

**Boston Borough Council  
Licensing Act 2003  
Review of a Premises Licence  
Decision Notice**

Date of hearing	21 January 2025 10.00am
Members of Sub-Committee	Cllr Drayton Cllr Evans Cllr Gleeson Chair
Premises Licence Applicant	Jaffna Ltd
Premises Address	3-4 Market Place, Boston
Date Application Received	26 November 2024
Details of Application	Application for the grant of a Premises Licence

**The Parties:**

The Licensing Sub-Committee convened to consider an application for a premises licence where relevant representations have been received. At the hearing the Sub-Committee heard from Anna McDowell (Senior Licensing Officer, Mr Rasalingam (the applicant), Lincolnshire Police and Peter Hunn (Community Safety Manager).

**Policy and Guidance:**

In reaching its decision the Sub-Committee has had due regard for all that they have read, heard, and seen, and has considered the statutory guidance issued under Section 182 of the Licensing Act 2003, along with the Council's Statement of Licensing Policy, and their public sector duty under the Equality Act 2010.

**Decision and Reasons:**

Mr Rasalingam advised the sub-committee that he was relatively new to Boston and was unaware of the PSPO when he applied for his licence. Mr Rasalingam explained he had nine years' experience in retail but acknowledged he had not managed a premises licence for alcohol before. He explained that whilst he didn't, his family did have experience, and he had assisted his family in those premises. His background was as a qualified accountant. Mr Rasalingam advised he would cooperate with the police and local authority. He explained he would train staff, explain to people buying alcohol about the PSPO and should there be any issues he would refuse them, note their details and any future problems report them to the police. The Police and Mr Hunn advised the sub-committee of the background of the PSPO and the issues regarding drinking in that area. They also advised of the levels of incidents that were still occurring in the area.

The sub-committee noted the application and were of the view that the application did not address appropriately the four licensing objectives. They considered that the applicant did not display sufficient knowledge of the area and its issues to sufficiently or appropriately address the levels of crime and disorder and public nuisance already occurring in the area. The sub-committee considered conditions but did not consider that conditions would appropriately address the issues of crime and disorder or public nuisance which was already evidenced in the area. The sub-committee considered excluding the licensable activity applied for but noted this would have the same effect as refusing the licence. The subcommittee considered whether to exclude the DPS but we're of the view that this would also not appropriately promote the licensing objectives. With all of this in mind the sub-committee considered that the only option available that would appropriately promote the four licensing objectives was to refuse the licence.

The sub-committee therefore decided to refuse the licence applied for.

**Appeal:**

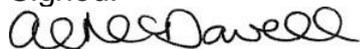
There is a right of appeal to the Magistrates' Court under Section 181 of the Licensing Act 2003. The appeal must be commenced by notice of appeal to the Justices' Chief Executive for the Magistrates Court within the period of 21 days beginning with the day on which the appellant was notified by the Licensing Authority of the decision being appealed against. Any appeal should be sent to:

Lincoln Magistrates Court, 358 High St, Lincoln LN5 7QA

- a) Upon hearing an appeal the Magistrates' Court may a Dismiss the appeal,
- b) Substitute for the decision appealed against any other decision which could have been made by the Licensing Authority, or
- c) Remit the case to the Licensing Authority to dispose of it in accordance with the direction of the court,

And make such order as to costs it thinks fit.

Signed:



Anna McDowell  
Senior Licensing Officer  
On behalf of the Licensing Sub-Committee

Dated: 22<sup>nd</sup> January 2025