour by individuals once they are beyond the direct control of the licensee or user of any premises concerned. Whilst there is a range of statutory powers available to deal with such behaviour, these powers will not always be sufficient to control negative impacts on the licensing objectives in the vicinity. Therefore, the fact that such impact may occur is a relevant factor in the consideration of licensing applications. This may lead to a refusal of the application or the addition of conditions to meet the concern contained in a relevant representation.

6.2.8 Paragraphs 1.9 and 2.8 of the Council's Licensing Policy states:

The Licensing Authority cannot attach conditions to licences, certificates or provisional statements unless they are mandatory, volunteered by the applicant or imposed by it following a hearing resulting from the receipt of relevant representations.

The Licensing Authority does not intended to duplicate existing legislation and regulatory regimes that already place obligations on employers and operators (for example, The Health and Safety (First Aid) Regulations 1981 and the

Regulatory Reform (Fire Safety) Order 2005) and it will therefore not attach conditions to licences if they are already adequately covered by other legislation.

- 6.2.9 The only conditions which should be imposed on a premises licence (as opposed to being volunteered on the operating schedule) are those which the Sub-Committee consider appropriate and proportionate for the promotion of the licensing objectives. Any conditions should be tailored to the individual characteristics and activities of the premises and determined on a case by case basis. (See paragraph 10.10 of S182 Guidance).
- 6.2.10 Such conditions should be expressed in unequivocal and unambiguous terms in order that they are understood and not subject to legal challenge.
- 6.2.11 Lord Justice Scott Baker in the case of *Crawley Borough Council v Stuart Attenborough and Angela Attenborough* said, *“Let me say a brief word in general terms. It is important that the terms of a premises licence and any conditions attached to it should be clear; not just clear to those having specialized knowledge of licensing, such as the local authority or the manager of the premises, but also to the independent bystander such as neighbours, who may have no knowledge of licensing at all.”*

6.3 Human Rights Act

- 6.3.1 Article 6 – right to a fair hearing
“In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Judgment shall be pronounced publicly but the press and public may be excluded from all or part of the trial in the interest of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice.”
The right to engage in commercial activities is a civil right –
Kaplan v United Kingdom 1980
Pudas v Sweden 1987
- 6.3.2 Article 8 – right to respect for private and family life
“1. Everyone has the right to respect for his private and family life, his home and his correspondence.
2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.”
Removal or restriction of a licence may affect a person’s private life.
- 6.3.3 Article 1, Protocol 1 – peaceful enjoyment of possessions

“Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.”

The right to engage in commercial activities under the benefit of a licence or registration is a possession

Tre Traktorer Aktiebolag v Sweden 1989

- 6.3.4 The holding of this hearing where the applicant and those making representations can give written or oral evidence either personally or through a representative ensures that the requirements of the Human Rights Act has been complied with.

6.4 Other Considerations

- 6.4.1 The Sub-Committee is charged with furthering the objectives of the legislation in the decisions that it makes. It is not bound by the civil or criminal procedure rules. It should consider the material which has been placed before it, question any statement made either in favour of or against the application by way of fact finding with a critical mind and then make a decision which appears to it to be logical, sensible and appropriate to advance the policy of the legislation in its area.
- 6.4.2 That decision must be based on evidence, but that means no more than it must be based on material which tends logically to show the existence or non-existence of facts relevant to the issue to be determined, or to show the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant.
- 6.4.3 The Sub-Committee should expect original evidence to be put before it by any party. It is not enough for the Sub-Committee simply to rely upon material submitted; it must apply a critical mind to the quality and reliability of that material for itself.
- 6.4.4 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:
- the steps that are appropriate to promote the licensing objectives;
 - the representations (including supporting information) presented by all the parties;
 - the Section 182 Guidance; and
 - its own statement of licensing policy.
- 6.4.5 Anyone may make a representation and the weight the Sub-Committee put on such representation is for it to decide.

- 6.4.6 The Sub-Committee is entitled to, and indeed obliged to, consider any relevant material that appears useful in coming to a decision, including its own local knowledge.
- 6.4.7 All parties to the hearing will have received a copy of the Sub-Committee agenda and had the opportunity to read it prior to the hearing.
- 6.4.8 If the Sub-Committee is minded to impose further conditions or modify conditions offered in the operating schedule then any such conditions should be achievable, realistic, appropriate, proportionate and within the control of the licence holder. They should be based on a proper, common sense consideration of the risks to the licensing objectives identified in the application and representations and what can realistically be done to mitigate them.
- 6.4.9 This hearing is subject to Regulation 26 of the Licensing Act 2003 (Hearings) Regulations 2005 and the Sub-Committee must make its determination within a period of five working days beginning the day or the last day on which the hearing was held.
- 6.4.10 Therefore, the Sub-Committee does not have to make its determination at the conclusion of the day or last day of the hearing as the case may be.
- 6.4.11 Notices of this hearing were forwarded to all parties on the 19th July 2021.

7. Options

- 7.1 The Sub-Committee must, having regard to the application and representation, take such of the steps mentioned below as it considers appropriate, rational and reasonable for the promotion of the licensing objectives.
- 7.2 The following options are available to the Sub-Committee:
- Grant the application as applied for, with no additional conditions;
 - Grant the application with additional conditions or modified conditions attached to alleviate the concerns raised through the representation. (NB Conditions cannot be attached with respect to any part of the application on which no representation has been received.);
 - To partially grant the application in respect of either activities or hours or a combination of both;
 - Refuse the application.
- 7.3 The Sub-Committee is required to give reasons for its decision. Such reasons need to be clear and include an explanation of why it has reached its decision including what it relied on to do so (e.g. what evidence was accepted, and what evidence was rejected, and why).
- 7.4 If the Sub-Committee refuses the application, it must give reasons why it refused and why conditions would not have been effective in this instance.

8. List of Associated Papers

- 8.1 Appendix A: Application for premises licence
Appendix B(i): Representation of Lincolnshire Police
Appendix B(ii): City of Lincoln PSPO
Appendix B(iii): MG11 Inspector Hime

Lead Officer: Rob Cuffling
Licensing Officer
01522 873564

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Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We VPS PVT LTD
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description HIGH STREET CONVENIENCE STORE UNIT 7 STONEBOW CENTRE SILVER STREET			
Post town	LINCOLN	Postcode	LN2 1DY

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 15,250

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i as a limited company/limited liability partnership please complete section (B)
 - ii as a partnership (other than limited liability) please complete section (B)
 - iii as an unincorporated association or please complete section (B)
 - iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- g.a) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a statutory function or
- a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)


Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		<input type="checkbox"/>	Please tick yes
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	VPS PVT LTD
Address	
Registered number (where applicable)	10816908
Description of applicant (for example, partnership, company, unincorporated association etc.)	PRIVATE LIMITED COMPANY

Telephone number (if any)
E-mail address (optional) contactus@vpsgrouppltd.co.uk

Part 3 Operating Schedule

When do you want the premises licence to start? DD MM YYYY
2 6 0 6 2 0 2 1

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

<p>Please give a general description of the premises (please read guidance note 1)</p> <p>THE PREMISES WILL BE AN OFF-LICENCE CONVENIENCE STORE.</p>
--

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?
(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

- | | |
|---|---|
| <p>Provision of regulated entertainment (please read guidance note 2)</p> <p>a) plays (if ticking yes, fill in box A)</p> <p>b) films (if ticking yes, fill in box B)</p> <p>c) indoor sporting events (if ticking yes, fill in box C)</p> <p>d) boxing or wrestling entertainment (if ticking yes, fill in box D)</p> <p>e) live music (if ticking yes, fill in box E)</p> <p>f) recorded music (if ticking yes, fill in box F)</p> <p>g) performances of dance (if ticking yes, fill in box G)</p> <p>h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)</p> | <p>Please tick all that apply</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> |
|---|---|

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



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



In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 5)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23:00	24:00	<u>Please give further details here</u> (please read guidance note 4) <i>Customers will be served through night-hatch between the hours of 23:00-05:00</i>		
	24:00	05:00			
Tue	23:00	24:00			
	24:00	05:00			
Wed	23:00	24:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5) <i>N/A</i>		
	24:00	05:00			
Thur	23:00	24:00			
	24:00	05:00			
Fri	23:00	24:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6) <i>N/A</i>		
	24:00	05:00			
Sat	23:00	24:00			
	24:00	05:00			
Sun	23:00	24:00			
	24:00	05:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>	
Day	Start	Finish		Off the premises	<input checked="" type="checkbox"/>	
Mon	00:00	24:00	State any seasonal variations for the supply of alcohol (please read guidance note 5) N/A	Both	<input type="checkbox"/>	
	24:00	00:00				
Tue	00:00	24:00				
	24:00	00:00				
Wed	00:00	24:00				
	24:00	00:00				
Thur	00:00	24:00		Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) N/A		
	24:00	00:00				
Fri	00:00	24:00				
	24:00	00:00				
Sat	00:00	24:00				
	24:00	00:00				
Sun	00:00	24:00				
	24:00	00:00				

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name JASDEEP MAHAL	
Date of birth	[REDACTED]
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) 148399	
Issuing licensing authority (if known) NOTTINGHAM CITY COUNCIL	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	N/A
Mon	00:00	24:00	
	24:00	00:00	
Tue	00:00	24:00	
	24:00	00:00	
Wed	00:00	24:00	
	24:00	00:00	
Thur	00:00	24:00	
	24:00	00:00	
Fri	00:00	24:00	
	24:00	00:00	
Sat	00:00	24:00	
	24:00	00:00	
Sun	00:00	24:00	
	24:00	00:00	
			<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)
			N/A

M

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

In order to promote all four licensing objectives staff will be adequately trained in what the four objectives are and what they must do to uphold the four objectives. Staff will be made to go through an online training course which will provide them with this information and will then be tested to ensure they have fully understood their responsibilities. All staff will be required to take an annual refresher course.

b) The prevention of crime and disorder

- CCTV will be installed on the site, covering the whole store, recording will be retained for 31 days, images will be available upon lawful request
- Alcohol will not be sold to customers that are heavily intoxicated
- Security Alarm system will be installed on site
- Night hatch will be in use between 23:00 - 05:00

c) Public safety

- Capacity limit will be put in place to prevent overcrowding
- Before opening site will be inspected and tidied to remove trip hazards
- Incident book to be kept on site

d) The prevention of public nuisance

- There will be no bright lights or signs outside the premises
- Signs will be displayed to ensure customers keep noise to a minimum
- Doors and windows to be kept closed in the evening to prevent noise pollution

e) The protection of children from harm

- Challenge 25 will be promoted and anybody looking under the age of 25 will have their ID checked
- Refusal log integrated into till systems, keeps a record of all refusals

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

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.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her
--------------------	--

	proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	A. Singh
Date	21/5/21
Capacity	Supervisor

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

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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 Act 2003 Committee hearing.

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 1299 Casey
Address:	Lincolnshire Police Licensing, Myle Cross Centre Macaulay Drive Lincoln LN2 4EL
Telephone Number:	[REDACTED]
E-mail:	[REDACTED]

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

Name:	High Street Convenience Store
Address:	Unit 7, Stonebow Centre, Silver Street, Lincoln, LN2 1DY
Application Details:	New Premises Licence

Date Received:	Application
----------------	-------------

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**

Representation:

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 off sales, 7 days a week, 24 hours a day, as part of a Post Office. Also included in the application is a request to provide late night refreshment. 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.

Since the application has been submitted Lincolnshire Police have tried to consult with the applicant on a number of occasions. There was no telephone number for the applicant within the documents received by Police so subsequently emails were sent to initiate contact. Police emailed the applicant on 10th June, 17th June and 28th June 2021 specifically, requesting a site visit or at the very least a telephone conversation. After each email a response has been sent back but no commitment offered to either meet on site or have a telephone conversation. During research into the premises Police found a number for the applicant – Mr Jasdeep Mahal – so Police did make a call (28/06/21). Mr Mahal advised that he would call back 30 minutes later but failed to do so. Police emailed (28th June) asking why no call back had been received and they were assured that someone would phone the following day before midday – this call did not happen either.

To summarise - Police have tried to consult with the applicant all to no avail. There has been no opportunity to agree conditions as the line of communication has never fully opened.

Lincolnshire Police do not agree that the hours applied for (24 hours for alcohol sales and 23:00 to 05:00 hours for LNR) over 7 days a week are suitable for the area in which the premises is located. It sits within a Public Space Protection Order for street drinking, litter and other forms of antisocial behaviour (see Annex A for PSPO and area map.) It seems inappropriate to support the sale of alcohol from an off-licence within this area on a 24

hours basis, as it could encourage street drinking which clearly conflicts with the existing PSPO. Lincolnshire Police propose that more suitable hours for operating would be between the hours of 08:00 and 00:00. The applicant may be able to offer some mitigation or explanation of how they would manage the premises within their proposed hours but due to the lack of communication with the applicant none have been presented for scrutiny.

The Alcohol Licensing Team have liaised with area Neighbourhood Policing Inspector 754 Hime who will be providing a statement in relation to this application and the proposed hours. (Annex B to follow).

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

The conditions offered in the application, although well intentioned, are inadequate and do not address the risk posed for conducting off-sales within a Public Space Protection Order in the centre of town 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.

Alcohol and opening hours 08:00 – 00:00 hours.

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. Details of this malfunction must be recorded in the premises refusals/incident book. Arrangements for its repair must be made without delay.

The sale of cans and bottles of beers, lagers and ciders shall only be in packs of 4 or multiples thereof, unless the volume of the contents of the can or bottle is more than 600 millilitres.

No super-strength beers, lagers or ciders of above 6.5ABV (alcohol by volume) shall be sold at the premises.

Alcohol will not be permitted in open containers in the premises.

No persons shall sell or supply alcohol at the premises without the written authority of the premises licence holder and all such written records shall be kept securely and made available for inspection to the responsible authorities at their request.

Written records of right to work checks shall be retained and contain the following information:

- Date of the check
- Identity of the individual (full name, date of birth, country of origin)
- Documents checked with copies of said documents
- Result of the check
- Date for re-check if required according to the individual status.

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 No

Do you consider mediation could resolve the issue?

Yes No

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

Yes No

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

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

Please return this form to the following address:

**Licensing Team
Directorate of Resources
City of Lincoln Council
City Hall
Beaumont Fee
Lincoln
LN1 1DB**

Form Last Revised
May 2005

CITY OF LINCOLN COUNCIL

PUBLIC SPACE PROTECTION ORDER NUMBER 1 of 2015 (the "2015 Order")

REVIEWED, RENEWED AND VARIED FOR A PERIOD OF 3 YEARS.

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

This extension to and variation of the 2015 Order may be cited as the City of Lincoln Council Public Spaces Protection Order Number 1 of 2021 ("this Order").

The City of Lincoln Council ("the Council") in exercise of its powers under Sections 59, 64 and 72 of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act") and under all other enabling powers, hereby makes the following order:

1. Pursuant to the 2015 Order and the Public Spaces Protection Order Number 1A of 2018 (the "2018 Order"), this Order shall come into operation on 27 February 2021 and under the provision of Sections 60 and 61 of the Act affects the 2015 Order and the 2018 Order.
2. The 2015 Order, as varied and extended by the 2018 Order, shall have effect for 3 years hereafter, unless discharged, varied, or extended by further orders under the Council's statutory powers.
3. This Order relates to that part of the City of Lincoln as shown edged red on the attached plan ("the exclusion zone").
4. The Council is satisfied that the conditions set out in Section 59(2) of the Act have been met. Namely that anti-social behaviour and criminal activities have been carried out within the exclusion zone through the use of intoxicating substances. These activities have had a detrimental effect on the quality of life of those in the locality, and it is likely that activities will be carried out within that area and have such an effect.
5. The Council is also satisfied that the conditions set out in Section 59(3) of the Act have been met. Namely, that the effect or likely effect of the activities is, or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by this Order and that it is in all the circumstances justifiable to make this Order for the purpose of reducing crime and/or anti-social behaviour in a public place.

In this order:

An "authorised person" means a Police Constable, a Police Community Support Officer or an officer of the Council who must be able to present their authority upon request.

An "exempted use" means where an intoxicating substance is:

- a. used for a valid and demonstrable medicinal use;
- b. cigarettes (tobacco) or vaporisers (for nicotine but not to include any other intoxicating substance); or
- c. a food stuff regulated by food health and safety legislation.

An "intoxicating substance" means substances with the capacity to stimulate or depress the central nervous system, including but not limited to alcohol, drugs and any Novel Psychoactive Substance as defined within the Psychoactive Substances Act 2016

It is ordered that:

- i. No person in the restricted area shall engage in any of the following activities: ingesting, inhaling, injecting, smoking or otherwise using an intoxicating substance unless for an exempted use;
- ii. Any person within the restricted area who breaches the prohibition in paragraph (i) shall surrender any intoxicating substances in their possession to an authorised person.

FIXED PENALTY NOTICES AND OFFENCES:

1. It is an offence for a person without reasonable excuse to engage in any activity that is prohibited by this Order.
2. In accordance with section 63 of the Act, a person found to be in breach of this Order by consuming alcohol or by refusing to surrender alcohol to an authorised person is liable on summary conviction to a maximum penalty of a level 2 fine or to a Fixed Penalty Notice up to £100.
3. In accordance with section 67 of the Act, a person found to be in breach of this Order other than by consuming alcohol or by refusing to surrender alcohol to an authorised person is liable on summary conviction to a maximum penalty of a level 3 fine or to a Fixed Penalty Notice up to £100.

APPEALS AGAINST THIS ORDER

In accordance with section 66 of the Act, any interested person who wishes to challenge the validity of this Order on the grounds that the Council did not have the power to make the Order or that a requirement under the Act has not been complied with may apply to the High Court within six weeks from the date upon which the Order is made.

GIVEN under the **COMMON SEAL** of
the City of Lincoln Council

On [18 February 2021]

EXECUTED as a deed by affixing]
the **COMMON SEAL** of]
CITY OF LINCOLN COUNCIL]
in the presence of:-]

R. Nott

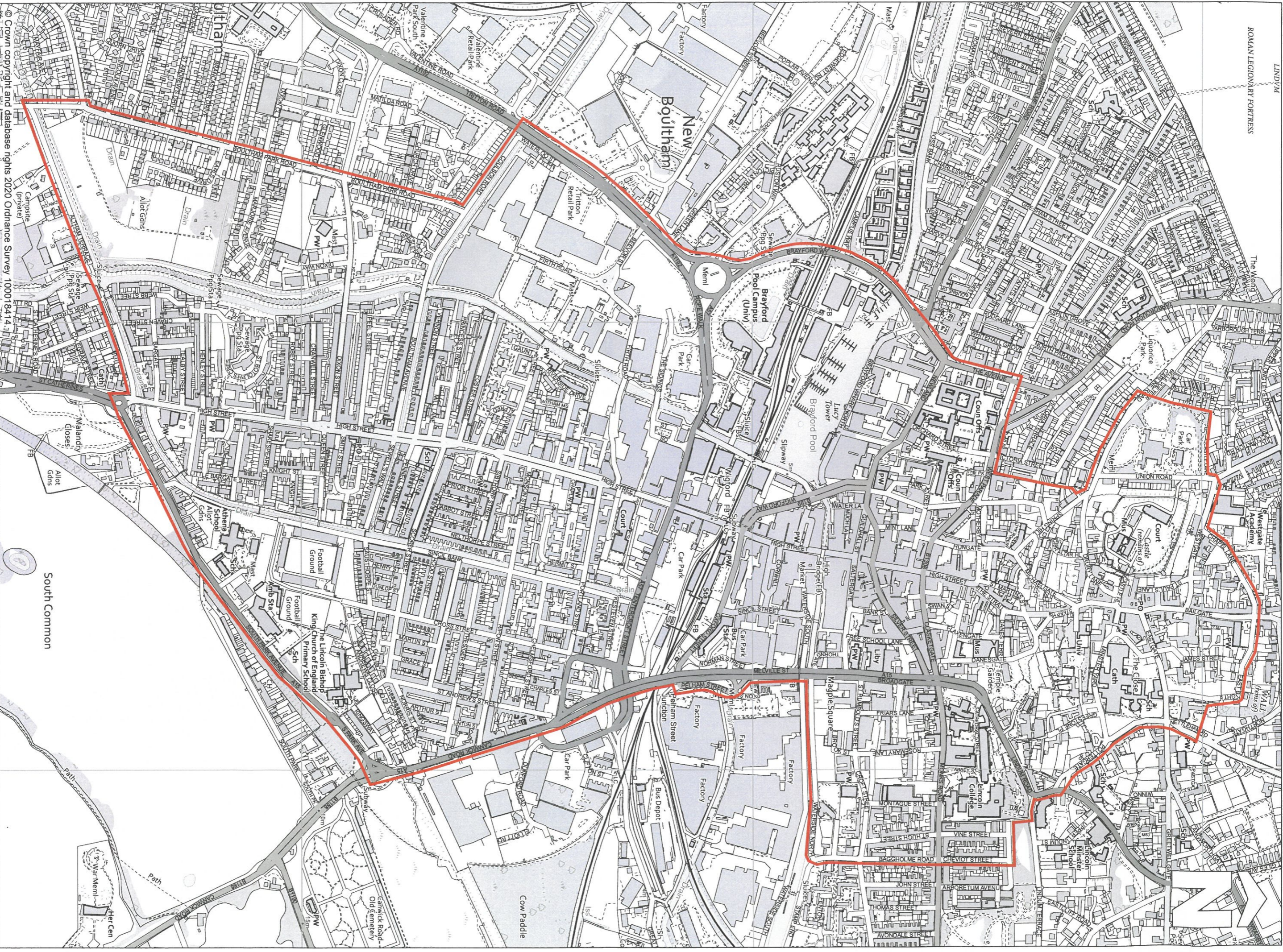
Authorised Officer

LEGAL SERVICES MANAGER

Designation



NUMBER IN DOCUMENT
SEALED BOOK 27,060



ROMAN LEGIONARY FORTRESS

LINDVM

The Wreng

Westgate Academy

WALL (remains of)



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Exclusion Zone

Scale: 1:7500 at A3

Version 1: 16-Dec-2020



WITNESS STATEMENT				
Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s.9				
		URN		
Statement of: Claire Hime				
Age if under 18:		(if over 18 insert 'over 18')	Occupation: Police Inspector 754	
This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.				
Signature: C Hime			Date 09/07/21	

Tick if witness evidence is visually recorded (supply witness details on rear)

I am the Neighbourhood Policing Inspector for Lincoln City Centre. I am writing this statement to make representations regarding the alcohol licence application for the High Street Convenience Store, Unit 7, Stonebow Centre, Silver Street, Lincoln, LN2 1 DY to operate off sales, 7 days a week, 24 hours a day, as part of a Post Office.

I would like to make the following representations to demonstrate that 24 hour a day alcohol sales in this location are likely to contribute to alcohol related crime, disorder and antisocial behaviour in this area, which is already a repeat location for this type of activity.

The location of the High Street Convenience Store falls within a Public Space Protection Order (PSPO) that was granted in 2015 due to high levels of street drinking and substance misuse in this area. The order states that 'No person in the restricted area shall engage in any of the following activities: ingesting, inhaling, injecting, smoking or otherwise using an intoxicating substance, unless for an exempted use' this includes alcohol. The PSPO was reviewed on 27th February 2021 and granted for a further 3 years. My concern would be that off sales 24 hours a day would result in PSPO breaches, particularly when this is an area of concentrated pubs and clubs, and individuals leaving those establishments or refused entry by them may attempt to buy alcohol from this location.

Silver Street falls within a relatively small geographical area of the city centre in which the majority of Lincoln City Centre's pubs, clubs and taxi ranks are located. If we look at pre pandemic lockdown

Signature:	Error! Reference source not found. C Hime	Signature witnessed by:	
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URN				
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Statement of: **Claire Hime**

reporting on Silver Street, for the years 2017- 2019, 444 incidents were reported on Silver Street Lincoln, 123 of these were incidents relating to violence. On review, these are overwhelmingly linked to licensed premises and alcohol consumption. There are 89 incidents of antisocial behaviour: drunken or inconsiderate behaviour. A further 38 incidents are concerns for welfare, once again predominately linked to licensed premises and alcohol consumption. The incidents during this period have resulted in 336 crimes being recorded: 199 offences of violence, 44 crimes of public disorder and 27 offences of criminal damage. As lockdown restrictions are eased and the hospitality sector fully reopens, I have no doubt that there will be a return to pre pandemic levels of reporting of alcohol related crime disorder and antisocial behaviour in this area.

In summary, this application is for an alcohol licence for around the clock alcohol sales that I have concerns would contribute to what historically has been a repeat location for alcohol related crime and ASB. In light of this, I would request consideration of any conditions that would ensure responsible alcohol sales by any new licensed premises in this area.

Signature:	Error! Reference source not found. C Hime	Signature witnessed by:	
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