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APPENDIX 1

Application for the review of a premises licence or club premises certificate 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 Bill Skelly, Chief Constable of Lincolnshire Police

(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Masons 15 South Street	
Post town Bourne	Post code (if known) PE10 9LY

Name of premises licence holder or club holding club premises certificate (if known) John PARR
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Number of premises licence or club premises certificate (if known) South Kesteven 5070
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Part 2 - Applicant details

I am

- | | Please tick yes |
|---|-------------------------------------|
| 1) an interested party (please complete (A) or (B) below) | |
| a) a person living in the vicinity of the premises | <input type="checkbox"/> |
| b) a body representing persons living in the vicinity of the premises | <input type="checkbox"/> |
| c) a person involved in business in the vicinity of the premises | <input type="checkbox"/> |
| d) a body representing persons involved in business in the vicinity of the premises | <input type="checkbox"/> |
| 2) a responsible authority (please complete (C) below) | <input checked="" type="checkbox"/> |

3) a member of the club to which this application relates (please complete (A)
below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address CHIEF CONSTABLE LINCOLNSHIRE POLICE POLICE HEADQUARTERS NETTLEHAM PO BOX 999
Telephone number (if any)
E-mail address (optional) countylicensinggroup@lincs.pnn.police.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 1)

This review application relates to the premises known as Masons and operates as a bar. It is licensed by South Kesteven District Council to supply alcohol for both on and off sales, any playing of recorded music, a performance of live music, indoor sporting events, and exhibition of film. The licence permits the premises to open between 10.00 to 00.30 Sunday to Thursday, 10.00 to 00.00 Sunday to Thursday 10.00 to 00.00 Sunday to Thursday 0.00 to 01.30 Friday & Saturday and for the sale of alcohol between the hours of 10.00 to 00.00 Sunday to Thursday. There is no entry after 00.00

Revised Guidance issued under Section 182 of the Licensing Act 2003

2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder

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

11.24 A number of reviews may arise in connection with crime that is not directly connected with licensable activities... Licensing Authorities do not have the power to judge the criminality or otherwise of any issue. This is the matter for the courts. The licensing authority's role when determining such a review is not therefore to establish guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.

11.25 Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representation giving rise to a review of a premises licence need to be delayed

pending the outcome of any criminal proceedings. Some reviews will arise after conviction in the criminal courts of certain individuals, but not all. In any case it is for the licensing authority to determine whether the problem associated with alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.

11.26The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives....in the interest of the wider community and not those of the individual licence holder.

Since the re-opening of Licensed Premises on the 4th July 2020, there have been numerous incidents relating to the Masons Arms, Bourne. These incidents have been reported to Lincolnshire Police which made us believe that the Licensing Objectives were being undermined at this premises. On the information available to us we believed that a change of Designated Premises Supervisor and additional conditions are needed to be placed on the premises licence to actively promote the licensing objectives.

Numerous attempts have been made by Lincolnshire Police with both the DPS and PLH to discuss the changes, but neither has responded.

Lincolnshire Police have no other options other than to submit this review..

Please provide as much information as possible to support the application
(please read guidance note 2)

Since the re-opening of the Masons Arms on the 4th July 2020, there have been reports of violence, underage sales, the premises serving drinks after hours to under 18's, and breaches of the COVID19 Guidance.

Lincolnshire Police are aware of the following,

Incident 133 08/07/20- Report received to Lincolnshire Police stating that underage drinking was taking place at the premises. In addition under age females had stayed behind after closure and were given spirits to drink by Mr Cripps

Incident 605 17/07/2020- Reports received about a fight at the premises involving 15 persons who were all very intoxicated. Persons were arrested at scene for violence related incidents. Further intoxicated persons were drinking on the streets with glasses, stating they had come from the Masons Arms.

Incident 642 31/07/2020- Male assaulted at the premises, resulting in the victim been knocked unconscious. Offender was allowed to leave the premises. All persons at the scene were highly intoxicated.

Incident 18 08/08/2020. This incident had a further 3 reports attached, each highlighting a further 2 assaults. Body Worn Video from attending officers captures high levels intoxication at the premises and the lack of social distancing measures. The offender was allowed to leave.

Incident 561 19/09/20- Reports of a large fight in progress. 40 people involved, door staff had lost control of the situation and ended up fighting with members of the public. One member of door staff has been bitten to the face, male arrested for the offence.

Meetings with both Mr Parr and Mr Cripps to address the above concerns have been had between Lincolnshire Police.

On the 19th July 2020 Sgt Enderby and PC McConville attended and met with Mr Cripps to discuss the concerns raised prior to this date. Failings were identified and Mr Cripps was given opportunity to address these. Details of the meeting can be viewed in Appendix A

On the 19th August 2020 PC McConville and PC Casey attended the premises as a further follow up visit and also to address further concerns. Environmental Health was also present. Concerns were raised on both agencies part in relation to the premises. Neither Mr Cripps nor Mr Parr could offer an explanation as to why paperwork has not been submitted to amend the conditions of the licence and the change of DPS.- Minutes of this meeting appear in Appendix D.

E-mails have been sent to Mr Cripps on the back of all meetings held. These can be viewed in Appendix B

Appendix C will show the list of proposed conditions offered for consideration.

Lincolnshire Police have taken a stepped approach to address their concerns and offered conditions to lower the risk. Mr Parr and Mr Cripps have failed to acknowledge and respond to these proposed conditions. This now puts the licensing objectives at risk off been severely undermined

Lincolnshire Police recommends conditions been placed on the licence to prevent the risk of the licensing objectives been undermined.

We also believe that those presenting as responsible for the management and control of this premises have displayed a total lack of control and a disregard for the Licensing Objectives. Unless they can demonstrate moving forward that they have the ability to operate this venue as a safe, controlled environment then revocation of the licence should be seriously considered.

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to this premises please state what they were and when you made them

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent
(See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature
.....

Date 28th January 2020
.....

Capacity for and on behalf of the Chief Constable,
.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5) Alcohol Licensing Team Macauley Drive	
Post town LINCOLN	Post Code LN2 4EY
Telephone number (if any) 101 ext 3298438	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) countylicensinggroup@lincs.pnn.police.uk	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.