

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: | PS 288 Amy Adams |
| Address: | Lincolnshire Police Licensing, Police Headquarters Deepdale Lane Nettleham PO Box 999 |
| Telephone Number: | 07879 113004 |
| E-mail: | countylicensing@lincs.police.uk |

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

| | |
|----------------------------|--|
| Name: | The Arbor Club Ltd |
| Address: | 10, South Street, Boston, PE21 6HE |
| Application Details: | Premises Licence Application |
| Date Application Received: | 16/05/24 |

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 the sale by retail of alcohol for consumption on the premises, late night refreshments, live and recorded music 7 days a week for variable hours the latest being 3am on Fridays and Saturdays.

The applicant has offered some good conditions in the application, but Lincolnshire Police feel that they do not fully address the risk posed by a late-night venue and therefore do not fully promote the licensing objectives. Lincolnshire Police have suggested rewording some of the offered conditions and included some further conditions relevant to a venue of this type. These conditions are specific and measurable and will assist the applicant, and any future licence holders 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**:

A telephone conversation was held with Mr Crozier to discuss some amendments to the conditions already suggested and to discuss some further conditions that Lincolnshire Police would expect to see for a venue of this kind. This was followed up with an email to the applicant detailing the suggested conditions discussed that would better promote the licencing objectives.

The applicant has replied by email that they agree to the suggested conditions as detailed below and that he is happy to confirm that to the licensing authority. He is aware that the conditions must be adhered to and non-compliance with the conditions and timings on a premises licence is an offence under Sec 136 Licensing Act 2003, unauthorised licensable activity.

Lincolnshire Police have suggested the following conditions: -

The prevention of crime and disorder

1. A drug policy shall be completed for the premises. This document will be specific to the venue and will be kept on site at all times. All staff shall be trained with a record kept of the date of training, signed by the member of staff and the trainer. Each entry shall be retained for a period of 12 months from date of completion. The policy and training record shall be made available for inspection by Lincolnshire Police or other relevant authority upon request.
2. 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 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 to cover all licensed public areas.
 - d) Recordings must be kept for a minimum of 31 days and endorsed with the correct time and date (BST/GMT adjusted).
 - e) Police and/or Authorised Licensing Officers shall be able on attendance to immediately view 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 staff 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 record details of this malfunction in the premises incident book. Arrangements for its repair must be made without delay.
3. If opening past midnight on a Friday or Saturday, there shall be a minimum of 2 SIA registered door supervisors on duty from 2200hrs until 30 minutes after closure of the premises to aid with dispersal.
4. Door supervisors will be used for any special event or function that falls outside normal day to day operation where they are deemed necessary by the risk assessment produced for that event. Risk assessments will be documented and will be kept for 12 months and made available for inspection by Lincolnshire Police or other relevant authority upon request.
5. There shall be a register/log book to record details of every person employed on the premises as a door supervisor. The record shall contain the following details:
 - i. The door supervisor's name;
 - ii. Door supervisor's SIA licence number;
 - iii. The time and date they commenced and concluded their duty;
 - iv. The door supervisor's signature shall be recorded against each entry.The log shall be retained for a period of no less than 12 months and made available for inspection by Lincolnshire Police or other relevant authority upon request.

Public safety

1. Customers will not be permitted to enter or leave the premises whilst in possession of any drink (alcoholic or otherwise). Leaving the premises includes leaving for any reason whether temporarily or otherwise.
2. An incident book or electronic record shall be kept at the premises, in which details of crime and/or disorder relating to the premises shall be recorded.
The incident book shall contain the following details;
 - i. Time, date and location of incident.
 - ii. Nature of the incident.
 - iii. Names, addresses and contact details of persons involved if known.
 - iv. Results of the incident.
 - v. Action taken to prevent such incidents.Each entry is to be signed by the DPS or other responsible person employed at the premises and so authorised by the DPS; and retained for a period of no less than 12 months and made available for inspection by Lincolnshire Police or other relevant authority upon request.

The prevention of public nuisance

1. External doors and windows are to be closed (except for ingress and egress) when regulated entertainment or live music is being played/performed.
2. Regular noise assessments shall be carried out to ensure the level is not excessive and causing a public nuisance.
3. Notices shall be prominently displayed at all public exits requesting customers respect the needs of local residents and leave the premises and area quietly.
4. Notices will be displayed where smokers congregate requesting customers respect the needs of local residents to be quiet.

The protection of children from harm

1. The premises shall operate "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:
 - i. A recognised proof of age card accredited under the British Retail Consortiums, Proof of Age Standards Scheme (PASS).
 - ii. Photo driving licence
 - iii. Passport
2. Notices shall be prominently displayed advising customers of the "Challenge 25" policy.
3. All point-of-sale staff shall undergo training in the challenge 25 proof of age scheme with a record kept of the date of training, signed by the member of staff 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 or other relevant authority upon request.
4. An refusal book or electronic record shall be kept at the premises, in which details of refusals of alcohol sales shall be recorded.
The refusal book shall contain the following details;
 - i. Date and time of the refusal.
 - ii. Name of the member of staff who refused the sale.
 - iii. details of the person/s involved if known.

Each entry is to be signed by the DPS or other responsible person employed at the premises and so authorised by the DPS; and retained for a period of no less than 12 months and made available for inspection by Lincolnshire Police or other relevant authority upon request.

5. No person under the age of 16 years shall be permitted on the premises unless accompanied by a responsible adult.
6. No person under the age of 18 years shall be permitted on the premises after 22:00, unless attending a private function.

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 Licensing Panel hearing?

Yes 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.

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