

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:	Lincolnshire Police
Contact Officer:	PC 37 Senescall
Address:	Lincolnshire Police HQ, Deepdale Lane Nettleham LN2 2LT
Telephone Number:	01522 558380
E-mail:	countylicensinggroup@lincs.pnn.police.uk

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

Name:	Kings Entertainment
Address:	Trinity Street, Gainsborough, Lincs, DN21 2AL
Application Details:	New Premises Licence Application
Date Application Received:	12/01/2018

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 should be considered –

From Section 9.2 - The police should be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objectives.....The licensing authority should accept all reasonable and proportionate representations made by the police unless the authority has evidence that to do so would not be appropriate for the promotion of the licensing objectives.

Lincolnshire Police received a premises licence application from Lee FOX for the Kings Entertainment Venue, Trinity Street, Gainsborough. A site visit was undertaken to clearly understand exactly what entertainment Mr FOX was going to be having and what the building was going to be used for. As we did not feel on the premises application form on page 4 under the heading "please give a general description of the premises" it was clear what the business was going to be, as a history of the building was written in this section.

We have discussed the concerns Lincolnshire Police have with Mr FOX, this mainly centres around, the prevention of crime and disorder, having SIA door supervision at a ratio of 1 SIA door staff to every 50 persons if a boxing or wrestling event takes place at the venue. We would also like only plastic or polycarbonate drinks containers used whilst boxing/wrestling events take place. This is due to the heightened risk factor at this type of events and to ensure each person who attends these events is kept safe. This also lessens the risk and protects public safety. Also under this section, we would like to see a clear management structure and who is in control of the event, whether this be a private company holding the event or Mr FOX, describing what sort of event they are holding.

As the applicant states that he is not having walk in customers and will not be having the venue as a night club style venue, we suggest this be added to the licence. The area is a residential area which would prevent crime and disorder on the resident's doorstep.

Please see APPENDIX A – which is an email thread between the applicant and the police agreeing to these added conditions. Should these conditions be added to the licence then the police would have no objection to the licence being granted.

Revised Guidance issued under Section 182 of the Licensing Act 2003, is based on reviews of

premises licenses, however Lincolnshire Police believe it is noteworthy in this case due to the long running, organised, criminal history. It provides guidance on how seriously the Licensing Act takes this type of activity.

11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- *as a base for the organisation of criminal activity, particularly by gangs*
- *for the sale or storage of smuggled tobacco and alcohol.*

11.28 It is envisaged that licensing authorities, the police and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further such crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

Lincolnshire Police request that this premise licence application is granted with Lincolnshire Police's suggested conditions.

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

Lincolnshire Police request that you add the following conditions, as they would fully promote the Licensing Objectives and make for an effective, streamlined premises licence, which would be easier to implement and enforce for all those involved.

The applicant did consult with Lincolnshire Police Licensing Department prior to the application being submitted, but this member of staff has now left and a draft application was not submitted, had this happened the suggested conditions, adaptations and removals would have been requested.

Below is the suggested conditions the police would like to see adding to the original conditions submitted on the application.

GENERAL

1.1 Management Structure

- a. Set out who has overall control of an event.
- b. Clearly set out and show clear and defined roles and responsibilities for key staff.

c. Demonstrate qualification and/or experience to carry out key roles.

1.2 Nature and Style of Entertainment

- a. Provide a full and comprehensive description of the entertainment to be provided, including styles of music and whether it is of an adult nature,
- b. Provide assessment of the potential for adverse impacts on the LOs of specific issues
- c. Describe how the affects of 1.2.b will be mitigated.

The premises will not be a nightclub style venue open to the general public

The bar will not be open to walk in sales.

No 17 – 19 year old birthday parties will be held.

There shall be no promotions on the sale or supply of alcohol at the premises that include any multiple promotions i.e. offering discounted drinks relative to the quantity purchased (for example, but not limited to, 2 for 1 deals and the like).

There shall be no seating provided at the bar to discourage people from standing at the bar.

Patrons shall not be allowed to enter or leave the premises whilst in the possession of any drink in either sealed or unsealed containers. For the purpose of clarity, this includes patrons going outside to use a designanated smoking area.

The door supervisors shall be positioned in a prominent location whereby they can control the exit / entry to the venue.

There shall be a dispersal policy, drug policy, search policy, queue management policy and a general risk assessment completed for the premises. These documents will be specific to the venue and will be kept on site at all times and will be made available for inspection upon request from any responsible authority.

All external doors and windows shall be kept closed when regulated entertainment is being provided except in the event of an emergency or when persons are entering/exiting the premises.

GLASSING INCIDENTS

For boxing events all drinks shall be supplied in polycarbonate drinking vessels. Any drinks sold in glass bottles shall be decanted behind the bar into polycarbonate drinking vessels.

BOXING/WRESTLING EVENTS

The Premises Licence Holder shall give 6 months written notice to Lincoln Police Licensing Office, Lincoln Police Events Planning Officer, the Event Planning Manager for Lincs Emergency Planning and the Fire Safety Officer for Lincoln Fire and Rescue, of any event, where it is intended or can be reasonably expected, that more than 499 persons will attend the event.

This notice will enable a decision as to the necessity for a Safety Advisory Group for the event.

The Premises Licence Holder shall comply with all advice, guidance and timescales given by any Safety Advisory Group for each particular event.

The provision of a finely detailed risk assessment and operating schedule for such events addressing the four licensing objectives to include at the very least the following conditions;

The notification of such events to the Lincoln Police Licensing Department at least 28 days prior to the event date.

An absolute veto of any event by any officer of the Lincolnshire Police, Lincolnshire Fire Brigade, or representative of any responsible body (Licensing Act 2003).

There shall be provided at the premises door supervisors who are registered with the Security Industry Authority (SIA) to such a number as the Licence Holder(s) consider are sufficient to control the entry of persons to the premises and for the keeping of order in the premises when they are used for the activity.

The ratio of SIA registered doorstaff shall be 1 doorstaff per 50 customers.

A record shall be kept on the premises by the Designated Premises Supervisor of every person employed on the premises as a door supervisor. The record shall contain the following details: -

- (i) name, address;
- (ii) date of birth;
- (iii) his/her Security Industry Authority licence number.

That record shall be available for inspection on demand by an Authorised Officer of the Council, the Security Industry Authority or a Police Constable.

A logbook shall be maintained at the premises, in which shall be recorded the following details: -

the door supervisor's name;
his/her Security Industry Authority licence number;
the time and date he/she starts and finishes duty;
each entry shall be signed by the door supervisor.

That logbook shall be available for inspection on demand by an Authorised Officer of the Council, the Security Industry Authority or a Police Constable.

Door supervisors registered with the SIA will remain outside the premises until the last customer has left the premises.

Door supervisors to control the queue to the premises to ensure that customers are advised of the amount of time they are going to have to wait to gain entry and to prevent any customers who have behaved in such a way as to cause a public nuisance or disturbance from entering the premises.

In order to comply with the venue's capacity limit a SIA registered security team must be employed to control entry to the premises.

No person in possession of a drink in a sealed or unsealed container shall be allowed to enter the premises except for the purposes of delivery.

No drink shall be removed from the premises in an unsealed container.

Only polycarbonate, non-splintering plastic or paper drinking vessels will be used whether alcohol is being consumed on the premises or in any area outside the premises, which trades as part of the premises.

No drink will be sold in either glass bottles or in any other vessel or container made of glass. Any drink will be either served in a bottle, which is not made from glass or alternatively will be decanted into a container or vessel made from non-splintering plastic, polycarbonate or paper before being given to the customer.

A tamper proof CCTV system shall be installed, maintained in working order and operated at the premises in liaison with and to the satisfaction of Lincolnshire Police and shall be used to record during all hours that the premises are open to the public.

A CCTV camera shall be installed, maintained in working order and operated at the locations marked, "CCTV CAMERA" on the plan of the premises.

Where the recording is on a removable medium (i.e. videotape, compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.

The images recorded by the CCTV system shall be retained in unedited form for a period of not less than 28 days.

All CCTV recordings must be made available to Lincolnshire Police on request.

The maximum number of persons, including staff and performers, allowed in these premises shall be determined.

Door supervisors registered with the SIA shall keep an accurate record of the numbers in attendance, including separate numbers for individual rooms and/or levels.

Appendix a

Senescall, Nicola

From: direct aggregate supplies ltd
Sent: 09 February 2018 07:13
To: Senescall, Nicola
Subject: Re: Suggested conditions

Ok no problem
Lee

From: Senescall, Nicola
Sent: Thursday, February 08, 2018 2:16 PM
To: direct aggregate supplies ltd
Subject: RE: Suggested conditions

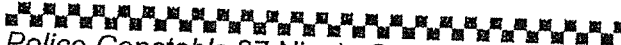
Mr Fox,

I have looked at the conditions I sent you and where we suggested "no under 18 birthday parties", if its ok with you, we will amend this to no 17-19 year old birthday parties. As I wouldn't want to restrict you, if for example someone wants a 6 year old birthday party at the premises.

Let me know your thoughts.

Kind regards

PC 37 Senescall


Police Constable 37 Nicola Senescall
Licensing (Alcohol)
Lincolnshire Police Headquarters
PO Box 999
LN5 7PH

Telephone – 01522 558380
Email – countylicensinggroup@lincs.pnn.police.uk


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Professionalism, Respect, Integrity, Dedication, Empathy


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From: direct aggregate supplies ltd
Sent: 07 February 2018 15:15
To: Senescall, Nicola
Subject: Re: Suggested conditions

Hi Nicola,
this email confirms I am happy with the additional conditions to the premises licence you have made.

kind regards

Lee Fox

From: Senescall, Nicola
Sent: Wednesday, February 07, 2018 8:35 AM
To: <mailto:>
Subject: Suggested conditions

Mr Fox,


Please find attached a copy of the suggested conditions for your licence, on top of what you have submitted.

You will see the boxing conditions are the same as what you put on your application form, however I have written in bold, the number of doorstaff we would like to see to control these high risk events.

I am out the office between 09:30 – 11:30 today.

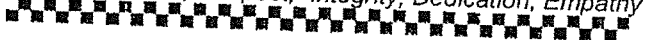
Kind regards

Pc 37 Senescall


Police Constable 37 Nicola Senescall
Licensing (Alcohol)
Lincolnshire Police Headquarters
PO Box 999
LN5 7PH

Telephone – 01522 558380
Email – countylicensinggroup@lincs.pnn.police.uk


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GENERAL

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No drink shall be removed from the premises in an unsealed container.

Only polycarbonate, non-splintering plastic or paper drinking vessels will be used whether alcohol is being consumed on the premises or in any area outside the premises, which trades as part of the premises.

No drink will be sold in either glass bottles or in any other vessel or container made of glass. Any drink will be either served in a bottle, which is not made from glass or alternatively will be decanted into a container or vessel made from non-splintering plastic, polycarbonate or paper before being given to the customer.

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The images recorded by the CCTV system shall be retained in unedited form for a period of not less than 28 days.

All CCTV recordings must be made available to Lincolnshire Police on request.

The maximum number of persons, including staff and performers, allowed in these premises shall be determined.

Door supervisors registered with the SIA shall keep an accurate record of the numbers in attendance, including separate numbers for individual rooms and/or levels.

A Registered Medical Practitioner shall be present at any sports entertainment involving boxing, wrestling, judo, karate or other sports entertainment of a similar nature.

Where the entertainment requires the provision of a ring, it shall be installed by a competent person who shall ensure that it is properly constructed and supported and all materials used in its construction are non-combustible. The Premises Licence Holder or the Club Premises Certificate Holder shall obtain a certificate from that competent person that the ring has been correctly constructed is fit for use and is constructed of non-combustible material. The Premises Licence Holder or the Club Premises Certificate Holder shall produce that certificate if required to do so to an Authorised officer of the Council or Lincolnshire Fire and Rescue Service.

With regard to wrestling or other entertainments of a similar nature no member of the public shall be allowed to be seated or to enter an area within 2.5 metres of the outermost edge of the playing area of the sport.

The presence of any child under 18 years of age at such events will only be permitted after prior consultation and agreement with the responsible bodies.