



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
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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 licensing 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