

WEST LINDSEY DISTRICT COUNCIL

LICENSING ACT 2003

Reference Number: TBC

Application type: Application for the Grant of a Premises Licence

Premise: "Bankside News" 17 Bankside, Lea Road, Gainsborough,
Lincolnshire DN21 1AW

Applicant: Mr Rasaratnam Rajakumar

1 The Application

- 1.1 The application made is for the grant of a new premises licence under section 17 of the Licensing Act 2003.
- 1.2 The application submitted is requesting authorisation for the retail sale of alcohol (for consumption off the premises only). The full application with all the relevant details is attached as **Appendix 1**.

2 Background

- 2.1 This premises was originally issued a premises licence in the name of Bankside Newsagents in November 2005 however the premises licence was surrendered in February 2010.

3 Promotion of the Licensing Objectives

- 3.1 In submitting the application the applicant is required to describe any steps intended to be taken in order to promote the following 4 licensing objectives, which are:
 - The Prevention of Crime and Disorder
 - Public Safety
 - The Prevention of Public Nuisance
 - The Protection of Children from Harm
- 3.2 The steps the applicant intends to take are detailed in section M (a-e) of the application form at **Appendix 1**.

4 Representations – Responsible Authorities

- 4.1 None.

5 Representations – Other Persons (previously known as Interested Parties)

- 5.1 Three representations have been received from Other Persons (formerly known as Interested Parties). These are from Sheila Wraith, Karen Gibbard and Frank Powell.
- 5.2 The representations are attached as **Appendix 2a, 2b** and **2c** for Members' perusal.

6 Considerations

6.1 Each application must be considered on its own merits, **standardised conditions cannot be applied across the board** to all licences of a similar type.

6.2 Each representation must be considered and in each case the committee must satisfy themselves whether or not the licensing objectives are being met by the applicant with respect to each matter.

6.3.1 Therefore, before any conditions can be imposed on a licence, they have to be *appropriate for the promotion of the licensing objectives*. The section 182 guidance clearly states that “*it is possible that, in certain cases, where there are other legislative provisions which are relevant and must be observed by the applicant, no additional conditions are appropriate to promote the licensing objectives*”. Conditions must be *proportionate, reasonable, and* capable of being directly complied with by the licensee. Further, conditions should be clear and understandable, not be imposed to achieve an ulterior motive outside the scope of the legislation, not over generalised and cannot override primary legislation. If the Sub-Committee are minded that a condition is not appropriate for the promotion of the licensing objectives, then it should not be imposed.

6.3.2 Clearly, the Sub-Committee have to *consider extremely carefully* whether or not additional conditions need to be attached in order for the promotion of the licensing objectives?

6.4 In making its decision the committee must consider the application in line with the following:

- The Licensing Act 2003
- The Section 182 Guidance made under the Act
- The Licensing Authority’s Licensing Policy Statement
- Decisions handed down from any relevant case law by the Courts where relevant

6.5 Policy Considerations

6.5.1 When considering the application and representations received, attention is drawn to the Licensing Authority’s Policy which can be found at the link below by clicking on the Download Tab, then downloading the Policy:

<http://www.west-lindsey.gov.uk/businesses/licensing/licensing-and-gambling-policies/licensing-policy/104810.article>

6.6 Statutory Guidance

6.6.1 Attention is also drawn to the contents of the section 182 statutory guidance which can be found at the link below:

<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

7 Options

7.1 Licensing Act 18(2) Subject to subsection (3) below, the authority must grant the licence in accordance with the application subject only to –

- a) such conditions as are consistent with the operating schedule accompanying the application, and
 - b) any conditions which must under section 19, 20 or 21 be included in the licence.
- (3) Where relevant representations are made, the licensing authority must –
- a) hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and
 - b) having regard to the representations, take such of the steps mentioned in subsection (4) (if any) as it considers necessary for the promotion of the licensing objectives.
- (4) The steps are –
- a) to grant the licence subject to –
 - i. the conditions mentioned in subsection (2)(a) modified to such extent as the authority considers appropriate for the promotion of the licensing objectives, and
 - ii. any condition which must under section 19, 20 or 21 be included in the licence;
 - b) to exclude from the scope of the licence any of the licensable activities to which the application relates;
 - c) to refuse to specify a person in the licence as the premises supervisor;
 - d) to reject the application;

(5) For the purposes of subsection (4)(a)(i) the conditions mentioned in subsection (2)(a) are modified if any of them is altered or omitted or any new condition is added.

Conditions cannot be attached with respect to any part of the application on which no representation(s) have been received.

This is a matter for the committee to determine in light of the above matters and any others it considers relevant.

N.B. Whatever decision the Members of the Licensing Sub-Committee arrive at, they are reminded about the comments made in a recent court case, known as Hope and Glory, in relation to reasons for their decision making. The comments noted from this case stated: “*The fuller and clearer the reasons, the more force they are likely to carry*”. Therefore taking these comments into account, Members are strongly advised to give good, clear, justifiable reasons in relation to their decision, which will have more chance of being upheld, should the decision be appealed against.

8 List of Appendices

Appendix 1 - Application form
 Appendix 2a, 2b and 2c - Representations from Other Persons

9 Background Papers

Licensing Act 2003
 WLDC Statement of Licensing Policy
 Guidance made under section 182 of the Licensing Act 2003



**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 **Rasaratnam Rajakumar**

(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 17 Bankside Lea Road			
Post town	Gainsborough	Postcode	DN21 1AW
Telephone number at premises (if any)			
Non-domestic rateable value of premises	£2,800.00		

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 please complete section (B)
- ii. as a partnership 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)
- ga) 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:

Please tick yes

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 checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Rajakumar			First names Rasaratnam		
I am 18 years old or over				<input checked="" type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town			Postcode		
Daytime contact telephone number					
E-mail address (optional)					

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		
I am 18 years old or over <input type="checkbox"/> Please tick yes					
Current postal 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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD MM YYYY
□ □ □ □ □ □ □ □

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

DD MM YYYY
□ □ □ □ □ □ □ □

Please give a general description of the premises (please read guidance note 1)
Newsagents situated in a residential area.
Plan of the premises is attached to this application form.

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 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Wed			<u>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</u> (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon								
Tue								
Wed						State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur								
Fri						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 (please read guidance note 5)		
Sat								
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			
Fri			<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 5)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon					
			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Tue					
			<u>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</u> (please read guidance note 5)		
Wed					
Thur					
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon					
Tue					
			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
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 5)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon					
Tue					
			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Wed					
Thur					
			<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 5)		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
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 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			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 2)	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 3)		
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 4)		
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 5)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	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 3)		
Mon					
Tue					
			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Wed			<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 5)		
Thur					
Fri					
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) N/A					
Mon	06:00	23:00						
Tue	06:00	23:00						
Wed	06:00	23:00						
Thur	06:00	23:00				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 5)		
Fri	06:00	23:00	N/A					
Sat	06:00	23:00						
Sun	06:00	23:00						

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name Rasaratnam Rajakumar	
Address 11 Riverside Approach Gainsborough Lincolnshire	
Postcode	DN21 2NR
Personal licence number (if known) 038072	
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 8).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) N/A
Day	Start	Finish	
Mon	06:00	23:00	
Tue	06:00	23:00	
Wed	06:00	23:00	
Thur	06:00	23:00	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 (please read guidance note 5) N/A
Fri	06:00	23:00	
Sat	06:00	23:00	
Sun	06:00	23:00	

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 9)

1. Monitoring groups outside via CCTV
2. Maintaining a record of customers via CCTV in the premises
3. Operating a strict challenge 21 scheme
4. Willingness to receive feedback and work with neighbourhood policing inspector and local community
5. The layout of the premises is such that there is good line of sight for supervision.

b) The prevention of crime and disorder

Further to the above, all recordings with CCTV will

- be of evidential quality in all lighting conditions
- indicate the correct time and date
- be retained for a period of 31 consecutive days
- be made available for inspection and immediate downloading upon request to the Police and other officers of Responsible Authorities
- be provided in a format that can be viewed without the need for specialist software

c) Public safety

A bound and paginated incident/accident book will be kept to record all instances of disorder, damage to property and personal injury at the premises.
This book will be made available for inspection and copying by the Police and other officers of Responsible Authorities immediately upon request.
This book will be kept at the premises for at least 12 months.

d) The prevention of public nuisance

Further to the above, a bound and sequentially paginated training book will be kept to record staff training and advice in:

- preventing sale of alcohol to a person who is drunk

e) The protection of children from harm

Further to the above, a bound and sequentially paginated training book will be kept to record staff training and advice in:

- preventing underage sales of alcohol
- preventing proxy sales of alcohol to underage persons

Tina Garner

From: Tracy Gavins
Sent: 09 October 2015 08:52
To: Tina Garner
Subject: FW: 17 Bankside, Gainsborough - Premises licence application

Please could you print off this email and put with the Bankside application in the LA2003 folder.

Thank you xx

Tracy Gavins
Licensing Enforcement Officer

01427 676598
07920295588
www.west-lindsey.gov.uk

West Lindsey District Council
Guildhall
Marshalls Yard
Gainsborough
Lincolnshire
DN21 2NA

From: McConville, Gina [mailto:Gina.McConville@lincs.pnn.police.uk]
Sent: 05 October 2015 14:50
To: Tracy Gavins <tracy.gavins@west-lindsey.gov.uk>
Subject: FW: 17 Bankside, Gainsborough - Premises licence application

Tracy,

Please see the email thread below – re Bankside licence application, Gainsborough. I met with the applicant today and the conditions contained within the thread have been agreed to.

Many thanks

Gina

Pc 642 McConville
Alcohol Licensing
Lincolnshire Police

From: McConville, Gina
Sent: 05 October 2015 14:44
To: 'Chris Cook'
Subject: RE: 17 Bankside, Gainsborough - Premises licence application

Chris,

I met with your client today and all of the conditions were discussed and agreed to. I will now email West Lindsey to make them aware.

Many thanks

Gina

Pc 642 McConville

From: Chris Cook [<mailto:Chris.Cook@ellis-fermor.co.uk>]
Sent: 02 October 2015 15:46
To: McConville, Gina
Subject: RE: 17 Bankside, Gainsborough - Premises licence application

Thank you, I don't see any problems with the revised conditions and I'm sure Mr Rajakumar will be happy to accept them.

Chris Cook LLM
for Ellis-Fermor & Negus
Trainee Solicitor | Commercial Property and Charity Law Department

Tel (Main): 0115 922 1591
Fax: 0115 925 9341
E-mail: chris.cook@ellis-fermor.co.uk
Website: ellis-fermor.co.uk
Address: 2 Devonshire Avenue, Beeston, Nottingham, NG9 1BS
DX 11652 Beeston



From: McConville, Gina [<mailto:Gina.McConville@lincs.pnn.police.uk>]
Sent: 02 October 2015 15:40
To: Chris Cook
Subject: FW: 17 Bankside, Gainsborough - Premises licence application

Here's the thread.....

From: McConville, Gina
Sent: 02 October 2015 13:25
To: 'amshika12@gmail.com'
Subject: FW: 17 Bankside, Gainsborough - Premises licence application

Mr Rajakumar,

Please see the email thread below so your appraised of the communication I've been being with your solicitor.

I'll discuss the proposed conditions with you at our meeting at 1300hrs on Monday 5th October 2015.

Many thanks

Gina

Pc 642 McConville
Alcohol Licensing
Lincolnshire Police
01522 558380

From: McConville, Gina
Sent: 02 October 2015 13:15
To: 'chris-cook@ellis-fermor.co.uk'
Subject: FW: 17 Bankside, Gainsborough - Premises licence application

Chris,

These are the conditions Lincolnshire Police would like to see on the 17 Bankside licence.

- 1) A CCTV system shall be installed, recording and maintained in working order and operated at the premises to the satisfaction of Lincolnshire Police, specifically:
 - There shall be a minimum of one high resolution camera fitted in a weatherproof housing, for external coverage of the entrance.
 - There shall be a minimum of one high-resolution colour camera fitted to the public entrance/exit to provide a quality head and shoulder image for facial recognition/identification purposes of all persons entering the premises.
 - There shall be sufficient cameras able to cope with the normal operating illumination to reasonably cover all licensed public areas.
 - Recordings must be kept for a minimum of 31 days and endorsed with the accurate, correct time/date (BST/GMT adjusted).
 - The frame rate shall be maintained to a standard whereby any footage produced is of sufficient quality to be of evidential use.
 - Police and/or Licensing Officers shall be able on attendance to view playback of any incident without the necessity for download.
 - Recordings of incidents at the premises must be provided to the police following lawful request.
 - A member of staff should 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.
 - Recording equipment shall be housed in a secure room/cabinet where access and operation is strictly limited to authorised persons.

- 2) A 'Challenge 25' Proof of Age scheme will be operated. Anyone attempting to purchase alcohol (or other min.18 restricted product) that appears under the age of 25 years will be asked for proof of age. Acceptable forms of identification will be a PASS-accredited proof of age card, photo driving licence or passport. Failure to produce satisfactory proof of age will result in a refused sale.

- 3) Clear, prominent and unobstructed signage informing customers of the Proof of Age scheme in operation and the age restrictions on products, will be clearly displayed at: all entry points to the premises, adjacent to the age restricted products, and all points of sale.

- 4) All point of sale staff shall undergo yearly training in the above policy 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 24 months from date of completion. This record shall be made available for inspection by Lincolnshire Police Officers or other parties acting on their behalf.

- 5) A refusal register will be maintained on the premises in the following format:
 - The register shall be in a bound page format with each page consecutively numbered.
 - Each entry to be timed dated and signed by staff member making the refusal.
 - Any CCTV evidence to be retained and cross-referenced to the specific refusal.
 - Description and/or name of refused person.
 - Each entry to be dated and signed by the DPS.
 - The item attempted to purchase will be recorded.
 - Reason for refusal will be recorded.
 - Register to be retained for period of 24 months.

- Register to be produced upon request by Police or Trading Standards.

6) All alcohol & tobacco products will be purchased from established and bona fide wholesale traders. No alcohol or tobacco products will be purchased over the counter or from people calling at the shop. All receipts and invoices (or copies) will be held on the premises and made available for inspection by the authorities on reasonable request.

Many thanks

Gina

Pc 642 McConville
Alcohol Licensing
Lincolnshire Police
01522 558380

From: McConville, Gina
Sent: 01 October 2015 16:56
To: 'chris-cook@ellis-fermor.co.uk'
Subject: 17 Bankside, Gainsborough - Premises licence application

Chris,

I would like to meet with your client at the proposed premises to discuss the application. Can you arrange this? I have the local community beat officer also wanting to come and meet your client, so he knows who to contact if he has any issues.

I am satisfied with the offered up conditions, although we have our preferred wording, which I can email to you to go through with your client or I can discuss them with your client during the meeting. Lincolnshire Police would prefer a challenge 25 scheme as opposed to a challenge 21, but other than that I can't see any need to add or change any of the conditions.

Many thanks
Gina

Pc 642 McConville
Alcohol Licensing
Lincolnshire Police
01522 558380

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Tina Garner

From: Tracy Gavins
Sent: 09 October 2015 08:53
To: Tina Garner
Subject: FW: 17 bank side premises license

Please can you also print this and put with the Bankside app.

Thank you x

Tracy Gavins
Licensing Enforcement Officer

01427 676598
07920295588
www.west-lindsey.gov.uk

West Lindsey District Council
Guildhall
Marshalls Yard
Gainsborough
Lincolnshire
DN21 2NA

From: [redacted] [mailto:[redacted]]
Sent: 06 October 2015 19:12
To: Tracy Gavins <tracy.gavins@west-lindsey.gov.uk>
Subject: 17 bank side premises license

Hi good eve, I am agree with your term and conditions.thank you. Rajakumar

Checklist:

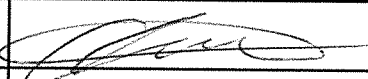
Please tick to indicate agreement

- 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.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11).
If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	23/09/15
Capacity	SOLICITOR

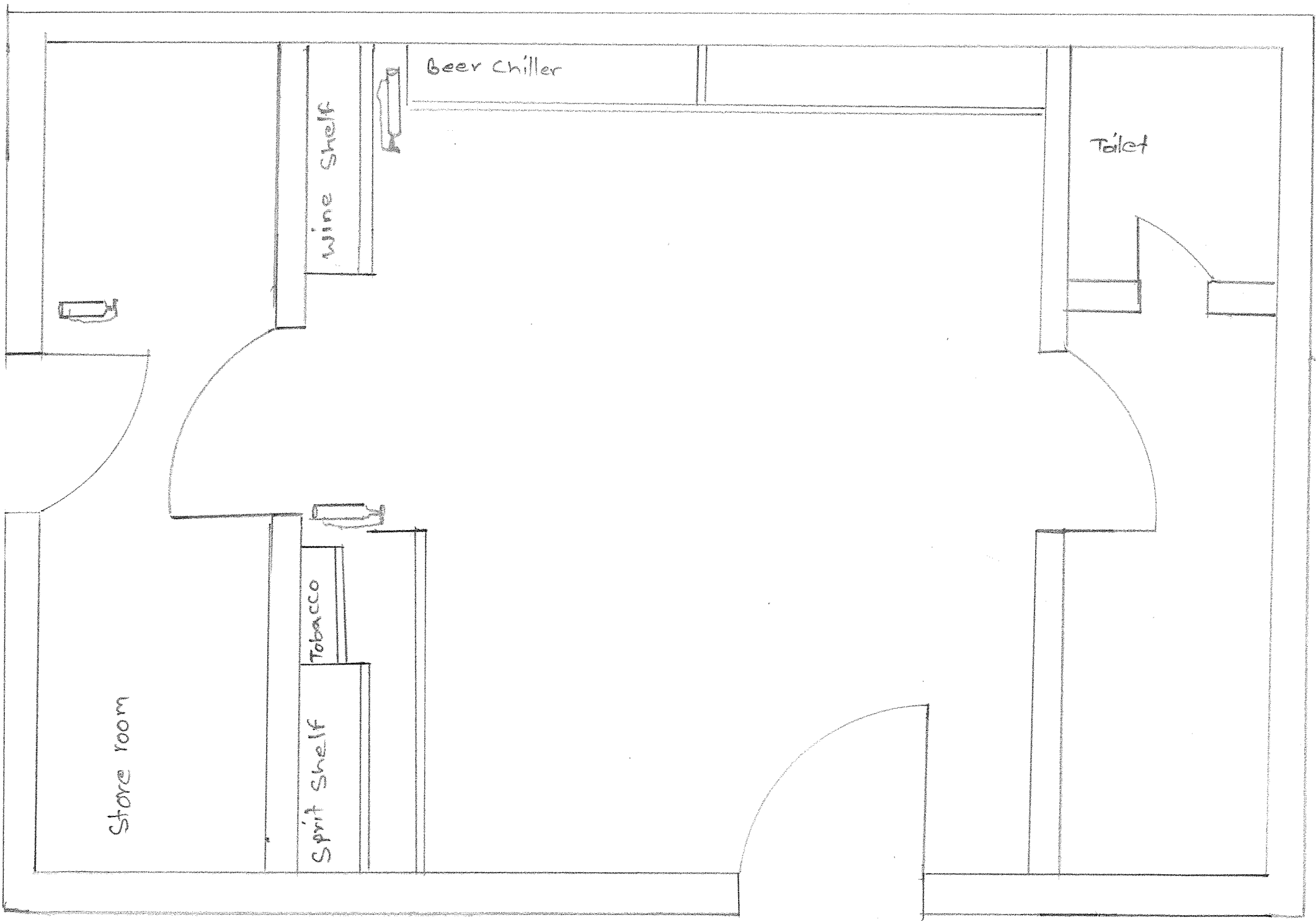
For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Christopher Cook
Ellis-Fermor & Negus

Post town	Beeston	Postcode	NG9 1BS
Telephone number (if any)	0115 922 1591		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) chris.cook@ellis-fermor.co.uk			



Beer Chiller

Wine Shelf

Toilet

Store room

Tobacco

Spirit Shelf

Entrance

Fire EXIT



Licensing Act 2003

Representation by an Interested Party

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 sub-committee hearing.

Representations can be made against a relevant licence application by an interested party. Representations may be made on behalf of the above by a representative e.g. MP, solicitor, or a friend.

Please indicate in which capacity you are making this representation by ticking a box below:

- A person living in the vicinity of the premises
- A body representing a person in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing a business in the vicinity of the premises

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**

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.

In the case of a closure order issued by the Police, representations may be made during the seven days that follow relevant notice being given to the Local Authority by the Magistrates Court, starting on the day after the day the notice was received.

Please enter contact details of interested party below:-

Name:	SHEILA WRAITH
Address:	15 BANKSIDE, LEA ROAD GAINSBOROUGH
Postcode:	DN21 1AW
Tel:	01427 614387
E-mail:	sheilawraith@aol.com

Please confirm receipt of this form.

Please confirm name and address of person or business affected in the vicinity, if different from the address given above:

Name:	
Address:	
Postcode:	

Please provide details of the application to which you wish to make a representation.

Name of Applicant:	RASARATNAM RAJAKUMAR
Address of Premises	17 BANKSIDE, LEA ROAD GAINSBOROUGH
Application Details:	SUPPLY OF ALCOHOL

Please give 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
- Public Safety
- Prevention of Public Nuisance
- The Protection of Children from Harm

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

Details of representation.....

Prevention of Crime + Disorder:

CCTV required to dissuade crime and prevent damage to adjoining properties and to try + prevent people congregating at the front of the shop. The alleyway up to Mayflower Close is obscured from view and in the past has been used as a 'gathering place' for drinking and drug taking. When last off licence was open licence called on a regular basis.

Public Safety:

Parking is very restricted on Lee Road, a lot of the time the only parking available is across driveways. Since the last road resurfacing residents near the shop have not been allowed to have the white parking lines re-instated. This is a 40 mph area and extra vehicles stopping adds to the chance of accidents. It is an extremely busy road also the main route for all emergency services. Concern re people consuming alcohol outside the shop.

Prevention of Public Nuisance:

Noise pollution for local residents. Car doors banging from 6am - 11pm going out. This re: waste materials left in gardens.

Again people congregating outside shop and mis-using alleyway to Mayflower Close.

If possible please suggest alterations to the application that would resolve the problem mentioned above, again paying attention to the licensing objectives

Installation of CCTV Cameras.

Reduction of opening hours.

A ban on consumption of alcohol in public places.

Adequate waste bins + frequent clearing of bins and surrounding areas

This is a completely residential area on a 40mph road. Aldi store is only just down the road which has appropriate parking and good opening hours.

We have previously campaigned for the road to be reduced to 30mph, a crossing place for people to access the bus stop and for parking restrictions over driveways - all have been refused!!

Residents would like this to be a safe area - only time will tell.

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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 tick this box if you do not intend to attend or be represented at any hearing.

If you wish to withdraw any representations you may do so confirming this in writing to the address given below, providing you do so no later than 24 hours before the any hearing, or otherwise orally at the hearing.

Signed: S. Wraith

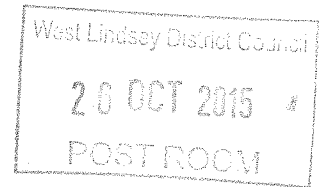
PRINT NAME: S. WRAITH

Date: 20/10/15

Please return this form to the following address:

**Licensing Team
West Lindsey District Council
Marshall's Yard
Gainsborough
Lincolnshire
DN21 2NA**

Email: licensing.2003@west-lindsey.gov.uk



Licensing Act 2003

Representation by an Interested Party

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- A body representing a person in the vicinity of the premises
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1. **The Prevention of Crime and Disorder**
2. **Public Safety**
3. **Prevention of Public Nuisance**
4. **The Protection of Children from Harm**

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In the case of a closure order issued by the Police, representations may be made during the seven days that follow relevant notice being given to the Local Authority by the Magistrates Court, starting on the day after the day the notice was received.

Please enter contact details of interested party below:-

Name:	MRS KAREN GIBBARD
Address:	16 BANKSIDE LEA ROAD GAINSBOROUGH
Postcode:	DN21 1AW
Tel:	07534 147188
E-mail:	kgibbard6@gmail.com

Please confirm name and address of person or business affected in the vicinity, if different from the address given above:

Name:	/
Address:	
Postcode:	

Please provide details of the application to which you wish to make a representation.

Name of Applicant:	RASARATNAM RAJAKUMAR
Address of Premises	BANKSIDE NEWS 17 BANKSIDE GAINSBOROUGH DN21 1AW
Application Details:	SUPPLY OF ALCOHOL: MON-SUN 0600-2300

(attached)

Please give 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
- Public Safety
- Prevention of Public Nuisance
- The Protection of Children from Harm

Details of representation.....

PREVENTION OF CRIME & DISORDER

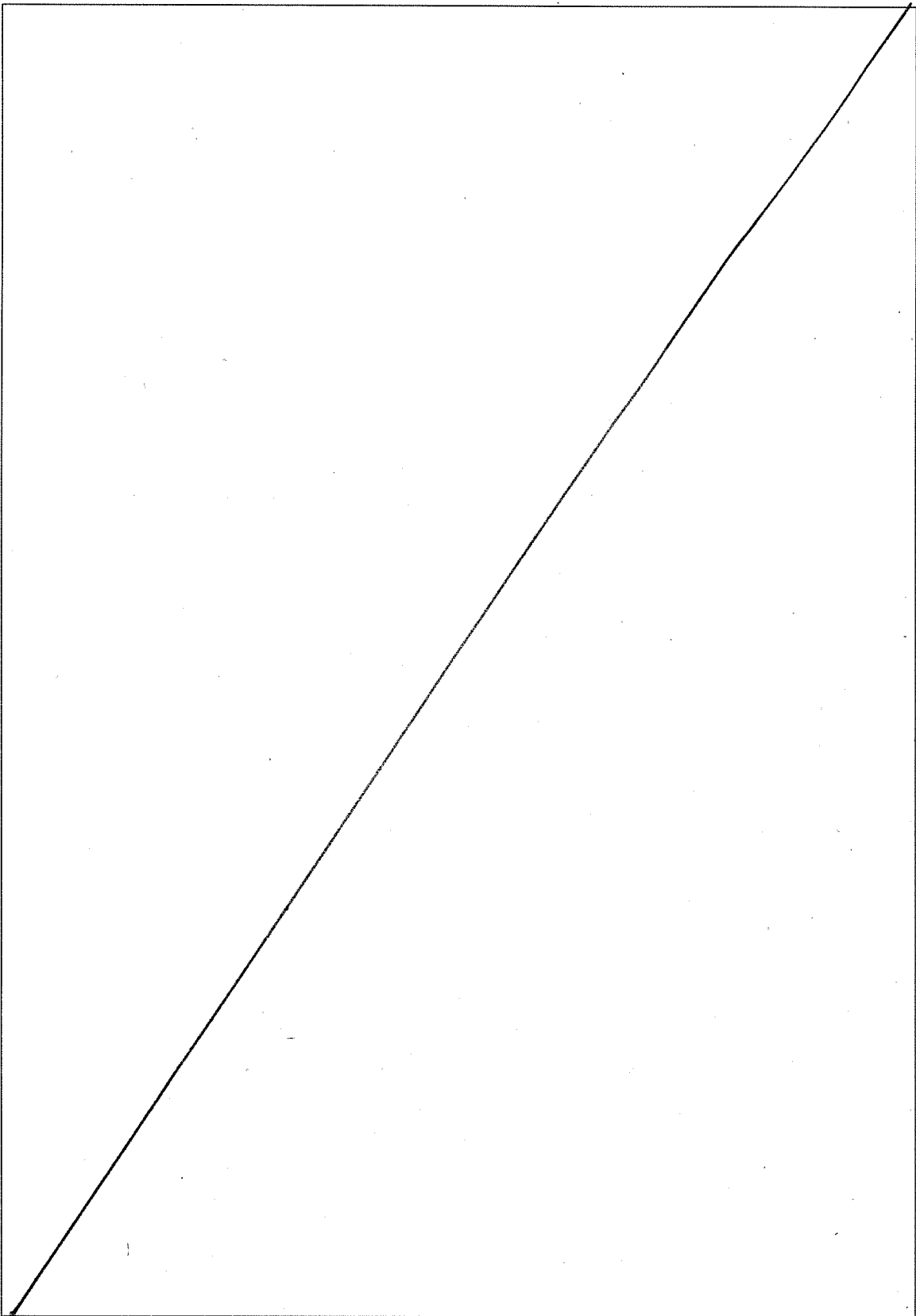
1) DUE TO THE VICINITY OF THE PREMISES, WHAT ASSURANCES CAN BE GIVEN BY THE LICENCE HOLDER TO THE SAFETY OF MY PROPERTY NEXT DOOR AND OTHER NEIGHBOURS. CURRENTLY THE PREMISES DOES NOT HAVE ANY PHYSICAL BOUNDARY STRUCTURES TO EITHER SIDE OF IT, BAR A SHORT RUN OF HEDGE MAINTAINED BY MY HUSBAND WHICH GIVES US SOME PRIVACY AT THE FRONT OF THE HOUSE.

PREVENTION OF PUBLIC NUISANCE

- 1) THE INTENDED HOURS OF SUPPLY OF ALCOHOL ARE EXCESSIVE, AS THE APPLICATION HAS ASKED FOR A 0700 START. THE LOCATION OF THE PREMISES IS IN A RESIDENTIAL AREA, WITH MOST RESIDENTS PARKING ON THE ROADSIDE. THE LOCATION IS ALSO A BUS STOP FOR THE MAIN GAINSBOROUGH - LINCOLN TRANSPORT, INCLUDING THE SCHOOL BUSES.
- 2) SINCE LEA ROAD WAS RESURFACED, THE WHITE LINES IN FRONT OF OUR DRIVEWAYS HAVE NOT BEEN RENEWED, THEREFORE WHEN THE PREMISES IS OPEN CUSTOMERS PARK ACROSS OUR DRIVEWAYS AND ARE ABUSIVE WHEN CHALLENGED TO MOVE THEIR VEHICLES TO ALLOW US OUT.

CONTINUED

If possible please suggest alterations to the application that would resolve the problem mentioned above, again paying attention to the licensing objectives



- ③ I HAVE ALREADY MADE REPORTS TO THE LOCAL POLICE OF YOUTHS SITTING IN THE GARDEN OF THE PREMISES OUTSIDE OF ITS OPENING TIMES ; AND THE STEPS LEADING UP TO THE PREMISES ARE USED AS A "MEETING PLACE" FOR YOUTHS TO CONGREGATE, WITHOUT THE INTRODUCTION OF ALCOHOL INTO THE EQUATION.

PUBLIC SAFETY

- ① THE PATHWAY RUNNING IN FRONT OF THE PREMISES IS USED FOR PEDESTRIANS AND CYCLISTS, SO INCREASED RISK WILL BE TO BOTH CUSTOMERS PURCHASING ALCOHOL CROSSING THE PATHWAY TO THEIR VEHICLES AND CYCLISTS.
- ② WITH LIMITED ROADSIDE PARKING AVAILABLE TO CUSTOMERS AND A 40 MPH, SCHOOL CHILDREN AND ELDERLY RESIDENTS GETTING OFF AT THE BUS STOP ALREADY HAVE DIFFICULTY CROSSING THE ROAD DUE TO INCONSIDERATE PARKING.

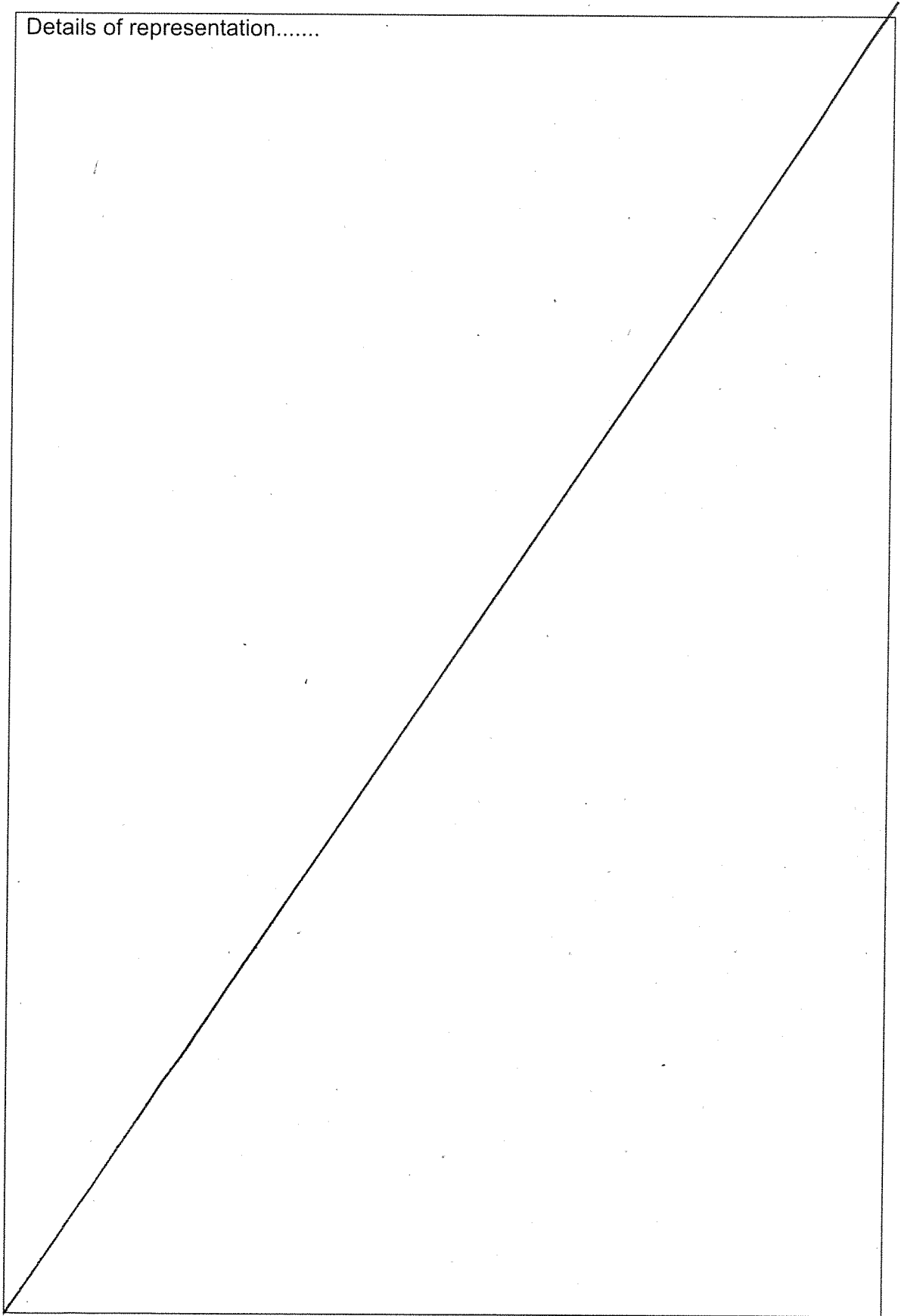
PROTECTION OF CHILDREN FROM HARM

- ① MY TEENAGE DAUGHTER SLEEPS AT THE FRONT OF THE HOUSE, AND HAS ALREADY COMPLAINED OF BEING WOKEN UP AT 0530 WHEN THE SHOP WAS OPEN PREVIOUSLY, AS THE NEWSPAPERS USED TO BE DELIVERED AT THAT TIME. WHAT CONSIDERATION WILL BE GIVEN TO THE NOISE OF CAR DOORS SHUTTING FROM 0600 THROUGH TO 2300 AND THE IMPACT IT WILL HAVE ON HER WELLBEING

GENERAL

- ① THE APPLICANT HAS DISPLAYED HIS LICENCE APPLICATION IN THE SHOP WINDOW BUT SINCE THE SHOP IS NOT CURRENTLY OPEN, NO CUSTOMERS WILL KNOW THAT THE APPLICATION TO SUPPLY ALCOHOL HAS BEEN MADE.
- ② THE SHOP FRONT IS SET BACK FROM THE ROAD AND PASSERSBY WOULD NOT BE ABLE TO READ THE NOTICE, PLUS NO SUBSEQUENT NOTICE HAS BEEN MADE MORE VISIBLE IE ON THE LAMP-POST OUTSIDE.
- ③ ON REVIEWING THE PUBLIC NOTICES IN THE LINCOLNSHIRE ECHO (INCLUDING THE GAINSBOROUGH ECHO), THE GAINSBOROUGH STANDARD, AND THE GAINSBOROUGH LIFE, AT NO TIME IN THE LAST 28 DAYS HAS THE APPLICANT ADVERTISED THE APPLICATION. IF HE HAS ADVERTISED IT, IN WHICH LOCAL NEWSPAPER / FREE PUBLICATION?
- ④ AT NO TIME HAS THE APPLICANT DISCUSSED HIS INTENTIONS WITH INTERESTED PARTIES, SUCH AS HIS NEIGHBOURS.
- ⑤ GIVEN THAT WITHIN 5 MINS WALK (LESS BY CAR) WE ALREADY HAVE AN ALDI'S STORE OPEN TO 2200 HOURS MON-SAT AND AN OFF LICENCE ~~AREA~~ OPPOSITE THEM, THEIR IS NOT JUSTIFIABLE REASON WHY WE NEED ANOTHER ONE IN SUCH SHORT A DISTANCE.

Details of representation.....



If possible please suggest alterations to the application that would resolve the problem mentioned above, again paying attention to the licensing objectives

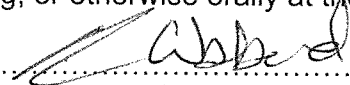
- ① PARKING - PROVIDE A CAR PARK TO THE REAR OF THE PREMISES.
- ② REDUCED OPENING HOURS.
- ③ PEDESTRIAN CROSSING FOR CUSTOMERS AND RESIDENTS
- ④ CCTV TO ENSURE SAFETY OF NEIGHBOURHOOD.
- ⑤ RE-INSTATE WHITE LINES IN FRONT OF DRIVEWAYS IN VICINITY.
- ⑥ STRUCTURED BOUNDARIES (FENCE/HEDGE) TO BE PUT IN PLACE AROUND THE WHOLE PREMISES.

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

Please tick this box if you do not intend to attend or be represented at any hearing.

If you wish to withdraw any representations you may do so confirming this in writing to the address given below, providing you do so no later than 24 hours before the any hearing, or otherwise orally at the hearing.

Signed: 

PRINT NAME: KAREN GIBBARD

Date: 20/10/15

Please return this form to the following address:

**Licensing Team
West Lindsey District Council
Marshall's Yard
Gainsborough
Lincolnshire
DN21 2NA**

Email: licensing.2003@west-lindsey.gov.uk

POST ROOM
21 OCT 2015
West Lindsey District Council



Licensing Act 2003

Representation by an Interested Party

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Please enter contact details of interested party below:-

Name:	FRANK POWELL
Address:	THE OLD SCHOOLHOUSE LEA PARK, LEA GAINSBOROUGH, LINCS
Postcode:	DN21 5JD
Tel:	01427 810528
E-Mail:	oldschoolhouselea@talktalk.net

Please confirm name and address of person or business affected in the vicinity, if different from the address given above:

Name:	MR & MRS GIBBARD
Address:	16 BANKSIDE GAINSBOROUGH LINCS
Postcode:	DN21 1AW

Please provide details of the application to which you wish to make a representation.

Name of Applicant:	RASARATNAM RAJAKUMAR
Address of Applicant:	17 BANKSIDE, GAINSBOROUGH, DN21 1AW
Application Details:	SUPPLY OF ALCOHOL: MON-SUN (OFF THE PREMISES ONLY), 0600-2300.

Please give 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**
- **Public Safety**
- **Prevention of Public Nuisance**
- **The Protection of Children from Harm**

Details of representation.....

Dear Sir/Ms,

**APPLICATION FOR A LICENCE FOR THE SUPPLY OF ALCOHOL – MON-SUN
(OFF PREMISES ONLY) 0600-2300 AT 17 BANKSIDE, GAINSBOROUGH, DN21
1AW**

As the father of Mrs. Karen Gibbard and grandfather to her two teenage daughters at 16 Bankside, Gainsborough, DN21 1AW I strongly object to the owners of 17 Bankside, Gainsborough, DN21 1AW, which is the property next to my daughters, being granted a licence to Supply Alcohol from Monday to Sunday 0600-2300.

I consider that the granting of a licence to sell alcohol would not be in the interest of the immediate local community for the following reasons:

1. The premises (17 Bankside) are within a residential area and should not be allowed to sell intoxicating liquor.
2. The granting of a licence to sell alcohol would increase the possibility of further alcohol related crime and disorder in the area by attracting people to an outlet that can sell alcohol until 2300 and particularly on a Sunday when supermarkets close at 1600.
3. It would also possibly attract underage drinkers who may be able to obtain alcohol either by themselves or through a mediatory thus becoming a public nuisance to the immediate area.
4. Prior to being sold the premises was a retail outlet for the sale of newspapers, cigarettes and food to be consumed off the premises. The result of this was to attract teenagers to the area who used to gather in groups outside of the outlet, causing an increase in litter and a public nuisance. If a licence to sell alcohol is approved it would exacerbate this issue.
5. 17 Bankside is situated on Lea Road, Gainsborough which is a very busy main road. There is only minimal parking adjacent to the premises and customers invariably park across the entrances to private dwellings thus causing a nuisance to the residents.
6. The licensing authority should be aware that 17 Bankside has previously been burgled on several occasions and the granting of a licence to sell alcohol would increase this likelihood.
7. The current property has no security fences erected between 17 and 16 Bankside thus leaving both properties open to being target by criminal elements. It should be noted that No: 17 Bankside is responsible for erecting security fences between 16 & 17 Bankside and which the previous owner failed to complete.
8. It is also understood that an application for a licence to sell alcohol by the previous owners was rejected.

It is also understood that the owners of 17 Bankside in applying for a licence to sell alcohol were required to display a notification to this extent both on the property and within the local media. Whilst a notice to the above has been placed in the window of the premises it is considered inadequate as the premises are not currently open for business and would not be seen by the passing public. Furthermore, I have not observed any notification of applying for a licence to sell alcohol from the premises advertised in the local media and which is a requirement when applying for a licence.

Finally, you should note that my daughter Mrs. Karen Gibbard did not received any notification of the application to sell alcohol by the owners of 17 Bankside, but was informed by a concerned neighbour.

In summary, the granting of a licence to sell alcohol from 17 Bankside which is situated within a residential area, would increase the likelihood of further alcohol related crime and disorder, become a public nuisance and attract criminal elements to the area.

Yours faithfully

A handwritten signature in black ink, appearing to read 'F.E. Powell', with a horizontal line underneath.

F.E. Powell
Lieutenant Commander Royal Navy

If possible please suggest alterations to the application that would resolve the problem mentioned above, again paying attention to the licensing objectives

No suggestions can be made to resolve this issue apart from refusing the application for a licence to sell alcohol from 17 Bankside.

Once the Licensing Section has received this form you will receive a written acknowledgment and you may be contacted to discuss the issue prior to any referral to a sub-committee hearing.

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

Please tick this box if you do not intend to attend or be represented at any hearing.

If you wish to withdraw any representations you may do so confirming this in writing to the address given below, providing you do so no later than 24 hours before the any hearing, or otherwise orally at the hearing.

Signed: ... 

PRINT NAME: ... FRANK POWELL

Date: 20 OCTOBER 2015

Please return this form to the following address:

**Licensing Team
West Lindsey District Council
Marshall's Yard
Gainsborough
Lincolnshire
DN21 2NA**

Email: licensing.2003@west-lindsey.gov.uk