

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:

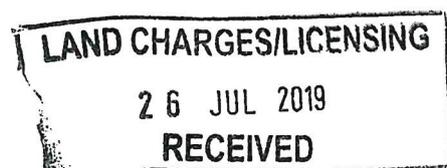
1. **The Prevention of Crime and Disorder**
2. **Public Safety**
3. **Prevention of Public Nuisance**
4. **The Protection of Children from Harm**

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 4 EL
Telephone Number:	[REDACTED]
E-mail:	[REDACTED]

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

Name:	The Blue Shop Off-licence and Market Ltd Applicant - Riza ASLAN
Address:	2 Eastwood Road, Boston, PE21 0PH
Application Details:	New Premises Licence
Date Application Received:	3 rd July 2019



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 supply alcohol off sales, 7 days a week between the hours of 0500 and midnight in a convenience store/off licence operating style.

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.

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. The conditions suggested by Lincolnshire Police are specific and measurable and will assist the applicant in robustly promoting the licencing objectives at a level that is appropriate to the risk.

Lincolnshire Police had concerns that the applicant was not fully responsible for the business that would operate with the benefit of this premises licence (if granted). Over the 28 day consultation period the applicant has provided sufficient documentation to show that he has an element of control over the business and Lincolnshire Police are now satisfied that the applicant fulfils the criteria needed to be premises licence holder under the Licensing Act.

The hours applied for do appear to be exceptionally early and late for what is a residential area and Lincolnshire Police are concerned that by the premises being open during some of the higher risk hours that the crime and disorder and public nuisance licensing objectives will be undermined.

The increased foot fall that will come from being the only licensed premises open during what should be the quieter hours in a residential area will increase the noise from customers and their

vehicles. There is a high probability that the premises will likely become a focal point for children and young adults congregating which can be intimidating, particularly for the vulnerable and with this often comes an increase in complaints of noise, litter and antisocial behaviour.

In regards to exceptionally late and early opening hours and increased risk, Public Health England produced an evidence based review in 2016 into the burden of alcohol and the cost effectiveness of control policies. Within that document are statistics Lincolnshire Police believe are relevant in relation to this application

- 53% of all violent incidents have been linked to alcohol
- On the weekend 70% of all violent incidents are alcohol related compared to 35% on weekdays
- Between midnight and 6am 84% of all violent incidents are alcohol related compared to 23% between midday and 6pm
- 43% of people surveyed have been annoyed by people vomiting or urinating when they have been drinking
- 54% of people have been annoyed by people littering in the street after they have been drinking
- A survey of 30,000 in NW England showed nearly half of all respondents avoided the town centre at night because of drunken behaviour, with 61% of those aged 65-74years.

Public Health England states that by regulating the availability of alcohol through policies that sufficiently reduce the hours during which alcohol is available for sale can substantially reduce alcohol related harm in the night time economy.

Analysis of licensed and opening hours of similar operating style premises in the area show:-

One-Stop, 18 Eastwood Road, alcohol supply 0800 hours to 2300 hours Monday to Saturday and 1000 hours to 2230 hours on a Sunday. The premises does not have fixed opening hours, however its opening hours are listed online as 0600 hours to 2300 hours 7 days a week.

Co-op, 14-16 Eastwood Road, alcohol supply and opening hours from 0600 hours to 2300hrs 7 days a week. An online check shows the premises as opening at 0600 hours and closing at 2200 hours.

Lincolnshire Police have discussed a reduction in the hours applied for with the applicant and he was resistant to change. Lincolnshire Police also discussed the conditions recommended below and the applicant was in favour of adopting the conditions onto the premises licence of granted.

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

Lincolnshire Police recommend that the opening hours applied for are reduced so that the licensing objectives are full promoted in this residential area.

Lincolnshire Police also recommend the following conditions replace the wording in section 18 of the application to assist the premises licence holder in robustly promoting the licensing objectives.

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 Licensing Authority and Police Licensing must be notified when the system is again operational.

c) Public safety

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

- * Time, date and location of incident/refusals.
- * Nature of the incident/refusal.
- * Names, addresses and contact details of persons involved.
- * Result of the incident/refusals.
- * Action taken to prevent such incidents.
- * Each entry 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 to Lincolnshire Police for inspection upon request.

At fully stocked, in date first aid box will be available on the premises at all times.

d) The prevention of public nuisance

1 litter bin will be provided outside the property, it will be emptied daily when the premises closes.

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:

