

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

Date of hearing	19 March 2024
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Members of Sub-Committee	Councillor Paul Gleeson (Chair) Councillor Lina Savickiene Councillor Suzanne Welberry
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Premises Licence Applicant	Boston Phoenix Football Club
Premises Address	Tattershall Road, Boston
Date Application Received	30 January 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 Graves (on behalf of Boston Phoenix Football Club, Mr Shackleton (applicant's legal representative) and six members of the public who had submitted relevant representations.

Policy and Guidance:

In reaching their decision the Sub-Committee had due regard for all that they had read and heard along with the licensing objectives, the Council's Statement of Licensing Policy, the Section 182 Guidance and their duty under Section 149 of the Equality Act 2010.

Decision and Reasons:

The sub-committee have read and heard all of the information before them. They have heard from Mr Shackleston, representing Boston Phoenix Football Club and Mr Graves. They also heard from Mr Patton and Mr Creasey who were supportive of the application. They also heard from Mrs Owen, Mrs Ibbotson on behalf of her mother, Mr Neale, and Mr Mitchell. They raised issues regarding littering, noise from some events and parking. The Sub-Committee noted that there was no evidence that this was attributable to the club.

The Sub-Committee noted the hours applied for were a reduction in the current hours under the Club Premises Certificate, they also noted the conditions provided were more stringent than those currently on the certificate.

The Sub-Committee noted the applicant agreed to surrender the Club Premises Certificate should the licence be granted.

With all of this in mind the Sub-Committee have decided to grant the licence as 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

This decision does not take effect until the end of the appeal period or if the decision is appealed, when the appeal is disposed of.

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', written in a cursive style.

Anna McDowell
Licensing Officer
On behalf of the Licensing Sub-Committee
Date: 19 March 2024