

## Lincolnshire Police

### Licensing Act 2003 – Temporary Event Objection Notice (Section 104 Licensing Act 2003)

Details of person or body making objection	
Your Name:	Chief Constable – Lincolnshire Police
Your Address:	Alcohol Licensing Myle Cross Macaulay Drive Lincoln LN2 4EL

Details of premises objection is about	
Name of Premises:	Assembly Rooms
Address of Premises:	5 Fish Hill Boston PE21 6NN

Prevention of Crime and Disorder	X
Public Safety	X
Prevention of Public Nuisance	X
Protecting Children from Harm	X

Please summarise your concerns about this application:
<p>This objection notice is in relation to a temporary event notice for the licensable activities of the sale of alcohol and the provision of regulated entertainment from 2100hrs on Saturday 28<sup>th</sup> September 2019 to 0500hrs on Sunday 29<sup>th</sup> September 2019. The event is described as an Ibiza themed night with live DJ's and visual effects.</p> <p>Lincolnshire Police has had no dialogue with the applicant concerning the event applied for.</p> <p>The Assembly Rooms does have a premises licence (please see attached) authorising the sale of alcohol from 0800hrs to 0400hrs on a Saturday into a Sunday and recorded music from 0800 to 0430hrs on a Saturday into a Sunday. Lincolnshire Police are aware that the applicant is not the premise licence holder for the current premises licence at the above address, so this application is not an extension of hours of normal operating for the Assembly Rooms. It is a different operator using the premises for their own licensable activities for the duration applied for.</p> <p>A temporary event notice comes with licensable activities where no conditions are attached to promote the licensing objectives, unlike a premises licence. As stated previously the premises in question does have a premises licence with conditions, and</p>

these conditions alone are the only conditions that can be attached to the temporary event notice, but only at a licencing hearing, if the sub-committee see fit.

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. Levels of violence are often disproportionately high on weekend nights
- 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
- Many of these assaults involve the use of glass or bottles as weapons
- 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
- 27% of facial injuries in Scotland are alcohol related. This is similar to Australia, of which 9% of these were bottle or glass related. With the mean age of the injured party being 25 years, and 18-24 year olds counting for 36% of all cases reported.
- 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.

An Inquiry into the Impact of Alcohol on Emergency Services by the All-Party Parliamentary Group on Alcohol Harm in 2016 found

- 90 per cent of police officers expect to be assaulted on a Friday and Saturday night when they police during the night time economy
- 80% of police officers have been assaulted by people who are drinking
- 70% of all attendances at A&E departments are alcohol related at weekends

With the above statistics in mind and due to the nature of the event being similar to the Assembly Rooms normal operation, as in on sales, with music, in the late night economy Lincolnshire Police believe that all of the premises licence conditions apart from one relating to under 18 events (e4) are relevant and appropriate for the promotion of the licensing objectives. Therefore Lincolnshire Police request that all, bar the under 18 condition, be added to the Temporary Event Notice.

If the applicant is unable to fulfil any of the conditions enforced by the committee (for example they may not be granted permission to use the fitted CCTV system, which would provide vital evidence should an incident occur) then Lincolnshire Police request that the application be refused.

Signed

[Redacted Signature]

for and on behalf of the Chief Constable of Lincolnshire Police

Dated... 21/8/15

Council Offices  
Boston Borough Council

Premises Licence No. 32UBB14010

Granted date: 31/7/2014

**Part 1 – Premises details**

**Postal address of premises, or if none, ordnance survey map reference or description**

The Assembly Rooms  
5 Fish Hill

**Post town** Boston      **Post code** PE21 6NN

**Telephone number** Not applicable

**Where the licence is time limited the dates -** Not applicable

**Licensable activities authorised by the licence**

Sale by retail of alcohol for consumption on and off the premises  
Performance of live music  
Playing of recorded music  
Performances of dance  
Anything of a similar description to live music, recorded music and performances of dance  
Provision of late night refreshment

**The times the licence authorises the carrying out of licensable activities**

**Sale by retail of alcohol for consumption on and off the premises**

Sunday – Thursday: 08.00 hours until 03.00 hours the following day  
Friday & Saturday: 08.00 hours until 04.00 hours the following day  
24<sup>th</sup> & 31<sup>st</sup> December: From the start of permitted hours until the start of permitted hours the following day  
Start of British summertime: 08.00 hours until 04.30 hours the following day

**Performance of live music,**

Sunday – Thursday: 08.00 hours until 03.00 hours the following day  
Friday & Saturday: 08.00 hours until 04.00 hours the following day  
24<sup>th</sup> & 31<sup>st</sup> December: From the start of permitted hours until the start of permitted hours the following day  
Start of British summertime: 08.00 hours until 05.00 hours the following day

**Playing of recorded music, Performances of dance, Anything of a similar description to live music, recorded music and performances of dance**

Sunday – Thursday: 08.00 hours until 03.30 hours the following day  
Friday & Saturday: 08.00 hours until 04.30 hours the following day  
24<sup>th</sup> & 31<sup>st</sup> December: From the start of permitted hours until the start of permitted hours the following day  
Start of British summertime: 08.00 hours until 05.30 hours the following day

**Late night refreshment**

Sunday – Thursday 23.00 hours until 03.30 hours the following day  
Friday & Saturday: 08.00 hours until 04.30 hours the following day  
24<sup>th</sup> & 31<sup>st</sup> December: 23.00 hours until 05.00 hours the following day  
Start of British summertime: 23.00 hours until 05.00 hours the following day

Sunday – Thursday: 08.00 hours until 03.30 hours the following day  
Friday & Saturday: 08.00 hours until 04.30 hours the following day  
24<sup>th</sup> & 31<sup>st</sup> December: From the start of permitted hours until the start of permitted hours the following day  
Start of British summertime: From the start of permitted hours until the start of permitted hours the following day

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

On and Off

## Part 2 – Licensee Details

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Name:

Address:

Postcode:

Telephone:

Registered number of holder, for example company number, charity number (where applicable)

08694382

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Name:

Address:

Postcode:

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence No:

Issuing Authority:

## ANNEX 1

### (a) MANDATORY CONDITIONS

1. Supply of Alcohol

(i) No supply of alcohol may be made under the premises licence:

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
- (ii) Every supply of alcohol under the Premises Licence must be made or authorised by a person who holds a Personal Licence.

#### **The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014**

1. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
  3.
    - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
    - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
    - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
      - (a) a holographic mark, or
      - (b) an ultraviolet feature.
  4. The responsible person must ensure that—

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
  - (i) beer or cider: ½ pint;
  - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."

#### **Conditions set out in the The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014**

- (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- (2) In this condition:—
  - (a) "permitted price" is the price found by applying the formula  $P = D + (D \times V)$ , where—
    - (i) P is the permitted price,
    - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
    - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
  - (b) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
  - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence—
    - (i) the holder of the premises licence,
    - (ii) the designated premises supervisor (if any) in respect of such a licence, or
    - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
  - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- (3) Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny.
- (4) Where the permitted price on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day

#### **ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**

##### **a) General**

- 1. All point of sale staff will be given induction training and receive ongoing refresher training relating to all four licensing objectives.

2. Records of the initial training and refresher training will be kept for a minimum of 12 months and will be signed by the employee and trainer immediately upon completion. These records will be kept on the premises and made available for inspection when required.

**b) The Prevention of Crime and Disorder**

1. An incident book shall be kept at the premises in which details of incidents relating to the premises shall be recorded.
2. The incident book shall contain the following details:
  - i) Time, date and location of incident.
  - ii) Nature of incident
  - iii) Action taken
3. Each entry shall be signed by the Designated Premises Supervisor or other responsible person employed at the premises and so authorised by the Designated Premises Supervisor.
4. The incident book shall be made available to the Police upon request.
5. Each entry shall be retained for a period of 12 months from date of completion.
6. With the exception of VIP areas and during private functions, when being used as a nightclub, all pint vessels shall be polycarbonate.
7. A tamper proof CCTV system shall be installed, maintained in working order and operated at the premises in liaison with and to the satisfaction of Lincolnshire Police and shall be used to record during all hours that the premises are open to the public.
8. There shall be sufficient cameras to provide full coverage of all public areas.
9. Any outside area used for consumption of alcohol shall be fully covered by CCTV.
10. The images recorded by the CCTV system shall be retained in unedited form for a period of not less than 28 days and must be endorsed with the accurate time and date.

**c) Public Safety**

1. There shall be provided at the premises, door supervisors, who are registered with the Security Industry Authority (SIA) to such a number as the management of the premises consider are sufficient to control the entry of persons to the premises and for the keeping of order in the premises when they are used for a licensable activity.
2. A log book shall be maintained at the premises, in which shall be recorded the following details:
  - i) The door supervisors name;
  - ii) His/her SIA licence number
  - iii) The time and date he/she starts and finishes duty
3. Each entry in the log book shall be signed by the door supervisor
4. The log book shall be available for inspection on demand by an authorised officer of the Council, the Security Industry Authority or a Police Officer.
5. Each door supervisors licence number will be verified by the Designated Premises Supervisor or their agent using the SIA website on the occasion of each door supervisors initial employment at the premises. Thereafter a weekly check shall be carried out to ensure the licence status remains unchanged. This verification check will be recorded and signed appropriately by the Designated Premises Supervisor or their agent.

d) **The Prevention of Public Nuisance**

1. Signs shall be placed at all exits from the premises in a place where they can be seen and easily read by the public, requiring customers to leave the premises and the area quietly.
2. First floor windows will remain closed during all operational hours and after 21.00 hours on the ground floor.
3. No bottles or glasses will be permitted out of the premises whilst any nightclub operation is taking place.
4. No emptying of bottles to outside bins shall be carried out between 23.00 hours and 08.00 hours the following day on any day of the week.
5. No outside area on the Haven side of the Assembly Rooms, including any patio or balcony located between the rear of the Assembly Rooms and The Haven, to be used by any customers between 22.00 hours and 08.00 hours the following day on any day of the week.

e) **The Protection of Children from Harm**

1. There shall be in place for the premises a written policy to prevent the sale or supply of alcohol to persons under 18 years of age. That 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) Full UK photo driving licence
  - ii) Passport
  - iii) A recognised proof of age card accredited under the Proof of Age Standards Scheme (PASS)
2. Clear, prominent and unobstructed signage informing customers of the proof of age scheme in operation will be displayed at all entry points to the premises and at points of sale.
3. After 21.00 hours, entry will be restricted to those aged 18 years or over and ID will be checked upon entry in accordance with the Challenge 25 policy.
4. During under 18 events, only patrons aged under the age of 18 years will be permitted entry. Alcohol will be removed from view. Tobacco sales will not take place and gaming machines will not be in use.

**ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY**

None

**ANNEX 4 - PLANS**

1. Licensable activities are permitted in accordance with the attached plan.



## Boston Borough Council – Environmental Health

### Licensing Act 2003 – Temporary Event Objection Notice (Section 104 Licensing Act 2003)

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#### Details of person or body making objection

Your Name:	Miss Katie Meyer, Environmental Health Officer
Your Address:	Boston Borough Council Municipal Buildings West Street Boston Lincolnshire PE21 8QR

#### Details of premises objection is about

Name of Premises	The Assembly Rooms
Address of Premises	5 Fish Hill Boston Lincolnshire PE21 6NN
Application No.	TEN (dated 14/8/19 received 19/08/19)

Prevention of public nuisance	<input checked="" type="checkbox"/>
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#### Please summarise your concerns about this application:

This objection notice is submitted in relation to a Temporary Event Notice for the ASSEMBLY ROOMS licensed premises.

The proposed TEN is for 'the sale by retail of alcohol' and the 'the provision of regulated entertainment' from 21.00 on the Saturday 28<sup>th</sup> September 2019 until 05:00 hrs on the morning of Sunday 29<sup>th</sup> September 2019.

The application has been submitted by a third party. If this application is granted, this event will not be subject to operating under the conditions currently imposed on the premises licence 32UBB14010.

Environmental Health have concerns in terms of public nuisance being caused by this proposed TEN. It is the opinion of Environmental Health that the licensing objectives in terms of the prevention of public nuisance will not be promoted unless this event is subject to operation under the relevant conditions currently imposed on the premises licence 32UBB14010 and we ask that those conditions be imposed and implemented for the duration of the Temporary Event Notice.

In the opinion of Environmental Health, the relevant conditions which should be imposed are attached in Appendix 1.

Signed:

Position: Environmental Health Officer

### **Appendix 1:**

In Environmental Health's opinion, the relevant conditions of the premises licence 32UBB14010 which should be imposed for the Temporary Event Notice on Saturday 28th September 2019 / Sunday 29th September 2019 are listed below:

#### **The Prevention of Public Nuisance**

1. Signs shall be placed at all exits from the premises in a place where they can be seen and easily read by the public, requiring customers to leave the premises and the area quietly.
2. First floor windows will remain closed during all operational hours and after 21.00 hours on the ground floor.
3. No bottles or glasses will be permitted out of the premises whilst any nightclub operation is taking place.
4. No emptying of bottles to outside bins shall be carried out between 23.00 hours and 08.00 hours the following day on any day of the week.
5. No outside area on the Haven side of the Assembly Rooms, including any patio or balcony located between the rear of the Assembly Rooms and The Haven, to be used by any customers between 22.00 hours and 08.00 hours the following day on any day of the week.