

Guildhall Gainsborough  
Lincolnshire DN21 2NA  
Tel: 01427 676676 Fax: 01427 675170

**AGENDA**

**Licensing Sub Committee**  
**Monday, 5th August, 2019 at 10.00 am**  
**Trent Meeting Room - The Guildhall**

**Members:** Councillor Timothy Davies  
Councillor Paul Howitt-Cowan  
Councillor Mrs Jessie Milne

1. **To Elect a Chairman for this Meeting Only**
2. **Apologies for Absence**
3. **Members' Declarations of Interest**  
*Members may make any declarations of interest at this point but may also make them at any time during the course of the meeting.*
4. **Procedure** (PAGES 2 - 3)  
Please note the procedure to be taken by the committee.
5. **Note:**  
This licensing authority will only allow licensing decisions to be taken by a minimum of three Councillors. In the event of one member being unable to attend, their place will be substituted by another member. In the event of this substitution taking place all parties will be informed of the change of membership at the beginning of the hearing.
6. **Licence Hearing** (PAGES 4 - 42)  
Licence Number: N/A  
Hearing Type: Application for the Grant of Premises Licence  
Applicants: Mr Satnam Singh and Mrs Mandeep Kaur  
Premises: "Morton Premier" 1 Crooked Billet Street, Morton,  
Lincolnshire DN21 3AG

Ian Knowles  
Head of Paid Service  
The Guildhall  
Gainsborough

26 July 2019

# Agenda Item 4

## WEST LINDSEY DISTRICT COUNCIL

### LICENSING ACT 2003

#### PROCEDURE FOR HEARINGS

1. Election of Chair.
2. Chair's welcome and opening remarks
  - name of Applicant and the premises address
  - the introduction of the Members of the Sub-Committee and Officers
  - introduction of Applicant and Objector(s)
  - Chair to explain that all parties have been given notice to attend the hearing and that the hearing will proceed notwithstanding a party's failure to attend the hearing
  - the Legal Adviser to explain the procedure to the parties
  - the Senior Licensing Officer will present the application which will include any previous licensing history.
3. Applicant to present case
  - the Applicant(s) or his/her/their representative presents his/her/their case
  - the Applicant or their representative will then call any witnesses and/or give evidence in support of their case
  - the Objector(s) or their representatives may then question the Applicant and their witnesses
  - the Members of the Sub-Committee may ask questions of the Applicant and their witnesses
  - the Applicant or their representative will then be given a final opportunity to ask any further questions of their witnesses to clear up any points raised in the earlier questioning.
4. The Objector(s)/Objector(s) Representative's Case

This procedure will be followed for each individual objector

- the Objector or his/her representative will give his/her reasons for objecting to the application
- the Objector or his/her representative will then call any witnesses
- the Applicant or his/her representative may then question the Objector or his/her representative and any witnesses
- the Members of the Sub-Committee may ask questions of the Objector or his/her representative and any witnesses
- the Objector or his/her representative will then be given a final opportunity of asking any further questions of their witnesses to clear up any points raised in the earlier questioning

5. The Applicant is asked by the Chair of the Sub-Committee whether, in light of the objections, he/she wishes to amend the application (when they retire Members will consider only the application before them at that time).

If the Applicant wishes to amend the application or indicates that he/she is prepared for Members to give consideration to an amended application if they are minded to refuse the original application, the Objector(s) are to be given the opportunity to comment on the amended application.

6. Closing Statement or Summary

The Objector(s) can summarise any points they wish to make and comment briefly on the Applicant's replies to questions. They cannot introduce any new issues at this stage.

Applicants can summarise any points they wish to make and comment briefly on the Objector(s)' replies to questions. They cannot introduce new issues at this stage.

7. Conclusion

The Chair will then ask the Legal Adviser whether there are any other matters to be raised or resolved before the Sub-Committee retires to begin its deliberations. The Sub-Committee will exclude the press and public from its deliberations and its decision making.

The Chair will advise the hearing that they will retire to consider the application and that the Legal Adviser will be retiring with them but will not take part in the deliberation. If legal advice is given by the Legal Adviser in the course of deliberations, the Legal Adviser will reiterate this advice to the hearing when the hearing is reconvened.

Once a decision has been made everybody is invited back in and the Chair announces the decision and will give reasons for the decision including any conditions that have been attached and the right of appeal if necessary. The decision will subsequently be formally notified to the Applicant and the Legal Adviser in writing by the Clerk to the Committee within 5 working days.

***NB*** *If legal advice is given to Members by the Legal Adviser then this advice will be repeated in summary form by the Legal Adviser when the public are re-admitted.*

# Agenda Item 6



Licensing Sub-Committee

05 August 2019

**Subject Application for the Grant of a Premises Licence**

Report by:

Ian Knowles  
Head of Paid Service

Contact Officer:

Phil Hinch  
Licensing & Land Charges Team Manager  
01427 676610  
[phil.hinch@west-lindsey.gov.uk](mailto:phil.hinch@west-lindsey.gov.uk)

Purpose / Summary:

This report is being put before the Members of the Licensing Sub-Committee for them to determine the outcome, due to the application being subject to a representation being made.

**RECOMMENDATION(S): That Members take into account all the information put before them within this report along with all the information presented to them from all parties in attendance at the day(s) of the hearing.**

**Members will then need to decide which of the options presented to them within section 7 of this report in order to determine this application, taking into account:**

**Licensing Act 2003**

**S/182 Statutory Guidance**

**WLDC Policy**

## IMPLICATIONS

**Legal:** The Licensing Act 2003, Schedule 5, Part 1 makes provision for the applicant for the premises licence and the person who has submitted a relevant representation to appeal the outcome of the determination of the Hearing.

Any appeal must be made to the Magistrates Court for the petty sessions area, in which the premises concerned are situated.

Any appeal must be commenced within 21 days beginning with the day on which the appellant was notified by the authority of the decision appealed against.

**Financial :** N/A

**Staffing :** N/A

### **Equality and Diversity including Human Rights :**

Article 6 – Right to a fair Hearing in public before an independent and impartial tribunal.

**Data Protection Implications:** Personal Data within the report appendices has been redacted where relevant.

**Climate Related Risks and Opportunities:** N/A

### **Section 17 Crime and Disorder Considerations:**

(S.17 Crime and Disorder Act 1998) - (1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

**Health Implications:** N/A

**Title and Location of any Background Papers used in the preparation of this report :**

Licensing Act 2003  
S/182 Statutory Guidance  
WLDC Policy

**Risk Assessment :**

See the Legal section above in relation to Appeals.

# WEST LINDSEY DISTRICT COUNCIL

## LICENSING ACT 2003

<b>Reference Number:</b>	N/A
<b>Application type:</b>	Application for the Grant of Premises Licence
<b>Premises:</b>	“Morton Premier” 1 Crooked Billet Street, Morton, Lincolnshire DN21 3AG
<b>Applicants:</b>	Mr Satnam Singh and Mrs Mandeep Kaur
<b>Date of Hearing:</b>	05 August 2019

A Hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless the authority considers that cross-examination is required for it to consider the Representations, Application or Notice as the case may require.

- 1.1 The application is for the grant of a new Premises Licence for the above named premises, made under Section 17 of the Licensing Act 2003. The statutory consultation period relative to this application ended on 09 July 2019.
- 1.2 The applicant placed a Notice in the local press and attached a Blue Notice at the premises, in order to advertise the application.
- 1.3 The application submitted is requesting authorisation for the supply 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 a public house and issued a licence in November 2005 under the current licensing regime (Licensing Act 2003). This was surrendered in March 2018 when the premises closed. It is now looking to re-open as an off-licence, convenience store.

## 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 the attachment supplied with the application form (Appendix 1).

#### **4 Representations – Responsible Authorities**

- 4.1 One representation has been received from West Lindsey District Council Environmental Protection Team, which is attached at Appendix 2 for Members' perusal. The Environmental Protection Team have indicated that their representation is in relation to one of the four licensing objectives, e.g. Public Safety.

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

- 5.1 None.

#### **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 Members of the sub-committee must satisfy themselves whether or not the licensing objectives are being promoted by the applicant with respect to each matter.
- 6.3 The authority may only interfere with the operating schedule if it considers it appropriate in order to promote the licensing objectives. If it does interfere, then it must do so proportionately.
- 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 and 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*. Furthermore, 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 The Sub-Committee should always be alive to the burdens/costs of additional conditions and if a lesser step can be taken, it should be.
- 6.3.3 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

6.5 Policy Considerations

6.5.1 When considering the application and representation 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 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 2	Representation	from	Environmental
Protection			

## **9 Background Papers**

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

# Appendix 1

D £190 15.8.18  
KSK100006538



West Lindsey District Council  
17 SEP 2018  
POST ROOM

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 SATNAM SINGH AND MANDEEP KAUR  
*(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			
NO.1 CROOKED BILLET STREET			
MORTON			
GAWSBOROUGH			
DN21 3AG			
Post town	GAWSBOROUGH	Postcode	DN21 3AG

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 13,000.00

**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/limited liability partnership  please complete section (B)
  - ii as a partnership (other than limited liability)  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 (by ticking yes to one box below):

- 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
  - 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 <b>SINGH</b>			First names <b>SATNAM</b>		
Date of birth [REDACTED]					
Nationality [REDACTED]					
Current resider address if diffe premises addre [REDACTED]					
Post town		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Daytime cont: [REDACTED]					
E-mail address (optional) [REDACTED]					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input checked="" type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname <b>KAUR</b>			First names <b>MANDEEP</b>		
Date of birth [REDACTED]					
Nationality [REDACTED]					
Current postal if different fro premises addr [REDACTED]					
Post town		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Daytime cont: [REDACTED]					
E-mail address (optional) [REDACTED]					

**(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
A	S	A P

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)

SALE OR SUPPLY by Retail of ALCOHOL  
Property being converted into off-licence  
hours of business 6am to 11pm Mon-Sat

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 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all 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)
- i) **Provision of late night refreshment** (if ticking yes, fill in box I)
- j) **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 7)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue			<b>Please give further details here</b> (please read guidance note 4)		
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 5)		
Thur			<b>State any seasonal variations for performing plays</b> (please read guidance note 5)		
Fri			<b>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</b> (please read guidance note 6)		
Sat					
Sun					

**B**

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish			Both	<input type="checkbox"/>
Mon				<b>Please give further details here</b> (please read guidance note 4)	
Tue			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)		
Wed			<b>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</b> (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Wed			
Thur			<b><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></b> (please read guidance note 6)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 5)		
Wed					
Thur			<b>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</b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue					
			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
Wed					
Thur					
			<b><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></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Tue					
			<b><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></b> (please read guidance note 6)		
Wed					
Thur					
Fri					
Sat					
Sun					

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)		
Thur					
Fri			<b><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></b> (please read guidance note 6)		
Sat					
Sun					

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)		
Fri					
Sat			<b><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></b> (please read guidance note 6)		
Sun					



**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Wed					
Thur			<b><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></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	06:00	23:00			
	06:00	23:00			
Tue	06:00	23:00			
	06:00	23:00			
Wed	06:00	23:00			
	06:00	23:00			
Thur	06:00	23:00			
	06:00	23:00			
Fri	06:00	23:00			
	06:00	23:00			
Sat	06:00	23:00			
	06:00	23:00			
Sun	06:00	23:00			
	06:00	23:00			
			<b>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</b> (please read guidance note 6)		
			ALCOHOL FOR SALE IN OFFICINE AS PER USUAL OFFICINE CONSUMPTION STRICTLY FROM PREMISES		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	SANTHAN SIVAKAN MANDHEP KOUR	
Date of birth	[REDACTED]	
Address	[REDACTED]	
Postcode	[REDACTED]	
Personal licence number (if known)	LIC: S406325 PER [REDACTED]	
Issuing licensing authority (if known)	SHEFFIELD CITY COUNCIL	

K

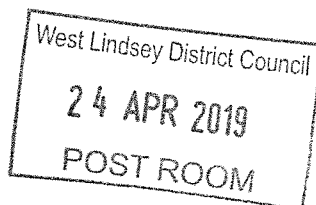
Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)	
Day	Start	Finish		
Mon	06:00	23:00		
	06:00	23:00		
Tue	06:00	23:00		
	06:00	22:00		
Wed	06:00	23:00		
	06:00	23:00		
Thur	06:00	23:00		<u>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</u> (please read guidance note 6)
	06:00	23:00		
Fri	06:00	23:00		
	06:00	23:00		
Sat	06:00	23:00		
	06:00	23:00		
Sun	06:00	23:00		
	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 10)



Mr. Singh  
The Crooked Billet  
1 Crooked Billet Street  
Morton  
Gainsborough  
DN21 3AG

To Whom It May Concern (West Lindsey DC & Lincolnshire Police-Licensing,

Further to my application for an alcohol License for the above premises in August 2018, I have received from Lincolnshire Police (c/o PC 37 Nicola Seneschal) an email dated 18/4/19, in which the General requirements outlined below were mentioned by them as a requirement to assist in this application.

I hereby confirm my agreement to conform to the attached "General" conditions, and make my application if full cognizance of them.

Given the time it will take for the Alcohol License application, it is our intention to apply for a Temporary Event License for a period of 2 months, by which time our formal Alcohol license should have been processed.

Kindly provide us with the appropriate application forms.

**General- Conditional requirements as informed by Lincolnshire Police**

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 staff shall be on the premises at all times they are open to the public who is capable of operating the CCTV system in its entirety 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) All equipment shall have constant time/date generation, which must be checked for accuracy on a daily basis.
- j) The CCTV system should be maintained and checked every 12 months, with the installing company, or if this is not possible another reputable company, producing a letter of compliance.
- k) In the event of a system malfunction, the Designated Premises Supervisor or the Premises Licence Holder must immediately notify the Licensing Authority and the Police Licensing Department **Tel 01522 558448** or email **[countylicensinggroup@lincs.pnn.police.uk](mailto: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.
- l) Police and/or Authorised Licensing Officers shall be able on attendance to view immediate playback of any incident without the necessity for download.

CCTV system must comply and be registered with the CCTV Code of Conduct published by the Information Commissioner's Office (ICO). The ICO must be annually notified that CCTV images are being recorded on your premises, with a named individual who is responsible for operation and maintenance of the equipment. Register through <https://ico.org.uk/for-organisations/data-protection-fee/> or telephone 0303 123 1113.

### **Prevention of Crime and Disorder**

No super-strength beer, lagers or ciders of above 6.5ABV (alcohol by volume) shall be sold at the premises.

The sale of cans and bottles of beers, lagers and ciders shall only be in packs of 4 or multiples thereof, unless the volume of the contents of the can or bottle is more than 570 millilitres.

Alcohol will not be permitted in open containers on the premises.

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.

All point of sale staff shall undergo periodic 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.

No persons shall sell or supply alcohol at the premises without the written authority of the premises licence holder and all such written records shall be kept securely and made available for inspection to the responsible authorities at their request.

Staff and management shall receive refresher training at least every twelve months in relation to licensing legislation, underage sales and shall be fully conversant with the conditions contained therein the Premises Licence. The training shall be under constant review.

All staff shall be suitably trained for their job function in the operating standards for the premises and the contents of the premises licence.

The staff training will include the identification and recognition of drunks and the correct procedure to be followed when refusing sale.

All alcohol & tobacco products will be purchased from established and bona fide wholesale traders and orders / purchases shall only be made by the Licence Holder or the Designated Premises Supervisor.

All receipts and invoices (or copies) will be held on the premises and made available for inspection by the authorities on reasonable request. These records will be kept for a period of no less than 24 months.

Any medication sold at the premises will only be purchased from a UK wholesaler and have the necessary English labelling and usage information and that appropriate receipts will be kept and made available for inspection by a Council Officer, Police Officer or Trading Standards Officer upon request.

Customer notices to be displayed at all exits asking patrons to please leave the premises quietly and to respect the needs of the local residents.

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, Trading Standards or Authorised Licensing Officer.
- Each entry signed by the DPS or other responsible person employed at the premises and so authorised by the DPS.

Customer notices to be displayed at all exits asking patrons to please leave the premises quietly and to respect the needs of the local residents.

Right to work checks shall be conducted on all potential employees prior to their employment in any capacity at the venue

Conduct those checks in accordance with the Home Office Code of Practice for employers as current at that time <https://www.gov.uk/view-right-to-work>

Retain written records of these checks to contain the following information; Date of the checks, identity of the individual (full name; date of birth, country of origin) documents checked and copied and identifying marks; result of the check; date for recheck if required according to the individual status.

## **Public Safety**

An incident book 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;

- 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 further 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 24 months and made available to Lincolnshire Police or Authorised Licensing Officers for inspection upon request.

## **The protection of children from harm**

A 'Challenge 25' Proof of Age scheme will be operated. Anyone attempting to purchase alcohol (or other minimum 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, be recorded and kept for 24 months.

Notices shall be prominently displayed advising customers of the "Challenge 25" policy.

A notice or notices shall be displayed in and at the entrance to the premises where they can be clearly seen and read and shall indicate:

- a) That it is unlawful for persons under 18 to purchase alcohol or for any person to purchase alcohol on behalf of a person under 18 years of age.
- b) That proof of age may be requested at the premises and those accepted means for proof of age listed as above.

Kind Regards

Mr Satnam Singh

A blacked-out signature, likely of Mr Satnam Singh, is present next to his name.

1 Crooked Billet Street  
Gainsborough  
DN21 3AG

7<sup>th</sup> June 2019

[REDACTED]

Licensing Team

I would like to confirm my opening hours as detailed below.

7am to 10pm 7 days a week.

If you need any further information please do not hesitate to contact me on the above telephone number.

Kind regards

Satnam Singh

[REDACTED]

West Lindsey District Council  
07 JUN 2019  
CUSTOMER SERVICES



**Application for No.1 Crooked Billet Street, Morton, Gainsborough, DN21 3AG**

I, Mr Satnam Singh would like to add the following condition and change the opening hours, as detailed below on my recent application for a Premises Licence (off sales), for the above address.

***“Deliveries shall only be carried out between the hours of 06:30 and 20:00 unless specifically agreed in writing by the local planning authority beforehand.***

***The shop shall only be open between the hours of 07:00 to 22:00 Monday to Sunday and Bank Holidays”***

I accept that my application will be treated as a new application from today's date (11 June 2019) and the last date for any representations will be 9 July 2019.

Signature: \_\_\_\_\_



\_\_\_\_\_ Date: 11-6-19

Mr S Singh

We have contacted West Lindsey Police (Lincolnshire Police) but have had no response.

**b) The prevention of crime and disorder**

We will install CCTV and have control of entry to be licensed by Sheffield City Council.

**c) Public safety**

We will not open after 23:00 we will not serve any one unobtrusive and control and serve all alcohol we will also have CCTV.

**d) The prevention of public nuisance**

Comply with all regulations of law. Comply with police noise limit camera's installed on exterior glasswork car park.

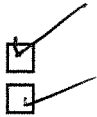
**e) The protection of children from harm**

No service to under age shopper, 18 check on purchasers of alcoholic and cigarettes.

**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.
- 


[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**


**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.**

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

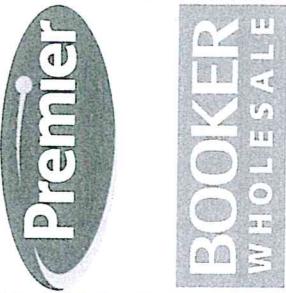
<b>Declaration</b>	<ul style="list-style-type: none"> <li>[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)</li> </ul>
Signature	 SATNAM SINGH
Date	23 AUGUST 2018
Capacity	

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	 MANDEEP KAUR.
Date	23 / AUGUST 2018
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			





**Premier**  
**BOOKER**  
WHOLESALE

Notes:-  
- Shelf edge labels to be produced for every product and equipment to be in place ready for the third visit -  
- Gaps in the new shelving should only be filled up with "Core in every store" products before the third visit date.  
- Third visit will consist of a "core in every store" order which will be in store before merchandising.  
Equipment List: **Standard Height 1610mm. All Dimensions To be Checked before any equipment is ordered**

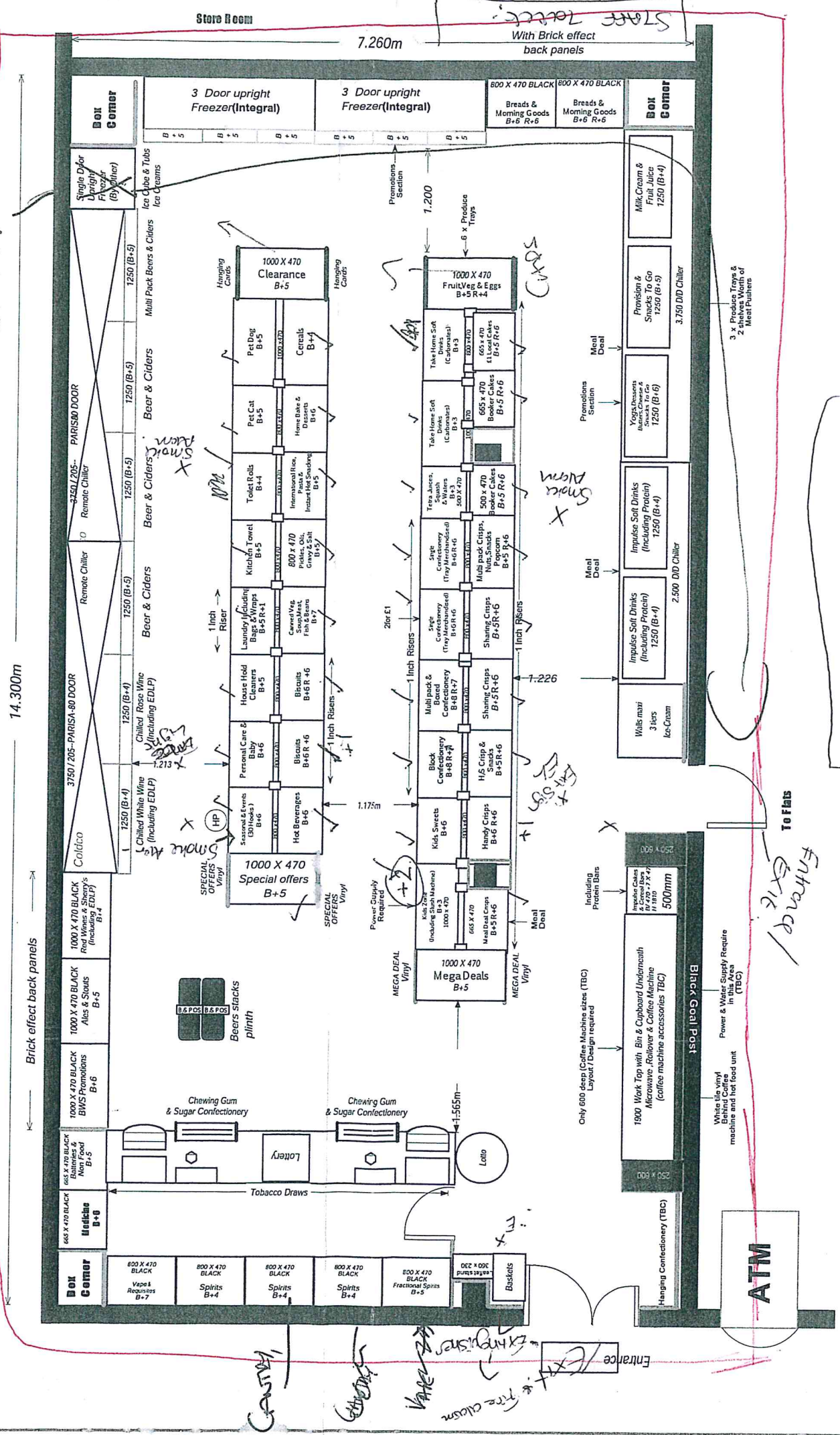
- 9 x Produce Trays/Poly wicker baskets
- 2 shelves Worth of Meat Pushers
- 4 x Floor plinths
- 2 x Pos Bus Stops
- New Equipment Highlighted In Grey
- Shelving & Riser Requirements shown on store layout
- Bay Marked with (HP) are half perforated
- 50 x 370 Directentry looped hooks with over arm ticket Holder (BC)
- 200 x Euro Ticket holders
- 160 x 250mm slat Loop hooks with over arm ticket Holder (BC)
- 1 x Box of ridge trays
- Promotional Bays to have plain red panels
- 9 x Produce Trays/Poly wicker baskets
- 2 shelves Worth of Meat Pushers
- 4 x Floor plinths
- 2 x Pos Bus Stops

Address: 729937284  
1 Crooked Billet Street  
Morton  
Gainsborough  
Lincolnshire  
DN21 3AG

Store Layout Status: **Proposed**  
Version: 5  
Sq footage: 1104  
Date: 20/02/2018  
Drawn by: D. Ouiram

This drawing is for illustrative purposes ONLY. All dimensions should be checked by a qualified Shop Fitter prior to undertaking any investment and to ensure DDA Compliance.

*665 x 470  
(B+S)  
CLEARANCE,*



Schedule:		Installation Dates:		Notes/Additional Equipment:	
First Meeting Date	31/10/2018	EPOS System	---	Acrylics for Hanging Cards	Water feed and electric supply needed for coffee machine.
Second Meeting Date	29/11/2018	Coffee Machine	---	Electrical supply need for Slush Machine	Electrical supply need for Slush Machine
Ticking to be completed By	---	Lottery	---	PEmelcolours and text (TBC)	Food to Go section Configuration / type (TBC)
Blue Dotted By	---	Kids Zone	---	Leaflet Stand (TBC)	
CIES & Store Check By	---	Extra Shelving	---		
		EPOS Stripping	---		

CUSTOMER CARPARK.

# Appendix 2

## 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:	Housing and Environmental Enforcement Team
Contact Officer:	Sarah Cattell who is responsible for officers within the above team who deal with statutory nuisance, housing enforcement, some elements of food safety and public protection issues
Address:	Guildhall, Marshall's Yard, Gainsborough. DN21 2NA
Telephone Number:	01427 675193
E-mail:	sarah.cattell@west-lindsey.gov.uk

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

Name:	No 1 Crooked Billet Street
Address:	No 1 Crooked Billet Street, Morton, DN21 3AG
Application Details:	New Premises Licence
Date Application Received:	



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

In relation to this application, the following Guidance issued under Section 182 of the Licensing Act 2003 has been considered –

2.7 Licence Holders have a responsibility to ensure the safety of those using their premises, as part of their duties under the 2003 Act.

11.24 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems, at the premises, money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish guilt or innocence of any individual but to ensure that promotion of the crime prevention objective.

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 07:00 and 22:00 in a supermarket operating style.

The applicant has had involvement with West Lindsey District Council prior to the application being submitted. Details below:

Information was shared from the Police on the 22<sup>nd</sup> January 2019 in relation to concerns for people working on the site at 1 Crooked Billet Street. There were reports of modern day slavery and poor living conditions.

On the 25<sup>th</sup> February 2019 I executed a warrant at 1 Crooked Billet Street to assess the housing conditions within the first floor accommodation. The following agencies were involved, The Gang



Master Licensing Authority, Building Control, The Health and Safety Executive (HSE) and the Police.

There were 3 people in occupation and they were also working on the site. A gentleman who informed us he was the nephew of the owner, Mr Satnam Singh. A gentleman of Slovakian Nationality was living in squalid conditions and reported to being paid £35 a day. The other gentleman said he slept in the other room with the owners nephew.

There were electrical wires hanging, from the ceiling, no guarding from the 1<sup>st</sup> floor to the ground floor, no guarding to the staircase and walls had been knocked out and ceilings brought down. It was very dangerous and the HSE asked them to stop work straight away. They made a prohibition in relation to the building works and I prohibited the living accommodation under the Housing Act 2004. This meant that work had to cease there and then and that they could not sleep in the accommodation or access the first floor until works were carried out in compliance with the orders.

On the 7<sup>th</sup> March 2019 I visited and the 2 gentlemen were working in breach of the HSE's order. I then accessed the first floor and there was clear evidence the gentleman were sleeping in the bedrooms. There was food there, clothes, deodorant and bedding. This was a breach of the Emergency Prohibition Order. Mr Satnam Singh was informed of this and told me no one was sleeping there. I have body camera footage of me speaking to Mr Singh about the contents of the order and what he needed to do so as to not breach it.

On the 5<sup>th</sup> April the 2 gentlemen were in the 1<sup>st</sup> floor of the property. I witnessed them playing music and sat on the open window ledge.

On the 1<sup>st</sup> May 2019 I could hear construction noise and people chatting through the open window.

On the 28<sup>th</sup> May 2019 there was a report received in relation to smoke from the business premises. No formal action has been taken as contractors have ceased working on site.

On The 7<sup>th</sup> June 2019 it came to my attention that food registration form had not been received for the new business premises. An application has been sent to Mr Singh but no application received to date.

There have been 3 breaches of the Emergency Prohibition Order to date. Mr Satnam Singh and his nephew have both attended interviews under caution and the gentlemen who were resident are no longer contactable.

The HSE are pursuing a prosecution for breaches to their regulations.

Mr Singh has failed to adhere to informal and formal methods of communication and the evidence sought in the enforcement cases provide justification as to why I believe he is a risk to public safety.

