

Boston Borough Council

Minutes of a meeting of the **Regulatory & Appeals Committee** held in the Committee Room - Municipal Buildings, West Street, Boston, PE21 8QR on Tuesday 3rd February 2026 at 2.00 pm.

Present:

Councillor Lina Savickiene, in the Chair.

Councillors Councillor Stuart Evans (Vice-Chairman), Richard Austin BEM, John Baxter, Andy Izard, Jonathan Noble, Helen Staples, Suzanne Welberry and Stephen Woodliffe.

In attendance:

Applicant: Mr Neil Wright and Mrs Michelle Wright, represented by Mr Grant Shackleton, Solicitor, and Ms Rizwana Akhtar, Solicitor.

Lincolnshire Police: Sgt Adams and PC McConville.

Interested Parties: Mrs Joanne Gladski, Councillor Ralph Pryke and Mr Alan Taylor (Objectors)

Officers:

Senior Licensing Officer, Principal Solicitor, Democratic Services Team Leader and Licensing Officer.

1 Apologies for Absence

Apologies for absence were received from Councillors James Cantwell, Anne Dorrian, Neil Drayton and Paul Gleeson.

2 Declarations of Interest

No declarations of interest were received.

3 Minutes

The minutes of the Regulatory and Appeals Committee meeting held on 11th March 2025 were approved as a correct record and signed by the Chairman.

4 Public Questions

No questions were received.

5 Application for the grant of a Sexual Entertainment Venue Licence

The Chairman welcomed everyone to the meeting of the Regulatory & Appeals Committee. Introductions were made, with Members of the Committee, Officers present, the applicant and their representatives identifying themselves for the record.

The Legal Adviser to the Committee then outlined the hearing procedure to be followed, including the order in which representations would be heard, the opportunity for questions to be asked by Members, the applicant and interested parties, the role of the Legal Adviser during the hearing and during the Committee's deliberations, and the requirement that only relevant and material considerations could be taken into account. Members were also reminded that the meeting was being recorded and transcribed, that objections based on moral grounds or values were not relevant to the determination, and that the Committee would retire in private to deliberate, accompanied by the Legal Adviser.

The Committee received a report and presentation from the Senior Licensing Officer in respect of an application for the grant of a Sexual Entertainment Venue (SEV) Licence under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982.

Members were advised that the application must be determined in accordance with the Local Government (Miscellaneous Provisions) Act 1982, the Council's adopted Sexual Entertainment Venue Policy, and relevant Home Office Guidance. It was noted that, under the Council's Scheme of Delegation, all new SEV licence applications are required to be determined by the Regulatory & Appeals Committee.

The application had been submitted by Mr and Mrs Wright. A licence is required where premises provide "relevant entertainment" as defined by Schedule 3 of the Act. The Council's policy limits the number of SEV licences within the Borough to one, and there were currently no licensed premises of this type.

The statutory grounds on which a licence must be refused, together with the discretionary grounds on which a licence may be refused, were outlined. These include the suitability of the applicant and whether the grant of the licence would be inappropriate having regard to the character of the relevant locality, the use of premises in the vicinity, and the layout, character or condition of the premises. Members were reminded that purely moral objections or concerns are not relevant considerations and must not form part of the decision-making process.

It was confirmed that the application was received on 17 November 2025 and related to premises located in the parish of Frampton, approximately 2.5 miles from the nucleus of the village, with four neighbouring residential properties in relatively close proximity. The proposed licensed area is contained within a large warehouse on private land and is not visible from public areas, with external areas screened by walls and mature hedging.

Reference was made to the premises licence granted under the Licensing Act 2003 in April 2023. Following an increase in the frequency of events, the premises were considered to be operating as a commercial enterprise requiring an SEV licence. A meeting had taken place between the applicants, Licensing Officers and Lincolnshire Police, following which the application was amended to confirm that no professional or commercial performers would be employed and that any relevant entertainment would consist solely of consenting customers participating in activities.

The proposed hours of operation were summarised, and Members were advised that all required checks relating to unspent convictions had been completed, with no unspent convictions identified in respect of any relevant person.

Lincolnshire Police did not object in principle to the grant of the licence but had requested a number of bespoke conditions considered appropriate to the nature of the operation. It was also requested that, should the licence be granted, the standard policy conditions be disappplied in favour of the Police-recommended conditions.

Representations received from members of the public were summarised. These primarily related to traffic and vehicle movements, alleged noise nuisance, the suitability of the premises, perceived impacts on property values, and reputational concerns. Members were advised that property values and reputational concerns are not relevant considerations under the legislation.

Attention was drawn to the Committee's obligations under the Human Rights Act 1998, including the requirement to have regard to Article 10 (freedom of expression) and Article 1 of Protocol 1 (protection of property). The Senior Licensing Officer concluded by advising that the application must be determined in accordance with statutory provisions, Council policy and Home Office guidance, taking into account only relevant and material considerations.

Questions to Senior Licensing Officer

Members asked questions of the Senior Licensing Officer and the Legal Adviser in order to clarify the application, the consultation process, and the legislative framework governing the determination of a Sexual Entertainment Venue licence.

Clarification was sought regarding the statutory consultation and notification requirements, including the display of site notices and publication of the application. Members explored whether the consultation had been carried out in accordance with the statutory requirements and were advised that the application had been advertised appropriately and in line with legislative and procedural requirements.

Members questioned how the "relevant locality" should be assessed for the purposes of the legislation, particularly in light of the rural nature of the area and the proximity of neighbouring residential properties. The Senior Licensing Officer and Legal Adviser explained that the assessment of locality is a matter for the Committee, guided by the Council's policy and relevant legislation, and that it does not extend to the entire Borough but must focus on the character and use of the area surrounding the premises.

Further questions were raised in relation to noise, traffic and general nuisance, including whether such matters could be taken into account as part of the determination. Officers advised that issues relating to noise, traffic and public nuisance are primarily regulated under other statutory regimes, including the Licensing Act 2003 and environmental protection legislation, and that only matters relevant to the statutory grounds for an SEV licence could be considered by the Committee when determining the application.

Members also sought clarification on enforcement and compliance, including how any future complaints would be handled and what mechanisms were available should issues arise following the grant of a licence. Officers confirmed that complaints relating to licensable activities would be investigated in accordance with the relevant statutory powers and that enforcement action could be taken where appropriate.

Questions were asked about the conditions proposed by Lincolnshire Police, including the rationale for requesting bespoke conditions and the disapplication of standard policy conditions. Members were advised that the Police-recommended conditions were considered more appropriate to the specific nature of the operation and would assist in ensuring clarity, consistency and effective enforcement.

Throughout questioning, Members were reminded by the Legal Adviser of the need to focus on relevant and material considerations, and that matters such as property values, general reputation, or moral objection were not matters that could lawfully be taken into account in determining the application.

Applicant's Representation

The applicant's solicitor addressed the Committee and set out the background to the premises and the application. It was explained that the premises had operated for a number of years and that the application had been submitted in order to regularise activities that were considered to fall within a regulatory grey area, thereby ensuring that the operation was appropriately licensed and regulated.

Reference was made to the premises licence granted under the Licensing Act 2003 in April 2023, and it was emphasised that during the period the premises had operated under that licence there had been no substantiated complaints, enforcement action or breaches recorded by responsible authorities. The applicant's representative submitted that the absence of such complaints was a relevant consideration when assessing the management of the premises.

It was further explained that the applicant had engaged proactively with the Senior Licensing Officer and Lincolnshire Police during the application process. As a result of those discussions, the application had been amended to address concerns raised, including confirmation that no professional or commercial performers would be employed at the premises and that any relevant entertainment would consist solely of consenting customers participating in activities.

The applicant's representative described the operation of the premises as discreet and controlled, with no external advertising or visibility and with access restricted to adults. Reference was made to management practices, safeguarding arrangements and security measures in place to ensure that the premises were operated responsibly.

Members asked questions of the applicant and their representative in relation to attendance numbers, parking provision, security arrangements, safeguarding policies and the use of external areas. Responses were provided, including clarification of typical attendance levels, the availability of on-site parking, and the measures in place to manage access to and from the premises.

In concluding the representation, the applicant's representative reiterated that the application sought to bring the operation within a clear regulatory framework, that the applicant had agreed to all conditions proposed by Lincolnshire Police, and that the Committee was invited to determine the application on the basis of relevant evidence and the statutory framework rather than fear, perception or moral objection.

Police Representation

Representatives of Lincolnshire Police were present at the meeting. It was noted that it was not the intention of the Police to address the Committee and that their position in respect of the application was set out in their written representation contained within the agenda papers. The Police were in attendance to answer questions from Members of the Committee only.

During questioning, PC McConville confirmed that Lincolnshire Police did not object in principle to the grant of the Sexual Entertainment Venue licence. It was explained that the Police had engaged with the applicant and Licensing Officers during the application process and had requested a number of conditions considered appropriate to the nature of the operation.

Clarification was provided that the conditions proposed by the Police were based on experience and best practice and were intended to support effective management and enforcement of the premises. Particular emphasis was placed on the importance of consistency and alignment between the conditions attached to the premises licence and those proposed for the Sexual Entertainment Venue licence, in order to avoid ambiguity and to assist with enforcement should issues arise in the future.

Representations from Interested Parties

Mrs Joanne Gladski

Ms Gladski addressed the Committee and raised concerns relating to the impact of the premises on her residential amenity. Reference was made to noise associated with the operation of the premises, including music and activity in external areas, and to the timing of events and dispersal of customers. Concerns were also expressed regarding traffic movements, parking, and vehicle behaviour on the surrounding road network, particularly late at night.

Mrs Gladski further referred to perceived safety concerns and the effect of the premises on neighbouring properties, including the use of outdoor areas and the potential impact on quality of life for nearby residents. She explained that personal circumstances had affected her ability to raise formal complaints in the past and expressed concern that the grant of a Sexual Entertainment Venue licence would lead to an intensification of the issues described.

Members and the applicant's representative asked questions to clarify whether formal complaints had been made to responsible authorities and to explore the relevance of the matters raised to the statutory grounds for determination.

[An adjournment took place between 3.53pm and 4.03pm, after which the meeting resumed.]

Councillor Ralph Pryke

Councillor Pryke addressed the Committee in his capacity as a local ward councillor. He explained that he was speaking to convey concerns raised by residents and by Frampton Parish Council regarding the application. These concerns included traffic movements through the village, perceived difficulties in securing police attendance to address issues, and the view that the premises were inappropriate for the character of the area.

Reference was made to representations received from residents who had expressed concerns about noise, traffic, and the potential impact of the premises on the wider village environment. Councillor Pryke also raised issues relating to the availability of information during the consultation process and the perception among some residents that the application had changed during the course of the process.

Members asked questions to clarify the extent to which complaints had been formally reported to responsible authorities and to explore which elements of the concerns raised were capable of being taken into account under the legislation.

Mr Alan Taylor

Mr Taylor addressed the Committee and raised concerns regarding the appropriateness of the premises in a rural location. He expressed the view that the nature of the activities proposed was incompatible with the character of the area and referred to the potential impact on community confidence and perceptions of safety.

Mr Taylor also raised concerns relating to policing, enforcement and the ability of responsible authorities to respond effectively should problems arise. During questioning, Members and the applicant's representative sought to focus the representation on matters relevant to the determination of the application and to clarify the basis of the concerns raised.

At the three-hour point of the meeting, the Democratic Services Team Leader advised Members that, in accordance with Part 4 (Section A) of the Council's Rules of Procedure relating to the duration of meetings, a decision was required on whether the meeting should continue. A vote was taken, and the Committee unanimously agreed that the meeting should continue.

[An adjournment took place between 5.01pm and 5.10pm, after which the meeting resumed.]

Closing Submissions

Following the conclusion of questions and representations, the Chairman invited closing submissions in accordance with the hearing procedure.

The Senior Licensing Officer confirmed that there was nothing further to add to the report or presentation and reminded the Committee that the application must be determined in accordance with the statutory framework, the Council's policy and relevant Home Office guidance.

The applicant's representative was then invited to make a closing submission. It was reiterated that the premises had operated under a premises licence for a significant period without substantiated complaints or enforcement action by responsible authorities. Emphasis was placed on the applicant's engagement with Licensing Officers and Lincolnshire Police during the application process and the amendments made to the application as a result of those discussions. The applicant's representative confirmed that all conditions proposed by Lincolnshire Police were accepted in full.

The applicant's representative further submitted that the Committee should place weight on the evidence before it, including the written representations of responsible authorities, and distinguish between matters supported by evidence and concerns based on fear, perception or moral objection. It was also emphasised that the operation was discreet, controlled, and subject to appropriate management and safeguarding arrangements, and that the grant of a licence with appropriate conditions would provide a clear and enforceable regulatory framework.

Objectors were then given the opportunity to make brief closing remarks. It was noted that no new matters were introduced at this stage. Concerns previously raised regarding the suitability of the premises, traffic, noise and the impact on the locality were reiterated.

The Chairman confirmed that the Committee would proceed to receive legal advice before retiring to deliberate. The Legal Adviser advised the Committee that matters relating to property values and general reputational concerns were not relevant considerations and must be disregarded when determining the application.

The Committee retired to deliberate in private, accompanied by the Legal Adviser. Following deliberation, the Chairman announced the decision to grant the licence subject to conditions.

Resolved:

That the application for the grant of a Sexual Entertainment Venue Licence be approved, subject to the conditions included on the police representation along with the following:

- **There shall be no employment of commercial performers at the premises;**
- **Whenever the premises is open for customers the gates must be closed except for access and egress;**
- **The swimming pool and outside area shall be closed for use at 11pm; and**
- **There shall be in place a safeguarding policy that must be supplied to the licensing department.**

[An adjournment took place at 5.20pm to allow the Committee to deliberate, following which the meeting reconvened at 6.02pm.]

6 Exclusion of the Public and Press

This agenda item was not required.

The Meeting ended at 6.03 pm.