

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

Date of hearing	21 January 2025 at 1.00pm
Members of Sub-Committee	Cllr Drayton Cllr Evans (Chair) Cllr Gleeson
Premises Licence Applicant	Aleksandra Walkosz
Premises Address	35 Horncastle Road, Boston
Date Application Received	29 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, Miss Walkosz (the applicant), Mr Patel (applicant's representative), and Lincolnshire Police.

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:

Miss Walkosz attended with Mr Patel representing her. It was clarified that Mr Patel is an accountant based in central London. He has previously advised applicants for 10 and 12 Red Lion Street and he confirmed that he had no other clients in Boston.

Ms Walkosz has a personal licence and would not allow to have anything to do with the business.
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Lincolnshire Police explained, as per the paperwork, the PSPO area and then the relationship between and 10 and 12 Red Lion Street, noting

the issues of illegality at those premises and the revocation of licences. Lincolnshire Police noted that Miss Walkosz had previously advised that

Lincolnshire police also questioned Miss Walkosz regarding Mr Patel and she advised she had found him through Google. On questioning, Mr Patel then confirmed he had represented persons involved with 10 and 12 Red Lion Street.

Having considered all of the information the sub-committee considered on the balance of probabilities that there was sufficient evidence of relationships between her and who had connections to illegal activities at 10 and 12 Red Lion Street. With this in mind and noting the application the sub-committee were of the view it was not appropriate for the promotion of the licensing objectives to grant the licence as applied for. They considered whether conditions, exclusion of the DPS or licensable activity would appropriately promote the licensing objectives but were of the view that with the connection of the applicant to others involved in illegal activity, those steps would not promote the licensing objectives.

The application was therefore refused in order that the four licensing objectives would continue to be promoted

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

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:

A handwritten signature in black ink, appearing to read 'Anna McDowell'. The signature is written in a cursive, flowing style.

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

Dated: 22nd January 2025