

# Public Document Pack

## NORTH LINCOLNSHIRE COUNCIL

<b>LICENSING (ACTIVITIES) SUB-COMMITTEE</b>
-------------------------------------------------

7 June 2022

**Chairman:** To be appointed

**Venue:** Conference Room,  
Church Square House

**Time:** 10.00 am

**E-Mail Address:**  
sophie.smith@northlincs.gov.uk

### AGENDA

1. Appointment of Chairman.
2. Declarations of disclosable pecuniary interests, personal or personal and prejudicial interests, and significant contact with applicants, objectors or third parties (lobbying), if any.
3. Application to vary the premises licence at One Stop, 11-13 High Street, Kirton in Lindsey, DN21 4LZ
4. Any other items which the chairman decides are urgent by reason of special circumstances which must be specified.

NOTES: Enclosed in these papers are –

(a) Information to accompany the notice of hearings, including the procedure to be followed at meetings.

(b) A counter-notice to be completed and returned to both aforementioned email addresses above, by Thursday 26 May 2022.

(c) All appropriate and available documentation required at the time of notice.

Published: 18 May 2022

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## INFORMATION TO ACCOMPANY NOTICE OF HEARING

**In the interests of timely, efficient and cost effective decision making the Authority strongly urges all parties involved in any hearing to ensure that they provide advance disclosure between the parties of any information on which they intend to rely at any hearing. Failure to do so may lead to discussions over the admissibility of such information and/or the adjournment of the hearing.**

### **1. Right of Attendance**

A party attending the hearing may be assisted or represented by any person whether or not that person is legally qualified.

### **2. Representations and Supporting Information**

2.1 A party at the hearing shall be entitled to –

- a) give further information in response to the points raised (if any) under point 5 of this information. Any documents upon which you intend to rely should be served with the Counter-notice<sup>1</sup>
- b) address the authority, and
- c) if given permission by the authority, question any other party.

2.2 A party who wishes to withdraw any representations they have made may do so -

- a) by giving notice to the Authority no later than 24 hours before the day or the first day on which the hearing is to be held, or
- b) orally at the hearing

### **3. Failure to attend the Hearing**

- a) Where a Party informs the Authority that they do not intend to attend the hearing, then the hearing may proceed in their absence.
- b) Where a party has not so indicated and fails to attend or be represented at the hearing the Authority may –
  - (i) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
  - (ii) hold the hearing in the party's absence.
- c) Where the Authority holds the hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.

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<sup>1</sup> Papers served on the day of the hearing will only be considered if all parties to the hearing consent. If the document is particularly long or complex, this may lead to the hearing being adjourned.

- d) Where the Authority adjourns the hearing to a specified date it shall forthwith notify the parties of the date, time and place to which the hearing has been adjourned.

#### **4. Procedure at Hearing**

1. Opening remarks and formalities, introduction by the Democratic Services Officer
2. Chairman is elected, opens meeting and explains procedure to parties present
3. Summary of the application by the Licensing Officer
4. Applications (including any applications for supporting persons to be allowed to address the Sub-Committee <sup>2</sup> and applications for adjournment)
5. Presentation by Applicant (opportunity to present case, call parties in support and produce documents: maximum 20 minutes)
6. Questions (by Members)  
**N.B** <sup>3</sup>
7. Presentation by Objectors: (opportunity to present case, call parties in support and produce documents: maximum 20 minutes per objector)
  - a) Police  
Followed by questions from members
  - b) Other Responsible Authorities  
Followed by questions from members
  - c) Interested Parties  
Followed by questions from members
8. Clarification of any issues arising by the Licensing Officer
9. Summary by Applicant: maximum 5 minutes
10. Summary by Objectors:
  - a) Police
  - b) Other Responsible Authorities
  - c) Interested Parties  
(Maximum 5 minutes per objector)
11. Members withdraw from hearing to consider the matter. (They may call in the Solicitor to help draft reasons for decision. Any other advice must be repeated in open forum)
12. Members return and the decision, including reasons, is announced.

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<sup>2</sup> Regulation 8(2) states that where a party wishes any other person (other than the person he intends to represent him at the hearing) to appear at the hearing, permission must be requested from the authority in the counter notice, for such a person to appear. Details of the name of the person and a brief description of the point or points on which that person may be able to assist the authority in relation to the application, representations or notice of the party making the request, will be required.

<sup>3</sup> Regulation 23 states that cross examination by other parties shall not be permitted unless the authority considers that cross-examination is required for it to consider the representations, applications or notice as the case may require

## **5. Points upon which the authority requires clarification**

If the Local Authority wish you to clarify certain points/issues arising from your application/objection this will be indicated under point 7 of the Committee Report.

## **6. Powers to extend time limits/adjourn the hearing**

- a) The relevant parties must notify the Authority if they consider that the time limits set out in the procedure of hearing will not be sufficient.
- b) The Authority may extend the time limits if it believes that it shall be in the public interest to do so and shall forthwith give notice to the parties stating the period of the extension and the reason for it.
- c) The Authority may adjourn a hearing to a specified date or arrange for a hearing to be held on specified additional dates where it considers this to be necessary for its consideration of any representations or notice made by a party.
- d) Where the Authority adjourns the hearing to a specified date or additional dates, the parties must be notified forthwith of the date, time and place to which the hearing has been adjourned.

## **7. Right to dispense with hearing if all parties agree**

- (1) The Authority may dispense with holding a hearing if all relevant persons agree that such a hearing is unnecessary and that they have given notice to the Authority that they consider a hearing to be unnecessary.
- (2) Where all relevant persons agree that a hearing is unnecessary and have given notice of this then the Authority shall forthwith give notice to all parties that the hearing has been dispensed with.

## **8. Hearing to be in public**

- 8.1 The hearing shall place in public, however;
- 8.2 The licensing authority may exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public.
- 8.3 For these purposes a party and any person assisting or representing a party may be treated as a member of the public.

## 9. Disruptive behaviour

The authority may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may-

- (a) refuse to permit that person to return, or
- (b) permit him to return only on such conditions as the authority may specify, but such person may, before the end of the hearing, submit to the authority in writing any information, which they would have been entitled to give orally had they not been required to leave.

## 10. Record of proceedings

The authority shall provide for a record to be taken of the hearing in a permanent and intelligible form and kept for six years from the date of the determination or, where an appeal is brought against the determination of the authority, the disposal of the appeal. **NB** <sup>4</sup>

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<sup>4</sup> It is the Councils policy to tape record the proceedings of the Licensing sub-committee. Only the open part of the hearing shall be recorded. The tape recording shall then be kept in a secure environment.

**COUNTER NOTICE**

**LICENSING ACT 2003 – APPLICATION TO VARY THE PREMISES  
LICENCE – ONE STOP, 11-13 HIGH STREET,  
KIRTON IN LINDSEY, DN21 4LZ**

**(please return this counter notice as a matter of urgency)**

To: sophie.smith@northlincs.gov.uk

From: (Applicant / Responsible Authority / Interested Person) (name and address) (please print)

.....  
.....  
.....

I confirm that I have received the Notice of Hearing for the meeting on **Tuesday 7 June 2022**, commencing at **10.00 am** in the **Conference Room, Church Square House**, Scunthorpe, together with a copy of the procedure which is to be adopted at the Hearing.

Please tick box as appropriate

- 1. I shall be attending the hearing
- 2. I shall not be attending the hearing because <sup>1</sup>.....   
.....  
.....
- 3. I do not consider a hearing to be necessary because<sup>2</sup>.....
- 4. I intend to be represented at the hearing by <sup>3</sup>.....(name of representative)

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<sup>1</sup> See point 3 of the attached Information  
<sup>2</sup> See point 7 of the attached Information  
<sup>3</sup> See point 1 of the attached Information

5. I request permission for the following supporting person(s) to appear at the hearing<sup>4</sup>:

Name of person(s):

Point(s) the person(s) will be covering:

6. I consider that the application can be dealt with on the date of the hearing

I do not consider that the application can be dealt with on the date of the hearing and would request an adjournment on the following grounds<sup>5</sup> .....

.....  
.....  
.....  
.....

7. I enclose the full written statements of evidence<sup>6</sup> upon which I intend to rely

Dated the                      day of                      2022

Signed.....[applicant / responsible authority / Interested Person]

Contact address:

Telephone number:

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<sup>4</sup> Evidence given by supporting persons must be seen to assist the authority in relation to the application. Also see point 4, footnote 2 of the attached Information

<sup>5</sup> See point 6 of the attached Information



## **PROCEDURE AT HEARING – GRANT OR VARIATION**

1. Opening remarks and formalities, introductions by the Democratic Services Officer.
2. Chairman is elected, opens meeting and explains procedure to all parties present.
3. Summary of the application by the Licensing Officer.
4. Applications and Variation of Procedure (includes applications for supporting persons to be allowed to address the committee, applications for adjournment, applications for extension of time limits and consideration of cross examination).
5. Presentation by Applicant (opportunity to present case, call parties in support and produce documents: maximum 20 minutes).
6. Questions to applicant (by Members).
7. Presentations by Objectors: (opportunity to present case, call parties in support and, produce documents: maximum 20 minutes per objector).
  - a) Police  
Followed by Questions by Members
  - b) Other Responsible Authorities  
Followed by Questions by Members
  - c) Interested Parties  
Followed by Questions by Members
8. Clarification of any issues arising by the Licensing Officer, if required, followed by questions by members if necessary.
9. Summary by Applicant: maximum 5 minutes.

10. Summary by Objectors: maximum 5 minutes per objector.
11. Chairman concludes the hearing and all parties leave the room. (The sub-committee may call in the Solicitor to help draft reasons for the decision. Any other advice must be repeated in open forum. If members need to seek clarification from any party, all parties will return to the meeting).
12. Sub-Committee consider decision and the reasons for the decision.
13. Democratic Services Officer will notify all parties of the decision within five working days of the hearing.

**NORTH LINCOLNSHIRE COUNCIL**

**LICENSING (ACTIVITIES) SUB-COMMITTEE**

**LICENSING ACT 2003  
APPLICATION TO VARY A PREMISES LICENCE  
ONE STOP, 11-13 HIGH STREET, KIRTON IN LINDSEY, DN21 4LZ**

**1. OBJECT AND KEY POINTS IN THIS REPORT**

- 1.1 To request that the Sub-Committee determines the application to vary a Premises Licence for One Stop, Kirton in Lindsey.
- 1.2 A summary of the application is attached as Appendix A to this report and a copy of the application as Appendix B.
- 1.3 There have been five representations received, which have been deemed relevant. These are detailed in paragraph 4.2. Copies of the representations are attached to this report at Appendices D to H.

**2. BACKGROUND INFORMATION**

- 2.1 In accordance with the provisions of the Licensing Act 2003 and the council's scheme of delegation, all applications for a licence where a relevant representation has been made need to be determined by this Sub-Committee.
- 2.2 When determining the application the Sub-Committee should only consider issues which relate to the four Licensing Objectives, which are:
  - The Prevention of Crime and Disorder
  - Public Safety
  - The Prevention of a Public Nuisance
  - The Protection of Children from Harm
- 2.3 Members of the Sub-Committee must have regard to the statutory guidance issued under section 182 of the Licensing Act 2003, our Statement of Licensing Policy and our Cumulative Impact Policy if appropriate. Members of the Sub-Committee may deviate from the statutory guidance and Licensing Policies only if they deem that there is good reason to do so. Where Members do deviate from the statutory guidance or policies, full reasons must be provided.
- 2.4 Members of the Sub-Committee should not allow themselves to pre-determine the application or to be prejudiced in favour or opposed to the licence and shall only determine the application having had an

opportunity to consider all relevant facts. Members of the Sub-Committee should not hear or decide on any applications for premises licences in their own ward.

- 2.5 Members of the Sub-Committee shall remember that they are acting in a quasi-judicial role in determining the application and shall remain in the room so that they hear all the evidence before determining the application. The determination shall be based on the evidence provided, which is relevant to the Licensing Objectives.
- 2.6 The options available to the Sub-Committee having considered all the relevant information are as follows:
  - To refuse to vary the licence
  - To vary the licence with additional conditions
  - To vary the licence without additional conditions
  - To vary the licence but restrict the licensable activities
  - To vary the licence with restricted times
- 2.7 As this is an application to vary an existing licence, only the additional elements contained within the application can be considered. The activities already licensed cannot be subject to any restriction or additional conditions.
- 2.8 Members of the Sub-Committee should be advised that the applicant, responsible authorities and other persons making relevant representations may appeal to the Magistrates Court within 21 days of the date on which they were notified of the decision.

### **3. ISSUES FOR CONSIDERATION**

- 3.1 An application to vary a premises licence for One Stop, 11-13 High Street, Kirton in Lindsey, DN21 4LZ, was received on 8 April 2022. A summary of the application is attached at Appendix A and a copy of the application is attached at Appendix B. A copy of the existing licence is attached at Appendix C.
- 3.2 North Lincolnshire Council's Environmental Protection and Trading Standards Teams, and Humberside Police, are Responsible Authorities. These three responsible authorities have stated they have no objections to the application. Copies of these representations are attached at Appendices D, E and G.
- 3.3 There have been two representations from other persons, which have been deemed relevant. The representations are detailed in paragraph 4.2 and are attached to this report as Appendices F and H.
- 3.4 The applicant has been made aware of the representations.

#### 4. OUTCOMES OF CONSULTATION

4.1 A copy of an application to vary a Premises Licence must be served on the responsible authorities within 48 hours of the Licensing Authority receiving its copy.

4.2 The table below provides details of any representations received from the responsible authorities:

<b>Responsible Authority</b>	<b>Detail</b>
Humberside Police	"The Police have no objection"
Humberside Fire & Rescue Service	No response received within consultation period
Health & Safety	No response received
Environmental Health	"This department has no objections"
Trading Standards	"No issues"
Child Protection	No response received
Planning	No response received
Licensing Authority	No response received
Public Health	No response received
Other	N/A

4.3 Ward councillors have been made aware of the application.

#### 5. OUTCOMES OF MEDIATION

5.1 We have a duty to mediate in accordance with our Licensing Policy. The results of the mediation will be reported at the meeting.

#### 6. LICENSING OBJECTIVES & STATUTORY PROVISIONS

##### 6.1 Prevention of Crime & Disorder

6.1.1 The applicant has described the steps they intend to take in order to promote this objective. These are detailed on page 16 of their application in Appendix B attached to this report.

6.1.2 Further information regarding this objective can be found in the Licensing Policy, pages 33-42.

6.1.3 Representations have been received raising concerns with regard to this objective.

##### 6.2 Public Safety

6.2.1 The applicant has described the steps they intend to take in order to promote this objective. These are detailed on page 16 of their application in Appendix B attached to this report.

6.2.2 Further information regarding this objective can be found in the Licensing Policy, pages 43-49.

6.2.3 Representations have been received raising concerns with regard to this objective.

6.3 Prevention of Public Nuisance

6.3.1 The applicant has described the steps they intend to take in order to promote this objective. These are detailed on page 17 of their application in Appendix B attached to this report.

6.3.2 Further information regarding this objective can be found in the Licensing Policy, pages 50-55.

6.3.3 Representations have been received raising concerns with regard to this objective.

6.4 Protection of Children from Harm

6.4.1 The applicant has described the steps they intend to take in order to promote this objective. These are detailed on page 17 of their application in Appendix B attached to this report.

6.4.2 Further information regarding this objective can be found in the Licensing Policy, pages 56-62.

6.4.3 Representations have been received raising concerns with regard to this objective.

6.5 Other Licensing Policy Issues/Statutory Provisions

6.5.1 The applicant did not propose any general conditions which cover all four Licensing Objectives.

**7. FURTHER INFORMATION & CLARIFICATION**

1.1 A location plan is attached to the report as Appendix I.

**8. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)**

8.1 Not applicable.

**9. RECOMMENDATIONS**

9.1 That the Sub-Committee determines the application in accordance the Statutory Guidance issued under s182 of the Licensing Act 2003, Statement of Licensing Policy, the Cumulative Impact Policy if appropriate and the information contained within this report and having had due regard to the applicant and the responsible authorities making relevant representations.

9.2 That the Sub-Committee provides the reasons for its decision.

DIRECTOR: ECONOMY AND ENVIRONMENT

Church Square House  
High Street  
Scunthorpe  
North Lincolnshire  
DN15 6NL

Author: Rachael Edwards  
Date: 11 May 2022

**Background Papers used in the preparation of this report: Nil**

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**Summary of Application (Variation)**

<b>Name of Premises</b>	One Stop Kirton in Lindsey	<b>Type of Application</b>	Application to Vary a Premises Licence
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**Details of Proposed Variation**

<b>Point Number</b>	<b>Detail</b>	<b>Action</b>
1	An application has been received to Vary a Premises Licence for One Stop, 11-13 High Street, Kirton in Lindsey, DN21 4LZ. A copy of the application can be found at Appendix B.	
2	The current Licence authorises: Sale of alcohol for consumption off the premises only: Monday to Sunday, 06:00hrs to 23:00hrs. The current opening hours are: Monday to Sunday, 05:00hrs to 23:00hrs A copy of the current Licence can be found at Appendix C.	
3	The application to vary the premises licence proposes: Sale of alcohol for consumption off the premises only: 24 hours a day (unrestricted) The provision of late night refreshment: Monday to Sunday, 23:00hrs to 05:00hrs Opening hours: 24 hours a day (unrestricted)	
4	The application to vary the premises licence also proposes to replace existing conditions at Annex 2, as follows:	
5	<b>Conditions – General (Existing)</b> <u>CCTV</u> A full CCTV system shall be in operation at the premises and shall be maintained in a good working order. The system shall cover the internal areas so that persons purchasing alcohol can be easily identified. The CCTV system shall be registered in accordance with the Data Protection Act. Cameras will be positioned as to view those areas that are not supervised, or in view of the counter, with one of the cameras providing a front facial view of customers at the tills. The system shall be capable of continuously recording and copies of such recordings shall be kept for a period of not less than 28 days and shall be available to any of the Responsible Authorities upon request. If the system uses tapes then there should be sufficient for 28 days. These tapes shall be replaced every six months to maintain the quality of the images recorded, or sooner, if deemed appropriate by a responsible person.	

	<p>The premises licence holder will be responsible for the operation of the system and shall ensure that it is maintained in accordance with these codes of practice. The system and cameras shall be maintained in full working order. Recordings shall be made of each trading period conducted at the premises.</p> <p>A challenge 21 or 25 policy shall be in place and brought to the customer's attention by way of point of sale material where the alcohol is displayed and at the checkout;</p> <p>All tills shall have a prompt system for alcohol sales;</p> <p>Anyone who appears to be under 21 or 25 shall be asked to produce recognised photographic proof of age document. Acceptable forms of identification shall be 'passport', 'photocard driving licence' or 'pass' approved and hologrammed identification;</p> <p>A refusals book or electronic log shall be kept recording the details of refused or challenged alcohol sales, which shall be audited by the Designated Premises Supervisor (DPS) or duly appointed key member of staff to assess employees compliance with the company's policy on refusing alcohol sales;</p> <p>All staff will be trained in relation to the sale of age restricted goods upon commencement of their employment. Thereafter the training shall be refreshed at regular intervals with regard to the company's policy on alcohol sales. The DPS or duly appointed key member of staff shall maintain a written record of all training, which employees shall be required to sign and date to confirm that they have read and understood it.</p>	
6	<p><b>Conditions – General (Proposed)</b> No conditions attached.</p>	
7	<p><b>Conditions – The Prevention of Crime and Disorder (Existing)</b> A register of all major incidents shall be kept.</p> <p>An intruder alarm system shall be in place on the premises, and shall be maintained and in a good working order.</p>	
8	<p><b>Conditions – The Prevention of Crime and Disorder (Proposed)</b></p> <ol style="list-style-type: none"> <li>1. A digital CCTV system will be installed, or the existing system maintained, such system to be fit for the purpose.</li> </ol>	

	<p>2. The CCTV system shall be capable of producing immediate copies on site. Copies of recordings will either be recorded digitally on to CD/DVD or other equivalent medium.</p> <p>3. Any recording will be retained and stored in a suitable and secure manner for a minimum of 31 days and shall be made available, subject to compliance with Data Protection legislation, to the police for inspection on request.</p> <p>4. The precise positions of the camera may be agreed, subject to compliance with Data Protection legislation, with the police from time to time.</p> <p>5. The system will display, on any recording, the correct time and date of the recording.</p> <p>6. The CCTV system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.</p> <p>7. An incident book/register shall be maintained to record:</p> <p>a) all incidents of crime and disorder occurring at the premises</p> <p>b) details of occasions when the police are called to the premises.</p> <p>This book/register shall be available for inspection by a police officer or other authorised officer on request.</p>	
9	<p><b>Conditions – Public Safety (Existing)</b> No conditions attached.</p>	
10	<p><b>Conditions – Public Safety (Proposed)</b> There will at all times be adequate levels of staff maintained at the premises. Such staff levels will be disclosed, on request, to the licensing authority and police.</p>	
11	<p><b>Conditions – The Prevention of Public Nuisance (Existing)</b> The external area of the premises shall be cleared of all litter on a regular basis.</p>	
12	<p><b>Conditions – The Prevention of Public Nuisance (Proposed)</b> Adequate waste receptacles for use by customers shall be provided in and immediately outside the premises.</p>	
13	<p><b>Conditions – The Protection of Children from Harm (Existing)</b> No conditions attached</p>	
14	<p><b>Conditions – The Protection of Children from Harm (Proposed)</b></p> <p>1. The premises licence holder will ensure that an age verification policy will apply to the premises whereby all cashiers will be trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence</p>	

	<p>holder so elects) to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form of identification that complies with any mandatory condition that may apply to this licence.</p> <p>2. Signage informing customers of the age verification policy adopted at the premises will be prominently displayed.</p> <p>3. All sales tills shall prompt the cashier making a sale of alcohol to verify that the customer is aged 18 or over.</p> <p>4. All staff engaged or to be engaged in the sale of alcohol on the premises shall receive training in age restricted sales.  Induction training must be completed and documented prior to the sale of alcohol by the staff member.  Refresher/reinforcement training must be completed and documented at intervals of no more than 6 months.  Training records will be available for inspection by a police officer or other authorised officer on request.</p> <p>5. All cashiers shall be trained to record refusals of sales of alcohol in a refusals book/register. The book/register will contain:  a) details of the time and date the refusal was made;  b) the identify of the staff member refusing the sale;  c) details of the alcohol the person attempted to purchase.  This book/register shall be available for inspection by a police officer or other authorised officer on request.</p>	
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### Summary of Representations by Responsible Authorities

Point Number	Detail	Action
15	<b>Appendix D – Environmental Protection</b> North Lincolnshire Council’s Environmental Protection Team have stated that they have “no objections” to the application.	
16	<b>Appendix E – Trading Standards</b> North Lincolnshire Council’s Trading Standards Team have stated that they have “no issues” regarding the application.	
17	<b>Appendix G – Humberside Police</b> Humberside Police have stated that they have “no objection” to the application.	

### Summary of Representations from Other Persons

Point Number	Detail	Action
18	<p><b>Appendix F – Kirton In Lindsey Town Council</b>  Kirton in Lindsey Town Council have submitted a representation, objecting to the application. The representation is made on the grounds of:</p> <ul style="list-style-type: none"> <li>• The Prevention of Crime and Disorder</li> <li>• The Prevention of Public Nuisance</li> <li>• Public Safety</li> </ul> <p><i>“The Council wishes to make representation in objection to this application relating to the objectives Prevention of Crime and Disorder, Public Safety and Prevention of Public Nuisance. The Council notes specific concerns about the quiet, isolated nature of the High Street/Market Place located in a small rural town; that there is no CCTV (except for at the shop itself) covering the wider area which will be impacted, that there is no policing presence in the town for the prevention of potential crime and disorder and the enforcement of the prevention of public nuisance, this would become the only facility offering the sale of alcohol in the time frame proposed, it is likely to encourage anti-social behaviour through consumption of alcohol in an abusive fashion; due to the isolated rural area, the location of the premise will further encourage driving to the premises for the purchase of alcohol and therefore could result in increased risk of drink driving without any policing presence for enforcement; the Market Place in Kirton in Lindsey is vastly declining as a commercial centre and becoming a predominately residential area increasing likelihood of public nuisance; there is no infrastructure in place to manage this change due to the lack of police presence and timeframe for police response; there are no public toilets available during the proposed extended opening hours which could increase the potential for disorder, public safety issues and public nuisance.”</i></p>	
19	<p><b>Appendix H – Mrs McCartney</b>  Mrs McCartney, a local resident and business owner, has submitted a representation, objecting to the application. The representation is made on the grounds of:</p> <ul style="list-style-type: none"> <li>• The Prevention of Crime and Disorder</li> <li>• The Prevention of Public Nuisance</li> <li>• The Protection of Children from Harm</li> </ul> <p><i>“The Market Place has a history of anti-social behaviour and in recent months the police have worked very hard to discourage such behaviour. The Market Place became an area for young people to congregate, drink and take drugs. This had a negative impact on both our business and home</i></p>	

	<p><i>life. I am concerned if this application was successful that this behaviour would reoccur.</i></p> <p><i>As previously stated, we own The George and we have worked for years to establish our business. We have a number of letting rooms which face directly onto the shop in question. If this licence is granted, the guests staying in our building would be affected by the lights from One Stop (Londis). Seven of our eight guest rooms face the shop.</i></p> <p><i>I also feel that there would be an increase in noise. Having the shop open 24hrs would cause an increase in traffic during the night. The High Street is a residential area with some commercial properties, however all the businesses within the High Street currently close at a reasonable hour.</i></p> <p><i>As previously stated, the Market Place has a history, a very recent history too, of anti-social behaviour. This has included children drinking, drug taking and being involved in violence. We have worked with the police and they have worked closely with the local high school. The police have worked hard to reduce this behaviour and I feel by giving this licence, all this hard work would be undone. Having this premises open during the night would give some groups of young people a reason to begin congregating in the Market Place again.”</i></p>	
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### Summary of Statutory Guidance Issued under s182 of The Licensing Act 2003

Point Number	Detail	Action
20	Prevention of Crime and Disorder – pages 6 to 7	
21	Public Safety – page 7	
22	Public Nuisance – pages 9 to 10	
23	Protection of Children from Harm – pages 10 to 12	

### Summary of North Lincolnshire Council’s Licensing Policy

Point Number	Detail	Action
24	Prevention of Crime and Disorder – pages 33 to 42	
25	Public Safety – pages 43 to 49	
26	Prevention of Public Nuisance – pages 50 to 55	
27	Protection of Children from Harm – pages 56 to 62	

**Application to vary a premises licence 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 Samy Limited

*(Insert name(s) of applicant)*

**being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below**

**Premises licence number**

PRM17086

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description			
11-13 High Street			
Post town	Kirton In Lindsey, Gainsborough	Postcode	DN21 4LZ

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£12,000

**Part 2 – Applicant details**

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address	██████████		
Post town	██████████	Postcode	██████████

**Part 3 - Variation**

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?  Yes  No

If not, from what date do you want the variation to take effect? DD MM YYYY  

--	--	--	--	--	--	--	--

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)  Yes  No

**Please describe briefly the nature of the proposed variation** (Please see guidance note 2)

The premises is a convenience store located at 11-13 High Street, Kirton In Lindsey, Gainsborough, DN21 4LZ

The variation is to do the following:

1. Extension of the hours for the sale of alcohol to 24 hours daily.
2. Provision of late night refreshment between the hours of 2300 and 0500 daily.
3. To remove the conditions listed in Annex 2.
4. To include in Annex 2 the conditions in boxes b to e of Section M of the application.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:



#### Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

**Provision of regulated entertainment (Please see guidance note 3) 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)

**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 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<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 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur					
Fri			<u>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</u> (please read guidance note 7)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Wed			
Thur			<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 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon				<u>Please give further details here</u> (please read guidance note 5)	
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur					
Fri			<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 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur					
Fri			<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 7)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur					
Fri			<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 7)		
Sat					
Sun					

G

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	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 5)		
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 6)		
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 7)		
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 8)			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 4)	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 5)		
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 6)		
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 7)		
Sun					

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	23:00	05:00	<b><u>Please give further details here</u></b> (please read guidance note 5)  The provision will take place inside the premises but customers may leave the premises with items purchased.		
Tue	23:00	05:00			
Wed	23:00	05:00	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 6)		
Thur	23:00	05:00			
Fri	23:00	05:00	<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 7)		
Sat	23:00	05:00			
Sun	23:00	05:00			

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 6)					
Mon	00:00	24:00						
Tue	00:00	24:00						
Wed	00:00	24:00						
Thur	00:00	24:00				<b><u>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</u></b> (please read guidance note 7)		
Fri	00:00	24:00						
Sat	00:00	24:00						
Sun	00:00	24:00						

K

<p><b>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</b> (please read guidance note 10).</p> <p>NA</p>
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L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	
Mon	00:00	24:00	
Tue	00:00	24:00	
Wed	00:00	24:00	
Thur	00:00	24:00	
Fri	00:00	24:00	<b><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></b> (please read guidance note 7)
Sat	00:00	24:00	
Sun	00:00	24:00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

The conditions listed under Annex 2.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)**

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

1. A digital CCTV system will be installed, or the existing system maintained, such system to be fit for the purpose.
  2. The CCTV system shall be capable of producing immediate copies on site. Copies of recordings will either be recorded digitally on to CD/DVD or other equivalent medium.
  3. Any recording will be retained and stored in a suitable and secure manner for a minimum of 31 days and shall be made available, subject to compliance with Data Protection legislation, to the police for inspection on request.
  4. The precise positions of the camera may be agreed, subject to compliance with Data Protection legislation, with the police from time to time.
  5. The system will display, on any recording, the correct time and date of the recording.
  6. The CCTV system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.
  7. An incident book/register shall be maintained to record:
    - all incidents of crime and disorder occurring at the premises
    - details of occasions when the police are called to the premises
- This book/register shall be available for inspection by a police officer or other authorised officer on request.

**c) Public safety**

There will at all times be adequate levels of staff maintained at the premises. Such staff levels will be disclosed, on request, to the licensing authority and police.

**d) The prevention of public nuisance**

Adequate waste receptacles for use by customers shall be provided in and immediately outside the premises.

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

1. The premises licence holder will ensure that an age verification policy will apply to the premises whereby all cashiers will be trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form of identification that complies with any mandatory condition that may apply to this licence.

2. Signage informing customers of the age verification policy adopted at the premises will be prominently displayed.

3. All sales tills shall prompt the cashier making a sale of alcohol to verify that the customer is aged 18 or over.

4. All staff engaged or to be engaged in the sale of alcohol on the premises shall receive training in age restricted sales.

Induction training must be completed and documented prior to the sale of alcohol by the staff member.

Refresher/reinforcement training must be completed and documented at intervals of no more than 6 months.

Training records will be available for inspection by a police officer or other authorised officer on request.

5. All cashiers shall be trained to record refusals of sales of alcohol in a refusals book/register. The book/register will contain:

- details of the time and date the refusal was made;
- the identity of the staff member refusing the sale;
- details of the alcohol the person attempted to purchase.

This book/register shall be available for inspection by a police officer or other authorised officer on request.

Checklist:

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or

- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

**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.**

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	[REDACTED]
Date	8 <sup>th</sup> April 2022
Capacity	Agent

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent** (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

**Contact name (where not previously given) and address for correspondence associated with this application** (please read guidance note 15)

[REDACTED]			
Post town	London	Post code	[REDACTED]
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[REDACTED]			



## Notes for Guidance

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
  - Recorded Music: no licence permission is required for:

- any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
  6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
  9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
  10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
  11. Please list here steps you will take to promote all four licensing objectives together.
  12. The application form must be signed.

13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

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# NORTH LINCOLNSHIRE COUNCIL

## Schedule 12

### PREMISES LICENCE

**Premises licence number**

**PRM17086**

**Part 1 – Premises details**

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

One Stop  
11-13 High Street  
Kirton In Lindsey  
North Lincolnshire

**Post Town:** Kirton In Lindsey

**Post Code:** DN21 4LZ

**Telephone Number:**

**Where the licence is time limited the dates**

N/A

**Licensable activities authorised by the licence**

Sale of Alcohol For Consumption Off the Premises

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

Sale of Alcohol For Consumption Off the Premises - Authorised Hours

Monday to Sunday 06:00 hrs to 23:00 hrs

**The opening hours of the premises**

Hours Premises Open to the Public

Monday to Sunday 06:00 hrs to 23:00 hrs Samy Limited  
73-75 Corporation Road  
Middlesborough  
TS1 1LY

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

For Consumption Off the Premises

**Part 2**

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

Samy Limited  
73-75 Corporation Road  
Middlesborough  
TS1 1LY

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

07689168

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

Ashokkumar Kaliannan

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

Personal Licence issued by  
Licence Number:

**Annex 1 – Mandatory Conditions**

Supply of Alcohol

1. No supply of alcohol may be made under this premises licence
  - a) at a time when there is no Designated Premises Supervisor in respect of this licence, or
  - b) at a time when the Designated Premises Supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under this premises licence must be made or authorised by a person who holds a personal licence.

Alcohol Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—
  - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(1);
  - (b) “permitted price” is the price found by applying the formula—

$$P=D+(D \times V)$$

where—

- (i) P is the permitted price,
  - (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—
- (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or

- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
  - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994(b).
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

### Drinks Promotions

3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- a) a holographic mark, or
  - b) an ultraviolet feature.

## **Annex 2 – Conditions consistent with the operating Schedule**

### General Conditions

#### CCTV



A full CCTV system shall be in operation at the premises and shall be maintained in a good working order. The system shall cover the internal areas so that persons purchasing alcohol can be easily identified.

The CCTV system shall be registered in accordance with the Data Protection Act.

Cameras will be positioned as to view those areas that are not supervised, or in view of the counter, with one of the cameras providing a front facial view of customers at the tills.

The system shall be capable of continuously recording and copies of such recordings shall be kept for a period of not less than 28 days and shall be available to any of the Responsible Authorities upon request.

If the system uses tapes then there should be sufficient for 28 days. These tapes shall be replaced every six months to maintain the quality of the images recorded, or sooner, if deemed appropriate by a responsible person.

The premises licence holder will be responsible for the operation of the system and shall ensure that it is maintained in accordance with these codes of practice.

The system and cameras shall be maintained in full working order.

Recordings shall be made of each trading period conducted at the premises.

A challenge 21 or 25 policy shall be in place and brought to the customer's attention by way of point of sale material where the alcohol is displayed and at the checkout;

All tills shall have a prompt system for alcohol sales;

Anyone who appears to be under 21 or 25 shall be asked to produce recognised photographic proof of age document. Acceptable forms of identification shall be 'passport', 'photocard driving licence' or 'pass' approved and hologrammed identification;

A refusals book or electronic log shall be kept recording the details of refused or challenged alcohol sales, which shall be audited by the Designated Premises Supervisor (DPS) or duly appointed key member of staff to assess employees compliance with the company's policy on refusing alcohol sales;

All staff will be trained in relation to the sale of age restricted goods upon commencement of their employment. Thereafter the training shall be refreshed at regular intervals with regard to the company's policy on alcohol sales. The DPS or duly appointed key member of staff shall maintain a written record of all training, which employees shall be required to sign and date to confirm that they have read and understood it.

### The Prevention of Crime and Disorder

A register of all major incidents shall be kept.

An intruder alarm system shall be in place on the premises, and shall be maintained and in a good working order.

Public Safety

No Conditions Attached

The Prevention of Public Nuisance

The external area of the premises shall be cleared of all litter on a regular basis.

The Protection of Children from Harm

No Conditions Attached

**Annex 3 – Conditions attached after a hearing by the licensing authority**

N/A

**Annex 4 – Plans**

As attached

**NORTH LINCOLNSHIRE COUNCIL**

**Part B**

**Premises licence summary**

**Premises licence number**

**PRM17086**

**Premises details**

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

One Stop  
11-13 High Street  
Kirton In Lindsey  
North Lincolnshire

**Post Town:** Kirton In Lindsey

**Post Code:** DN21 4LZ

**Telephone Number:** 01652 409518

**Where the licence is time limited the dates**

N/A

**Licensable activities authorised by the licence**

Sale of Alcohol For Consumption Off the Premises

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

Sale of Alcohol For Consumption Off the Premises - Authorised Hours

Monday to Sunday 06:00 hrs to 23:00 hrs

**The opening hours of the premises**

Hours Premises Open to the Public

Monday to Sunday 06:00 hrs to 23:00 hrs

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

For Consumption Off the Premises

**Name, (registered) address of holder of premises licence**

Samy Limited  
73-75 Corporation Road  
Middlesborough  
TS1 1LY

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

07689168

**Name of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Ashokkumar Kaliannan

**State whether access to the premises by children is restricted or prohibited**

Unrestricted

I N T E R	<b>MEMO</b>	<b>North Lincolnshire Council</b>
O F F I C E		

To: Licensing Department

From: Environmental Protection Team

Subject: **Licensing Act 2003, Premises Licence Variation.**  
One Stop, 11 – 13 High Street, Kirton In Lindsey, DN21 4LZ

Date: 11 April 2022

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Thank you for your consultation regarding the above application. I can confirm that this department has no objections.

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# One Stop, Kirton

Karen Woad

Wed 20/04/2022 14:06

To: Licensing <Licensing@northlincs.gov.uk>

Good afternoon

Trading Standards are in receipt of the variation application for One Stop, Kirton.

No issues

Kind regards

**Karen Woad**

Trading Standards Officer

Trading Standards | Waste & Public Protection |

Church Square House, High Street East,

Scunthorpe DN15 6XQ (Sat Nav DN15 6NL) | Tel:

[www.northlincs.gov.uk/tradingstandards](http://www.northlincs.gov.uk/tradingstandards)

[www.facebook.com/northlincstradingstandards](https://www.facebook.com/northlincstradingstandards)

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# Kirton-in-Lindsey Town Council

The Town Council Office, Town Hall, High Street,  
Kirton in Lindsey  
North Lincolnshire  
DN21 4LZ

**Neil Taylor-Matson**  
Town Clerk

Licensing Act 2003 – Samy Limited

28<sup>th</sup> April 2022

Dear Waste & Public Protection Licensing Division,

Kirton in Lindsey Town Council has considered this application for the grant of a Premises Licence for the premises One Stop, 11-13 High Street, Kirton in Lindsey, North Lincolnshire, DN21 4LZ.

The Council wishes to make representation in objection to this application relating to the objectives Prevent of Crime and Disorder, Public Safety and Prevention of Public Nuisance. The Council notes specific concerns about the quiet, isolated nature of the High Street/Market Place located in a small rural town; that there is no CCTV (except for that at the shop itself) covering the wider area which will be impacted, that there is no policing presence in the town for the prevention of potential crime and disorder and the enforcement of the prevention of public nuisance, this would become the only facility offering the sale of alcohol in the time frame proposed, it is likely to encourage anti-social behaviour through consumption of alcohol in an abusive fashion; due to the isolated rural area, the location of the premise will further encourage driving to the premises for the purchase of alcohol and therefore could result in increased risk of drink driving without any policing presence for enforcement; the Market Place in Kirton in Lindsey is vastly declining as a commercial centre and becoming a predominately residential area increasing likelihood of public nuisance; there is no infrastructure in place to manage this change due to the lack of police presence and timeframe for police response; there are no public toilets available during the proposed extended opening hours which could increase the potential for disorder, public safety issues and public nuisance.

Yours sincerely, for and on behalf of Kirton in Lindsey Town Council,

**Neil Taylor-Matson**

Town Clerk



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**RE: LA2003: Premises Licence Variation - One Stop, 11-13 High Street, Kirton In Lindsey, North Lincolnshire, DN21 4LZ**

**Johnston, Grant 2360**

Thu 05/05/2022 11:27

To: Licensing <Licensing@northlincs.gov.uk>

Good morning

The police have no objection to the Premises Licence Variation for The One Stop, 11-13 High Street, Kirton Lindsey.

Many thanks

Grant

**PC 2360 Grant Johnston  
Southbank Licensing Officer  
Community Safety Unit  
Cromwell Road Police Station  
Grimsby  
DN31 2BW  
Ext  
Direct  
Mob**

**Licensing Objectives  
The Prevention of Crime and Disorder  
Public Safety  
The Prevention of Public Nuisance  
The Protection of Children from harm**

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**From:** Licensing <Licensing@northlincs.gov.uk>

**Sent:** 08 April 2022 12:44

**To:** SaferNeighbourhoods <SaferNeighbourhoods@northlincs.gov.uk>; SPOC Licensing <CommunitiesLicensing@humberside.pnn.police.uk>; alcohol@homeoffice.gsi.gov.uk; IndependentReviewTeam <IndependentReviewTeam@northlincs.gov.uk>; businesssafetynl@humbersidefire.gov.uk; Environmental health <Environmental.health@northlincs.gov.uk>; Trading Standards <Trading.Standards@northlincs.gov.uk>; Food Safety <Food.Safety@northlincs.gov.uk>; Planning Enforcement <Planning.Enforcement@northlincs.gov.uk>; Nicholas Bramhill (North Lincs Council) ; planningdutyofficer

**Cc:** Matthew Nundy <matthew.nundy@northlincs.gov.uk>; Sophie Smith <sophie.smith@northlincs.gov.uk>

Michael Edwards <michael.edwards@northlincs.gov.uk>

**Subject:** LA2003: Premises Licence Variation - One Stop, 11-13 High Street, Kirton In Lindsey, North Lincolnshire, DN21 4LZ

Good afternoon

On 08/04/22, we received a application for the Variation of a Premises Licence for the above premises.

As the application was received electronically, please find attached a copy of the application and supporting documents.

The closing date for comments on the grant application is 06/05/2022

Kind regards

Michael Hunt

**Licensing**

Waste, Fleet & Public Protection

Economy and Environment

North Lincolnshire Council

☎ 01724 297750

✉ Church Square House, 30-40 High Street, Scunthorpe, DN15 6NL

🌐 <https://www.northlincs.gov.uk/jobs-business-and-regeneration/licensing/>

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Thank you for your co-operation.  
Humberside Police





29<sup>th</sup> April 2022

Waste & Public Protection  
Licencing Division  
PO Box 42  
Church Square House  
Scunthorpe  
North Lincolnshire  
DN15 6XQ

Application for premises: One Stop, 11 – 13 High Street, Kirton in Lindsey, North Lincs DN21 4LZ

To Whom It May Concern,

My name is [REDACTED] and I am writing to you to make a representation as both a resident and a business owner within the Market Place, High Street, Kirton in Lindsey. Our business is a food lead establishment and we have worked very hard to create a business where it is a destination venue and people travel to Kirton to dine with us and stay with us. We have 12 en-suite bedrooms where at present our guests can have a peaceful nights sleep.

The George is not only our business but also our family home where we are raising 2 small children. We have only just got to a point where youths have stopped causing problems within the Market Place. We would regularly have issues where they disturbed both our home life and disturbed guests. We would witness drug taking and dealing, anti-social behaviour, vandalism and violence.

I strongly object to the application made on 8<sup>th</sup> April 2022 by Samy Limited for One Stop, 11 – 13 High Street to become 24hrs.

The reasons I object to this application are outline below:

1. Objection on the grounds of Crime and Disorder

The Market place has a history of anti-social behaviour and in recent months the police have worked very hard to discourage such behaviour. The Market place became an area for young people to congregate, drink and take drugs. This had a negative impact on both our business and home life. I am concerned if this application was successful that this behaviour would reoccur.

I also believe if this application was to be successful we would see a rise in drink driving on our streets. This shop would be the nearest place for the surrounding villages to access supplies in the night. I feel that this would be the perfect place for anyone wishing to purchase more alcohol late at night without having to travel into Gainsborough or Scunthorpe; where you would be more likely to be caught by the police. This creates a real and very likely threat to my customers and the residents of the High Street and Kirton as a whole.

## 2. Objection on the grounds of Public Safety

In relation to the reasons above, being open late at night, if it were to encourage youths to hang around then there would be risk to overcrowding. Groups could spill into the road which could then cause someone to be hit by a car. Overcrowding could also lead to an increased risk of violence.

There is also the safety of the shop employee. There is history of the premises being ram raided and theft within the premises itself. There is also a current gang targeting shops locally where they are ram raiding the fronts to gain access. The shop currently runs with one employee within the premises; having a lone worker increases the health and safety implications massively. If the shop were to be targeted and the employee was injured when would they be discovered? We also have to consider the health and safety implications for that employee if they had an accident during the night.

## 3. Objections on the grounds of Public Nuisance

As previously stated, we own The George and we have worked for years to establish our business. We have a number of letting rooms which face directly onto the shop in question. If this licence was granted, the guests staying in our building would be affected by the lights from One Stop (Londis). Seven of our guest rooms face the shop.

I also feel that there would be an increase in noise. Having the shop open 24hrs would cause an increase in traffic during the night. The High Street is a residential area with some commercial properties, however all the businesses within the High Street currently close at a reasonable hour.

## 4. Objections on the grounds of Protection of Children from Harm

As previously stated, the Market Place has a history, a very recent history too, of antisocial behaviour. This has included children drinking, drug taking and being involved in violence. We have worked with the police and they have worked closely with the local high school. The police have worked hard to reduce this behaviour and I feel by giving this licence all this hard work would be undone. Having this premises open during the night would give some groups of young people a reason to begin congregating in the Market Place again.

I feel very strongly about this application. I do not feel that Kirton in Lindsey needs a 24hr shop. We have four shops in the area, both co-ops and the spar close at 10pm. One Stop (Londis) and Spar open at 6am, that is only 8hrs without a shop being open. The only time a resident of Kirton in Lindsey would need a 24hr shop would be if they needed some off the shelf medicine in the night; in that case they then have Gainsborough and Scunthorpe nearby which have 24hr shops. The company who has requested this application chose to change One Stop (Londis – this is the name advertised on the shop front) closing hours from 10pm to 8pm and now they want to make it 24hrs. I can only see the reason for this is to appeal to people who want supplies in the night but do not want to travel to Gainsborough or Scunthorpe and why would they not want to do that unless it was for reasons outlined in my concerns above.

I look forward to hearing from you and I am more than happy to make my objections in person.

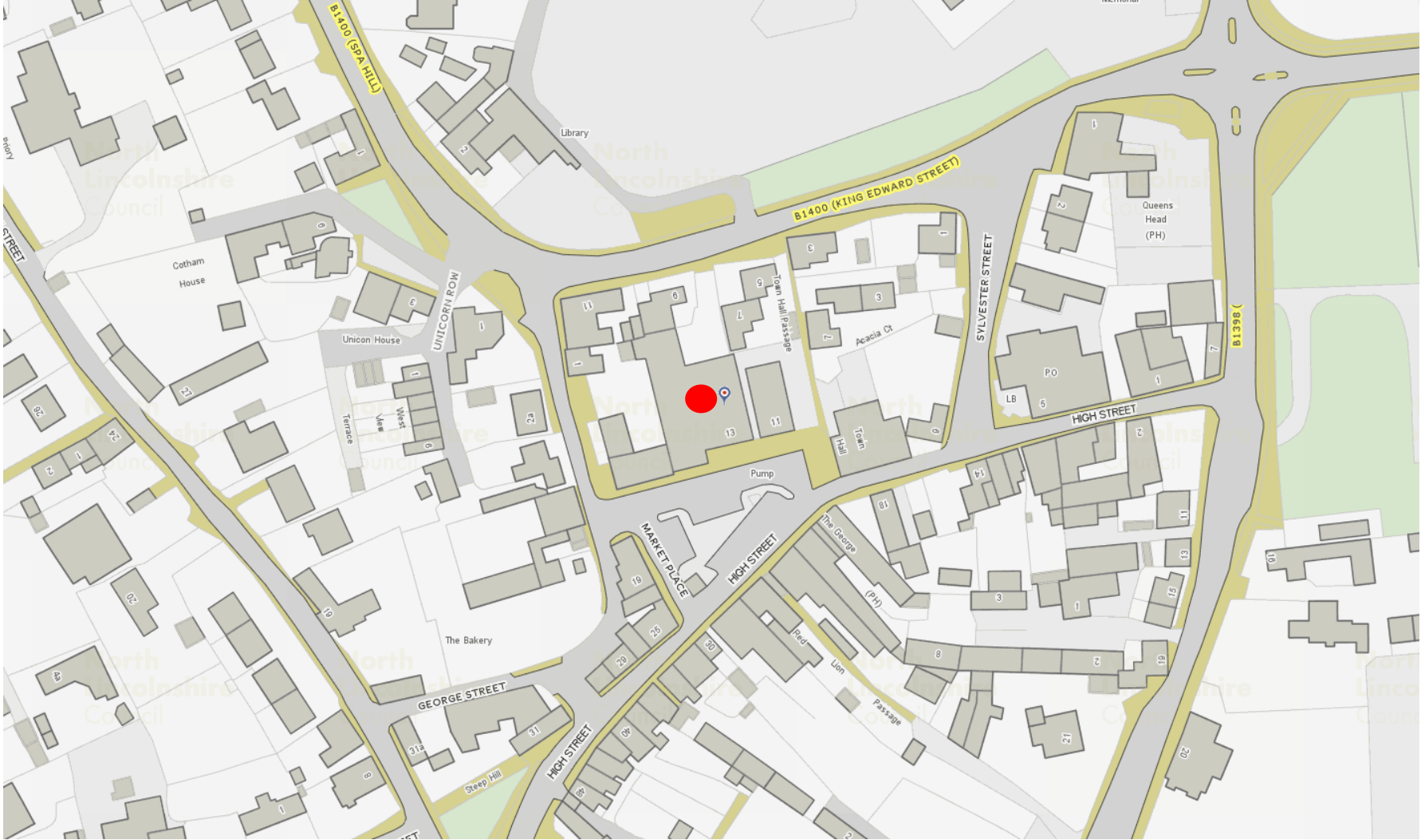
Kind regards,

A large black rectangular redaction box covering the signature and name of the sender.

Director of The George Kirton







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