

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

Date of hearing	30 July 2025
Members of Sub-Committee	Cllr L Savickiene Councillor R Austin Councillor S Woodliffe
Premises Licence Applicant	Jaffna Ltd
Premises Address	3-4 Market Place, Boston
Date Application Received	10 June 2025
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 Rasalingham (the applicant), 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:

The sub-committee heard from Lincolnshire police that the premises is in the heart of the PSPO area. Whilst the matter should be dealt with on its own merits nothing much had changed since the earlier application and the application belied the experience of the applicant. The application does not acknowledge that the premises is within the PSPO and doesn't engage with the problem with street drinking in the town or adequately address or promote the licensing objectives. The conditions proposed don't adequately address issues — examples were given in relation to the CCTV condition offered. The police provided a background to the levels of incidents occurring in the area. The police further noted that on 11th July 2025 the premises failed a test purchase selling a vape to an underage child — in respect of identification the child was told to 'bring it next time' by the staff member who still sold the vape to the child.

Mr Rasalingham advised the sub-committee that the application include more conditions and they had good measures in place. In respect of the underage vape sale he acknowledged that the staff member shouldn't have sold the vape and that staff member had been put on further training. Mr Rasalingham advised he was on the premises most days and had 2 other members of staff. Mr Rasalingham advised he would be willing to include a partition in the premise with manual access to the alcohol area.

The sub-committee noted that the premises had been open for some months now and were of the view that the applicant should be fully aware of the PSPO and the issues in the area. They were concerned that despite that the application did not appropriately promote the four licensing objectives. They noted the failed test purchase and the response of the staff member regarding ID. The sub-committee considered conditions and were of the view that there were no conditions which would appropriately promote the licensing objectives, they noted as part of that the evidence of the failed test purchase, The sub-committee considered excluding a licensable activity but there was only one activity applied for and would be the same as refusing the application. They considered refusing to specify a person as the DPS but did not consider this would promote the licensing objectives. The sub-committee decided that it was appropriate for the promotion of all 4 of the licensing objectives that the application should be refused.

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,
- c) And make such order as to costs it thinks fit.

Signed:

S. Woodliffe
J. Savickienė
R. Ant

Licensing Sub-Committee

The Meeting ended at Time Not Specified.