

Alcohol, Entertainment & Late Night Refreshment Licensing Committee



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Tuesday, 19 May 2026 at 11.45 am
Council Chamber - South Kesteven House,
St. Peter's Hill, Grantham. NG31 6PZ

Committee Members: Councillor Paul Fellows (Chairman)
Councillor Robert Leadenham (Vice-Chairman)

Councillor Harrish Bisnauthsing, Councillor Pam Bosworth, Councillor Helen Crawford, Councillor Patsy Ellis, Councillor Jane Kingman, Councillor Philip Knowles, Councillor Rhea Rayside and Councillor Elvis Stooke + Vacancy Reform

Agenda

- 1. Apologies for absence**
- 2. Disclosures of interests**
Members are asked to disclose any interests in matters for consideration at the meeting.
- 3. Minutes of the meeting held on 17 March 2026** (Pages 3 - 7)
- 4. Exclusion of Press and Public**
Under Regulation 14(2) of the Licensing Act 2003 (Hearings) Regulations 2005, the press and public be excluded from the Hearing on the grounds that exclusion outweighs the public interest in the Hearing taking place in public.

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† 01476 406080

Karen Bradford, Chief Executive

www.southkesteven.gov.uk

For the purposes of paragraph (2), a party and any person assisting or representing a party may be treated as a member of the public.

5. **Licensing Act 2003: Determination of a personal licence following conviction of a relevant offence** (Pages 9 - 25)
Report ENV933 from the Licensing Officer.
6. **Licensing Act 2003: Review of Premise Licence - Manor Way Superstore, 73 Manor Way, Deeping St James, PE6 8PX** (Pages 27 - 111)
Hearing to determine an application for the review of a premises licence at Manor Way Superstore, 73 Manor Way, Deeping St James, PE6 8PX - Report ENV934 from the Licensing Officer.
7. **Ask Angela update**
Committee to receive a verbal update.
8. **Any other business which the Chairman, by reason of special circumstances, decides is urgent.**

Minutes

**Alcohol, Entertainment & Late
Night Refreshment Licensing
Committee**

Tuesday, 17 March 2026



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Committee members present

Councillor Paul Fellows (Chairman)
Councillor Robert Leadenham (Vice-Chairman)
Councillor Pam Bosworth
Councillor Helen Crawford
Councillor Jane Kingman
Councillor Philip Knowles
Councillor Rhea Rayside
Councillor Elvis Stooke

Officers

Chris Clarke, Elizabeth Reeve, Licensing Officers
Kim Robertson, Legal Advisor, LSL
Lucy Bonshor, Democratic Officer

67. Apologies for absence

An apology for absence was received from Councillor Patsy Ellis.

68. Disclosures of interests

None disclosed.

69. Minutes of the meeting held on 17 February 2026

Minutes from the meeting held on 17 February 2026 were proposed, seconded and agreed.

70. Exclusion of Press and Public

Under Regulation 14(2) of the Licensing Act 2003 (Hearings) Regulations 2005, it was proposed, seconded and agreed that the press and public were excluded

from the Hearing on the grounds that exclusion outweighs the public interest in the Hearing taking place in public.

71. Licensing Act 2003: Determination of a personal licence following conviction of a relevant offence

Decision

The Alcohol, Entertainment and Late Night Refreshment Licensing Committee determined that revocation of the Personal Licence was the most appropriate and proportionate step to promote the licensing objectives.

The Personal Licence Holder was not present at the meeting.

The Licensing Officer presented exempt report ENV932 which concerned the determination of a Personal Licence following conviction of a relevant offence.

The Personal Licence holder had held a licence issued by South Kesteven District Council since September 2022. In October 2025 the Licensing Team received notification and a Certificate of Conviction from Lincoln Magistrates' Court advising that the Personal Licence Holder had been convicted in court for failure to provide a specimen for analysis whilst driving. The offence took place in September 2025. There was a query about the name on the court notification which was clarified by the Personal Licence holder.

The Licensing Officer provided the Committee with details of the offence, fines and court fees.

Under Section 132 (2) of the Licensing Act 2003 a personal licence holder must:

- a) Notify the relevant licensing authority as soon as reasonably practicable after the conviction, give the relevant licensing authority a notice containing the details of the nature and date of the conviction, any sentence on them in respect of it; and
- b) As soon as reasonably practicable after the determination of any appeal against the conviction or sentence, or of any reference under Section 36 of the Criminal Justice Act 1988 (c.33) in respect of the case, give the relevant licensing authority a notice containing details of the determination.

The Personal Licence holder had failed to inform SKDC of their conviction, however they did inform the court that they were a personal licence holder.

If the relevant authority was considering whether to suspend or revoke the licence, the authority must give notice to the licence holder, a notice under Section 132A (4), this was issued to the licence holder in November 2025. A copy was appended to the report at Appendix 3. When generated, the letter was

produced with the incorrect personal licence number quoted, this was reissued as shown at Appendix 4.

The licence holder may make representations to the Licensing Authority within the period of 28 days beginning with the day the notice was issued. Any representation may be made regarding:

- a) The relevant offence that has caused the licensing authority to issue the notice,
- b) Any decision of a court under section 129 or 130 in relation to the licence, and
- c) Any other relevant information (including information regarding personal circumstance)

The 28-day representation period took place between 5 November 2025 and 3 December 2025. One representation was received from the Personal Licence Holder and a copy was appended at Appendix 5.

A question was raised in respect of the Personal Licence holders change of name to which the Licensing Officer replied.

The Licensing Officer then gave their closing statement. The Policing & Crime Act 2017 gave Licensing Authorities a discretionary power to revoke or suspend a personal licence if a personal licence holder is convicted of a relevant offence under the Licensing Act 2017.

Under Section 132a of the Licensing Act 2003 the steps a relevant authority may take are:

- a) Determine that no further action is required, or
- b) Issue a warning letter
- c) Suspend the personal licence for a period not exceeding six months
- d) Revoke the personal licence.

In determining the matter, the Licensing Authority must take into account:

- a) Any representations made by the licence holder
- b) Any decision of a court under section 129 or 130 of which the licensing authority is aware, and
- c) Any other information which the authority considers relevant.

Members attention was also drawn to the information contained within the legal and governance comments of the report.

(11:45 the Licensing Officers left the meeting)

Members discussed the issue before them having regard to all the relevant documents and guidance and the representations made. Concern was expressed by Members about the conduct of the Personal Licence holder with

reference being made to the medical condition that they suffered from and failure to take required medication could affect their interactions. It was noted that they had not advised the Licensing Authority about their conviction but it was acknowledged that they had made the Court aware that they held a personal licence. It was commented that failure to notify the relevant Licensing Authority about convictions appeared to be a common theme with those who held various licences with a local authority. Discussion in respect of sanctions available to the Committee were debated in respect of the promotion of the licensing objectives. The Committee did not consider that it was appropriate to take no further action, issue a warning letter or suspend the licence. After further consideration and for the promotion of the licensing objectives it was proposed and seconded to revoke the Personal Licence, on being put to the vote this was unanimously agreed.

(12:05pm the Licensing Officers returned to the meeting)

The Legal Advisor read out the Committees decision. The Committee confirmed that they had read and considered all documentation before them. The Personal Licence Holder did not attend the hearing but had submitted a written statement, which appeared at Appendix 5 of the agenda papers.

The Committee noted that the Personal Licence Holder had pleaded guilty and had been convicted of the offence of failing to provide a specimen for analysis whilst driving. The Committee further noted that, following their conviction, the Personal Licence Holder did not notify the Licensing Authority of the conviction, although they had informed the court that they held a personal licence. The Committee also considered the information provided regarding the Personal Licence Holder's medical diagnosis.

The Committee considered all options available to them under the Licensing Act 2003. With a view to promoting the licensing objectives, the Committee did not consider that it was appropriate to take no further action, issue a warning letter or suspend the licence.

Having considered all the information before them, the Committee determined that revocation of the Personal Licence was the most appropriate and proportionate step to promote the licensing objectives.

There was a right of appeal to the Magistrates' Court within 21 days of the licence decision being received.

72. Licensing Act 2003: Application to transfer a Premise Licence - Manor Way Superstore, 73 Manor Way, Deeping St James, Lincolnshire, PE6 8PX and Application to Vary the Designated Premise Supervisor

The Chairman informed the Committee that the applications for transfer of the Premises Licence and the Variation of DPS in respect of Manor Way Superstore, 73 Manor Way, Deeping St James had been withdrawn.

73. Any other business which the Chairman, by reason of special circumstances, decides is urgent.

There was no urgent business.

74. Close of meeting

The meeting was closed at 12:07pm.

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Agenda Item 5

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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SOUTH
KESTEVEN
DISTRICT
COUNCIL



Alcohol, Entertainment and Late-Night Refreshment Licensing Committee

19th May 2026


ENV934

Report of Chris Clarke, Licensing
Officer

Licensing Act 2003: Review of Premise Licence – Manor Way Superstore, 73 Manor Way, Deeping St James, PE6 8PX

Report Author – Chris Clarke – Licensing Officer

01476 406080

 Licensing@southkesteven.gov.uk

Hearing to determine an application for the review of a premises licence – Manor Way Superstore, 73 Manor Way, Deeping St James, PE6 8PX

Recommendations

It is recommended that the Alcohol, Entertainment and Late-Night Refreshment Committee (“the Committee”) consider the application for a review of the premises licence relating to the premise known as, **Manor Way Superstore, Manor Way, Deeping St James, NG31 6PH** and decide whether to:

1. Modify the conditions of the licence;
2. Exclude a licensable activity from the licence;
3. Remove the designated premises supervisor;
4. Suspend the licence for a period not exceeding 3 months; or
5. Revoke the licence.

Decision Information

Does the report contain any exempt or confidential information not for publication? Yes

What are the relevant corporate priorities? Connecting Communities & Effective Council

Which wards are impacted? All

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

- 1.1 There are no specific financial implication associated with this report, however, in the event of an applicant, responsible authority or interested person making an appeal against a decision which was then subsequently upheld, the council may incur additional costs.

Legal and Governance

- 1.2 The Licensing Act 2003 provides a procedure whereby a premises licence can be reviewed at any time on the application of an interested party or a responsible authority. On receipt of an application for review of a licence, the council is obliged to hold a hearing to consider the application. In determining the application, the committee should consider guidance issued under S182 of the Act and the Council's own Statement of Licensing Policy, together with all representations. The decision of the committee should be no more than an appropriate and proportionate response to the concerns raised.

Community Safety

- 1.3 Community Safety implications will be considered in accordance with the licensing objectives and the duty to consider in accordance with S17 of the Crime and Disorder Act 1998

2. Background to the Report

- 2.1 On Tuesday 23rd March 2026 an application for the review of the premise licence for Manor Way Superstore, Deeping St James was received from Lincolnshire Police along with supporting documents. **(Appendix 1)**
- 2.2 The application for review relates to the following licensing objectives: -
- Prevention of crime and disorder.
 - Protection of Children from harm.
- 2.3 Lincolnshire Police advise that they have obtained evidence which indicates that the management of these premises have been operating in such a manner that amounts to criminal activity and thus undermines the licensing objectives:
- Premise holder and Designated premise supervisor sold the business in June 2025 and had no further involvement in the business.
 - The review outlines the history of events which has led to the submission of this review
- 2.4 On 25th March 2026, Licensing Manager Heather Green, erected a notice at the premises.
- 2.5 On 25th March 2026 Heather Green returned to the premise to erect a further notice on the roller shutter, the original notice had been removed. The original notice was re-erected, and the roller shutter notice was erected.
- 2.6 On 27th March 2026 a further visit was made, and both signs were still visible.
- 2.7 A copy of the premise Licence. **(Appendix 2)**
- 2.8 No representations were received during the consultation period.

3. Key Considerations

- 3.1 Members must take such steps (if any) as they consider appropriate for the promotion of the licensing objectives as outlined in Licensing Act 2003 at section 167(6):

The Licensing Committee may:

- modify the conditions of the licence;
- exclude a licensable activity from the licence;
- remove the designated premises supervisor;
- suspend the licence for a period not exceeding 3 months; or

- revoke the licence.

3.2 The guidance issued under Section 182 of the Act is:

“In deciding which of these powers to invoke, it is expected that licensing authorities should, so far as possible, seek to establish the cause or causes of the concerns which the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response.”

(Paragraph 11.20 of the guidance Issued under S182 of the Act.)

3.3 If members decide to take the steps referred to in (a) or (b) above, it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

4. Reasons for the Recommendations

4.1 Application for review has been received from Lincolnshire Police.

5. Consultation

5.1 Statutory 28 day consultation has taken place from 25th March 2026 until 21st April 2026. During this time, no representation were received by the Licensing Authority.

6. Background Papers

6.1 [Statement of Licensing Policy 1st April 2021](#)

6.2 [Guidance to Applicants](#)

6.3 [Guidance issued under section 182 of the Licensing Act 2003](#)

7. Appendices

7.1 Appendix 1: Application for Review and Supporting documents Appendix A - K

7.3 Appendix 2: Copy of the Premise Licence

South Kesteven District Council

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I Paul Gibson, Chief Constable of Lincolnshire Police

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Alisia Off Licence and Stores 73 Manor Way Deeping St James	
Post town Lincolnshire	Post code (if known) PE6 8PX

Name of premises licence holder or club holding club premises certificate (if known)
Veluppillai Alvappillai

Number of premises licence or club premises certificate (if known)
6944

Part 2 - Applicant details

I am Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

Please tick ✓ yes

I am 18 years old or over

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Lincolnshire Police Alcohol Licensing Deepdale Lane Nettleham Lincoln Lincolnshire LN2 2LT
Telephone number (if any) 101
E-mail address (optional) Countylicensinggroup@lincs.police.uk

This application to review relates to the following licensing objective(s)

- Please tick one or more boxes ✓
- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | |
| 3) the prevention of public nuisance | |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 2)

This review application relates to a premises which operates as a general convenience shop located within a housing estate near to both a primary and secondary school. It was granted a Premises Licence under the Licensing Act 2003 by South Kesteven District Council (licence number 6944), authorising the sale of alcohol for consumption off the premises between the hours of 06:00 and 22:00 Monday to Sunday.

Lincolnshire Police have obtained evidence which indicates that the management of these premises has been operating it in such a manner that amounts to criminal activity and thus undermines the licencing objectives.

The current Premises Licence Holder (PLH) and Designated Premises Supervisor (DPS) Mr Alvappillai confirmed in November 2025 that he had sold the business in June 2025, and from that point on he had no further involvement with its activities. Despite this the business had continued to trade from June 2025 with Mr Alvappillai as the PLH and DPS.

Whilst under Mr Alvappillai's control in November 2025, Lincolnshire Police became actively involved with the premises following concerns regarding allegations made that month regarding a member of staff who had behaved inappropriately towards child customers. A suggestion had been also made that underage females were sold alcohol from the premises

Police enquiries that followed raised concerns regarding the manner in which the business was operating, those individuals behind its operations and illegal working.

A series of licence transfer and DPS variation applications were then received, all of which were objected to by Lincolnshire Police. Two sets of licence transfer/DPS applications were withdrawn, however another set of applications that were objected to resulted in a licencing hearing held in February 2026. The Committee made the decision to reject these applications.

At present, the PLH and DPS for this licence is once again Mr Alvappillai, however Lincolnshire Police are now aware of further intended applications to transfer the licence and vary the DPS to the individual the Committee rejected in February 2026. Mr Alvappillai has been approached by the Police to consider surrendering the licence but to date he has not responded, despite claiming to have absolutely no control of the premises.

The series of applications since November 2025 have been desperate attempts to take full advantage of the licensing regime to keep the premises licensed.

A revocation of this licence is sought, as Lincolnshire Police have no confidence that the licencing objectives can be upheld at this premises.

Revised Guidance issued under Section 182 of the Licensing Act 2003

Section 2.1 states Licensing authorities should look to the Police as the main source of advice on crime and disorder.

Section 4.61 states every premises licence that authorises the sale of alcohol must specify a DPS. This will normally be the person who has been given day to day responsibility for running the premises by the premises licence holder.

Section 4.69 states the police may object to the designation of a new DPS where, in exceptional circumstances, they believe that the appointment would undermine the crime prevention objective.

Section 8.101 (in relation to transfer) states that in exceptional circumstances where the chief officer of police believes the transfer may undermine the crime prevention objective, the police may object to the transfer.

Section 10.28 states the 2003 Act does not require a designated premises supervisor or any other personal licence holder to be present on the premises at all times when alcohol is sold. However, the designated premises supervisor and the premises licence holder remain responsible for the premises at all times including compliance with the terms of the 2003 Act and conditions attached to the premises licence to promote the licensing objectives.

Section 10.29 states in addition, every premises licence that authorises the sale of alcohol must require that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence. This in most instances will be the designated premises supervisor who must hold a valid personal licence.

Section 10.35 states it must be remembered that while the designated premises supervisor or a personal licence holder may authorise other individuals to sell alcohol in their absence, they are responsible for any sales that may be made. Similarly, the premises licence holder remains responsible for ensuring that licensing law and licence conditions are observed at the premises.

Section 11.23 states where the premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

Section 11.24 states a number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises, money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore

to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.

Section 11.25 states that in any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives.

Section 11.26 states that where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, it is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.

Section 11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- for employing a person who is disqualified from that work by reason of their immigration status in the UK.

Section 11.28 states it is envisaged that licensing authorities, the police, the Home Office (Immigration) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence - even in the first instance - should be seriously considered.

South Kesteven District Council statement of licensing policy (2021 – 2026) also raises the following points that are deemed relevant to this application:

4. Licensing Objectives

1.17 In undertaking its licensing function, the Licensing Authority is also bound by other legislation including, but not exclusively:

- Section 17 of the Crime and Disorder Act 1998 – which imposes a duty on every Local Authority to do all that it reasonably can to prevent crime and disorder in its decision-making process.*

4.1 Each of the four licensing objectives is of equal importance. The Licensing Authority considers the effective and responsible management of the premises and the instruction, training and supervision of staff and the adoption of best practice to be amongst the most essential control measures for the achievement of the licensing objectives.

In relation to the Prevention of Crime and Disorder licensing objective the council policy states :

4.3 In accordance with the Guidance, Police views on matters relating to crime and disorder will be given considerable weight. There are many steps an applicant may make to prevent crime and disorder. The Licensing Authority will look to the Police for the main source of advice on these matters.

Crime and Disorder Act 1998 Section 17

Duty to consider crime and disorder implications.

(1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent,

(a) crime and disorder in its area (including anti-social and other behaviour adversely affecting

the local environment); and

(b) the misuse of drugs, alcohol and other substances in its area, and

(c) re-offending in its area

(2) This section applies to each of the following—

.a local authority

Please provide as much information as possible to support the application (please read guidance note 3)

The timeline of events that have led to this review is shown below.

November 2025

Lincolnshire Police received two separate reports which allege inappropriate sexual behaviour by a male shop worker on females under the age of 16 years old. One report suggested underage females were also sold alcohol from the premises (Sec 146 offence under the Licensing Act 2003). Pc Braithwaite has provided a statement which provides further details of these reports, along with her subsequent enquiries made at that time in relation to the premises (see *appendix A for Pc Braithwaite's statement*).

During Pc Braithwaite's enquiries into the allegations with Mr Alvappillai who was the premise licence holder (PLH) and DPS at the time, she was informed by him that he had sold the business at the **end of June 2025**, and a new individual had taken it over. At this time, SKDC confirmed that no premises licence transfer or designated premises supervisor (DPS) variation had been received for this premises. Mr Alvappillai could not provide any details of the new owner but stated he had informed the new owner that the licence required transferring. Mr Alvappillai was reminded that he still remained responsible for the premises licence at that time. (see *appendix B for email conversation*).

On the **7th November 2025** the premises was visited by a SKDC Licensing Officer and found to have alcohol on sale.

On the **12th November 2025**, Lincolnshire Police received a transfer application for the premises to a Mr Kugenthiran Kugathas, and then a vary DPS application on the **13th November 2025** to the same individual.

PC Braithwaite met Mr Kugathas at the premises on **18th November 2025** and encountered a shop assistant working illegally. It was also suspected that the worker responsible for the inappropriate behaviour to females was also an illegal worker at the time when the licence was under the control of Mr Alvappillai. It is an offence to employ an illegal worker under section 21 Immigration Asylum and Nationality Act 2006 (as amended by section 35 of the Immigration Act 2016.)

On the **25th November 2025**, Lincolnshire Police submitted objections to the transfer of premises licence and vary DPS to Mr Kugathas (see *appendices C & D*).

December 2025

On the **3rd December 2025**, Lincolnshire Police received notification that the applications to transfer the premises licence and vary DPS to Mr Kugathas had been withdrawn. The licence at this point then reverted back to Mr Alvappillai.

On the **8th December 2025**, Lincolnshire Police received applications to transfer the premises licence and vary DPS to a Mr Nirusan Sivatharan. The transfer form was signed by Mr Alvappillai on the 3rd December 2025. Lincolnshire Police contacted the agent acting on behalf of Mr Nirusan Sivatharan requesting proof that the business had legitimately taken over. Despite several requests, no evidence was received.

On the **18th December 2025**, Lincolnshire submitted objections to both the applications submitted by Mr Nirusan Sivatharan on the grounds that they could not be satisfied that a genuine takeover of the business had taken place in such a short period of time. (*see appendices E & F*). Concerns were that Mr Kugathas was still the person in control of the premises.

February 2026

On the **12th February 2026** Pc Braithwaite visited to the premises as there still had been no contact received from Mr Nirusan Sivatharan's agent providing proof the business had legitimately taken over. During this visit paperwork was found suggested Mr Kugathas was still involved with the business. Concerns were raised about how the business was being operated and who was actually in control (*see appendix G for Pc Braithwaite's statement*).

On the **13th February 2026**, Lincolnshire Police received an email from the agent acting on behalf of Mr Nirusan Sivatharan explaining that the premises was being run by Mr Nirusan Sivatharan and his brother Mr Nivethan Sivatharan. This was the first the police knew of this information. Upon conducting further checks on Nivethan, concerns were raised about his suitability to be involved with the business.

At hearing on the **17th February 2026**, The Licensing Committee refused the applications made by Mr Nirusan Sivatharan in order to promote the crime prevention licensing objective. (*see appendix H for decision notice*). The licence once again, then reverted back to Mr Alvappillai.

It is worth noting that nobody attended hearing to represent the applicant, and his hearing had been adjourned from its original date of the 20th January 2026 due to the agent updating SKDC the day before claiming they could not attend.

On the **24th February 2026**, Pc Braithwaite rang Mr Alvappillai advising him that he may wish to consider surrendering the premises licence to relinquish his responsibility. He seemed prepared to do this. This was followed up with an email, explaining what he was required to. No response was received by

the police or SKDC, so on the 16th March 2025 a further email was sent to Mr Alvappillai including the paperwork he would require to surrender. To date, Mr Alvappillai has not responded at all. (see *appendix I for emails*).

On the **24th February 2026**, Lincolnshire Police received new applications to transfer the premises licence to Mr Nivethan Sivatharan and a vary DPS application to Mr Nirusan Sivatharan. With only 7 days passing since the Committee's decision to reject both previous applications, the police feel they had no choice but to object again to these new applications. (see *appendices J & K*). The Police argued that an appeal should have been lodged rather than simply submit yet another duplicate DPS vary application with brother Nivethan as proposed licence holder. The police believed this was a tactic to avoid appeal costs.

March 2026

On the **16th March 2026**, one day before the latest hearing was due to take place, the applications to transfer the premises licence to Mr Nivethan Sivatharan and a vary DPS application to Mr Nirusan Sivatharan were withdrawn. At this point, the licence once again reverted back to Mr Alvappillai.

Later that same day, SKDC informed Lincolnshire Police of the intention of Licensing Agent, Mr Nira Suresh to submit new applications to transfer the premises licence and vary the DPS to Mr Nirusan Sivatharan once again. Lincolnshire Police found this absurd, as the Committee had only made their decision to refuse the same applications only a month prior to this. Absolutely no further information or evidence had been provided to support their case.

On the **17th March 2026**, a virtual meeting was held between Mr Suresh, SKDC Licensing Officer Chris Clarke, Sgt Adams and Pc Braithwaite. Mr Suresh openly admitted the reason an appeal against the Committee decision made on the 17th February 2026 was due to the cost. Chris Clarke explained that the most recent applications had not been accepted by SKDC due to the paperwork being completed incorrectly – the transfer consent form used was the same form signed by Mr Alvappillai on the 3rd December 2025. It was also highlighted by Chris Clarke that the new applications were seen by SKDC as an abuse of process, given they were repetitive applications, with no new evidence offered.

Lincolnshire Police are not confident the licensing objectives can be upheld by Mr Alvappillai, Mr Nirusan Sivatharan or Mr Nivethan Sivatharan. It is also believed that Mr Kugathas, could still be involved, who is also deemed unsuitable.

The Police are concerned that alcohol will continue to be sold at the premises. Currently this will take place whilst the licence is held under the name of Mr Alvappillai, who clearly has nothing to do with business operations whatsoever.

It is also feared that if the licence remains live, there is every chance new proposed PLH/DPS name changes may be offered in a 'stooge' capacity on behalf of Mr Nirusan Sivatharan, Mr Nivethan Sivatharan or Mr Kugathas, as an attempt to keep the premises licenced.

Lincolnshire Police request that the Licensing Sub-committee seriously consider a revocation of this premises licence. A suspension period is not deemed appropriate in this case, and whilst the current licence conditions are very poor and not fit for purpose, adding additional licensing conditions would not alter the level of concern.

Have you made an application for review relating to the premises before

If yes please state the date of that application

If you have made representations before relating to the premises please state what they were and when you made them

N/a

Please tick ✓

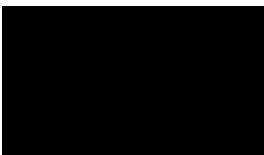
yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature  PC 824 BRAITHWAITE

Date 20/03/26

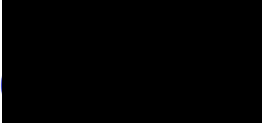
Capacity for and on behalf of Chief Constable of Lincolnshire Police

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

6. This is the address which we shall use to correspond with you about this application.

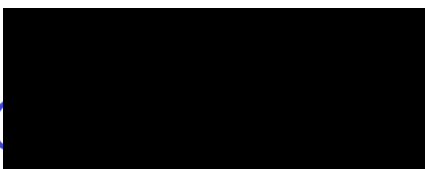
WITNESS STATEMENT				
Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s.9				
		URN		
Statement of:	Katherine Braithwaite			
Age if under 18:	Over 18	Occupation:	Pc 824	
<p>This statement (consisting of 6 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.</p>				
				
Signature:	Date 03/10/2025			

Tick if witness evidence is visually recorded (supply witness details on rear)

I am the above named person employed as a Police Constable within Lincolnshire Police. I currently work in the Alcohol Licensing Team and predominantly cover the North and South Kesteven District areas of the county.

This statement is in relation to a convenience shop trading as Manor Way Superstore, 73 Manor Way, Deeping St James, Lincolnshire, PE6 8PX which is licenced under premises licence 6944 as 'Alisia Off Licence and Stores'.

In November 2025 Lincolnshire Police received two reported incidents alleging a shop worker at the premises had behaved inappropriately with separate girls, on two different occasions within one week of one another. The description provided on the reports, suggested it was the same male shop worker involved with both incidents.

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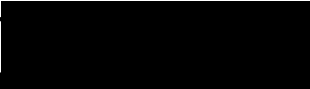
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Statement of: **Katherine Braithwaite**

One report alleges that females under the age of 16yrs old had entered the premises attempting to buy alcohol, and the worker said *“only if you show me your boobs and give me your Snapchat”*. It is unknown whether the females carried out these requests, but the females were reported as having left the shop in possession of alcohol.

The second report was made by a parent of a 14yr old girl. It was described that the shop worker had made comments to their child dressed in school uniform which had been interpreted as an effort to try and groom her and made the child feel uncomfortable. It is also alleged that the worker asked for the girl’s Snapchat details.

Following the first police report, I emailed the male I believed was the PLH and DPS, a Mr Veluppillai Alvappillai, requesting CCTV footage so an investigation could commence. I received an email back from Mr Alvappillai on the 5th November 2025 stating he was no longer the owner of the shop and advised me to contact the current owner. I replied, explaining that the police had not received any variations of the premises licence, and as such he remained PLH and DPS. When asked for further details of the new owner, Mr Alvappillai replied stating he did not have the details he could pass me. Mr Alvappillai stated he sold the lease for the business on the 18th June 2025 and his last day of trading was the 17th June 2025. When I asked if he had any discussion with the new owner regarding the premises licence, Mr Alvappillai stated *‘I did inform the new owner of the premises licence and he confirmed that he was aware of it’*.

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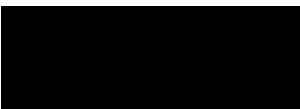
Statement of: **Katherine Braithwaite**

On the 5th November 2025, I made SKDC Licensing Officer Chris Clarke aware of the email conversation with Mr Alvappillai. Chris agreed he would pay the premises a visit on the 7th November 2025. The visit was made, and the premises was instructed to stop selling alcohol immediately and to remove it from sale, or at least fully cover it up as they did not have a premises licence.

Later that same day, at approximately 1400hrs, a uniformed police officer attended the premises to follow-up the police reports. I viewed the officers body worn footage of his interactions with the male shop worker and took a screenshot of his image. Based on the description passed in both incidents reported to the police, it seemed very plausible that he was the suspect referred to. He was the only member of staff in the shop at the time of the visit. The shop doors were open, implying the premises was open for business, despite the male stating he didn't work there. He was seen moving alcohol stock around and entering behind the counter. The male would only provide his first name, despite being challenged multiple times for his surname and was unconvincing when providing a date of birth. Although a small amount of alcohol had been removed from sale, there was still a significant amount of alcohol still visible on display. It is a criminal offence to expose alcohol for sale without a licence under Section 127 of the Licensing Act 2003.

The attending officer remained at the premises approximately 35 minutes, awaiting the arrival of the new owner Mr Kugathas. On arrival, the shop worker had reassured the officer that his boss Mr Kugathas was "*just around the corner*" and was on his way. After waiting a substantial amount of time, the officer had to resume his duties without having spoken to Mr Kugathas.

Page 3 of 7

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Statement of: **Katherine Braithwaite**

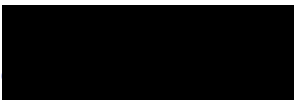
On the 12th November 2025 Lincolnshire Police received a transfer application for the premises to a Mr Kugenthiran Kugathas born 09/04/1985, and on the 13th November 2025, a vary DPS application to the same individual.

On the 13th November 2025 I made contact with Mr Kugathas to arrange a meeting with him at the premises. We agreed to meet on Tuesday 18th November 2025 at 1300hrs. I arrived a few minutes early for the appointment and was met by two males inside the shop. I will refer to these males as Mr P and Mr T. They both stated they worked in the shop and provided me with their details. Mr T described himself as the brother of Mr Kugathas. Mr Kugathas then arrived a short time later and Mr T disappeared.

My meeting with Mr Kugathas lasted well over one hour and Mr P remained present throughout. Mr P had initially stated on my arrival that he was the manager of Mr Kugathas and he was helping Mr Kugathas, who did not really have much knowledge of licensing. Mr P tried to answer a lot of the questions that I posed to Mr Kugathas, and seemed to me to be more in control of the business than Mr Kugathas. When questioned further about Mr P's role, he then stated he was just an employee of Mr Kugathas and was not financially involved in the business.

When I questioned Mr Kugathas regarding who worked at the premises. He stated, himself, his brother Mr T, Mr P, his wife and another male who I will refer to as Mr V, who sometimes helped him out. He claimed Mr V did not work at the shop, but admitted he was left alone in the premises. Mr T and Mr Kugathas confirmed that Mr V had been the lone worker at the premises

Page 4 of 7

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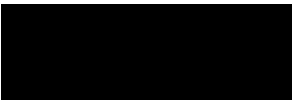
Statement of: **Katherine Braithwaite**

during the dates/times the two police incidents had been reported recently. I also showed the officer's body worn footage image of the lone shop worker encountered during the visit on the 7th November 2025, and they both confirmed this was Mr V. I explained that Mr V would be classed as 'a worker' and should be treated as such. Mr Kugathas stated he did not pay Mr V but gave him food and accommodation. This is typical behaviour of an employer employing an illegal worker.

When I asked Mr Kugathas what Right to Work checks he conducted on Mr V, he said had not completed any, nor did he have any other records of him. It took a substantial amount of time for Mr Kugathas to provide me with Mr V's full details and he was unable to provide me with a full address for him. I was unconvinced that I had actually been provided with the correct details for Mr V.

I asked Mr Kugathas how he ensured his staff had the correct Right to Work, and he could not really provide a confident answer that correct processes were followed. When asked if he had any documentation relating to Right to Work checks he could show me, he could not provide any.

I questioned Mr Kugathas around licensing matters and his responses raised further concerns. He was unable to quote the four licensing objectives correctly, stated he had no written staff training records, did not have an incident book to present and could not access his own CCTV system.

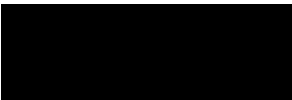
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Statement of: **Katherine Braithwaite**

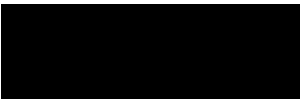
Mr Kugathas confirmed that he had opened the premises at the end of June and began selling alcohol. He stated there had been a few weeks of closure for around 23 days but it had then re-opened. Mr Kugathas stated he was unaware that the licence transfer had not gone through until the visit by SKDC on the 7th November. When I asked why he had continued to trade in the months before the visit without a licence, Mr Kugathas gave a convoluted story in which he ultimately passed responsibility back to the previous licence holder and landlord for failing to ensure the licence was transferred correctly. It is an offence under Section 136 of the Licensing Act 2003 to carry on licensable activity on a premises otherwise than under and in accordance with an authorisation.

Following my visit to the store, Mr V's details were checked through all police systems and Immigration and no trace could be found of this male. For Immigration not to have a record of Mr V is very unusual. Immigration have also confirmed that Mr T has never had the Right to Work (*see appendix B*).

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Statement of: **Katherine Braithwaite**

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By virtue of paragraph(s) 1, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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LINCOLNSHIRE POLICE

NOTICE OF OBJECTION TO THE APPLICATION TO VARY A LICENCE
TO SPECIFY INDIVIDUAL AS PREMISES SUPERVISOR
SECTION 37(5) OF THE LICENSING ACT 2003

The Chief Officer of Lincolnshire Police, Paul Gibson, having been notified under Section 37 of the Licensing Act 2003, of the application to vary the Premises Licence for to specify Kugenthiran Kugathas as designated premises supervisor for Alisia Off Licence and Stores, Manor Way, Deeping St James and being satisfied that the exceptional circumstances of the case are such that granting the application would undermine the crime prevention objective, hereby gives notice of objection.

The grounds for the objection notice are as follows:

Lincolnshire Police have obtained evidence that indicates the management of the premises has been operating it in such a manner that amounts to criminal activity. The events raised within this report suggest that the premises is being poorly managed, with disregard to relevant regulations and legislation.

The premises name on the licence is given as 'Alisia Off Licence and Stores', but trades as Manor Way Superstore. The premises is a general convenience shop located within a housing estate near to both a primary and secondary school.

In November 2025 Lincolnshire Police received two separate reports which allege inappropriate behaviour by a male shop worker on females under the age of 16 years old. One report suggests underage females were also sold alcohol from the premises. Pc Braithwaite has provided a statement which provides further details of these reports, along with further evidence supporting this objection (*see appendix A*).

When police made enquiries with the individual believed to be the premise licence holder (PLH), they were informed that individual had sold the business at the **end of June 2025** and a new individual had taken it over. At this time, SKDC confirmed that no premises licence transfer or designated premises supervisor (DPS) variation had been received for this premises.

The premises was visited by a SKDC Licensing Officer on the **7th November 2025** and found to have alcohol on sale. The premises were instructed to stop selling alcohol immediately and to remove it from sale, or at least cover it up as they did not have a premises licence.

Later that same day, a police officer attended the premises, which was open to the public, and found large quantities of alcohol still on sale. It is a criminal offence to expose alcohol for sale without a licence under Section 127 of the Licensing Act 2003. The shop worker encountered did not provide their full details to the officer when asked to do so, and the new owner of the shop failed to attend the shop to meet the officer as requested.

Appendix 1 - C

On the **12th November 2025**, Lincolnshire Police received a transfer application for the premises to a Mr Kugenthiran Kugathas, and then a vary DPS application on the **13th November 2025** to the same individual.

On the **18th November 2025**, Pc Braithwaite a Lincolnshire Police Licensing Officer met with Mr Kugathas at the premises. Two other males were also present in the shop and Mr Kugathas confirmed they were both workers at the premises. It has since been confirmed by Immigration that one of these males encountered has never had the Right to Work in the UK (*see appendix B*).

Mr Kugathas unconvincingly provided the details of the shop worker present during the times of both reported police incidents relating to inappropriate behaviour. He confirmed this was the same male police encountered on the 7th November 2025. Police and Immigration have conducted checks on the details provided but no trace of this male can be found. It is unusual for Immigration not to hold any records, and with the reluctance to provide full details to police by Mr Kugathas and the shop worker himself, this raises suspicion that false details were provided due to this male also being an illegal worker.

Mr Kugathas did not provide police with any confidence that he is correctly checking the Right to Work of any of his employees. To his own admission, he stated that he had not carried out any Right to Work checks at all on the worker suspected of inappropriate behaviour. Concerningly, he also did not class this male as a 'worker', despite him being left alone to manage the shop when it has been open to the public. Mr Kugathas claimed he did not pay this male as he just helped him out at times, but did provide him food and accommodation. This is typical behaviour of an employer who employs illegal workers. Mr Kugathas could not produce any written documentation relating to the Right to Work of any of his other employees.

It is an offence to employ an illegal worker under section 21 of the Immigration, Asylum and Nationality Act 2006, as amended by section 35 of the Immigration Act 2016, if the employer knows or has reasonable cause to believe that they are employing an illegal worker. The employer by law must carry out various checks to ensure that their staff are legally allowed to work.

Where an employer pays wages to illegal workers off record with no tax or national insurance deductions which are then deliberately omitted from an employers End of Tax Year P35 returns to HMRC, the employer may be dealt with by means of the Fraud Act 2006. Similarly, HMRC may take their own action, as a civil proceedings case and raise a tax debt against the business.

Illegal workers are more than likely poorly paid for the hours they are required to work and are not subject to the benefit of a minimum wage or restricted hours as prescribed in law. Nor are they afforded the benefit of the protections offered by UK employment legislation and are therefore often exploited.

Lincolnshire has led the way with how illegal working within licenced premises and its impact on how the crime prevention objective should be viewed. The stated case of East Lindsey District Council v Abu Hanif in 2016 involved an illegal worker in a

Appendix 1 - C

licenced premises in Lincolnshire in April 2014, where a civil penalty was later issued by immigration. The premises licence was reviewed and revoked, an appeal followed which was successful, based on the argument that a civil penalty was not a prosecution and so did not concern the crime prevention objective. East Lindsey District Council then appealed that decision by way of a case stated, arguing that it was not necessary for a crime to have been reported, prosecuted, or established in a court of law for the crime prevention objective to be engaged. That the licensing objectives were prospective and were concerned with the avoidance of harm in the future. Mr Justice Jay upheld the councils appeal, citing defrauding the revenue and exploitation of vulnerable individuals by not paying minimum wage as evidence of the commission of criminal offences, and the fact that the employee could not provide the required paperwork as clear inference that Mr Hanif well knew that he was employing an illegal worker.

During the meeting on the **18th November 2025**, further concerns were raised about Mr Kugathas' lack of understanding of his responsibilities in terms of the Licensing Act 2004 and poor operating practices. He was unable to correctly state what the four licensing objectives were, had no written staff training records, had no incident book, and could not access his own CCTV system to retrieve footage.

Mr Kugathas admitted that he had been selling alcohol without a premises licence during the period from the end of June to the 7th November 2025, but attempted to pass responsibility to the previous licence holder and also his own landlord for this failure and took no personal responsibility. It is an offence under Section 136 of the Licensing Act 2003 to carry on licensable activity on a premises otherwise than under and in accordance with an authorisation.

For the above reasons, the Chief Officer of Police is satisfied the exceptional circumstances of the case are such that granting the application would undermine the prevention of crime and disorder. Accordingly, it is respectfully requested that Licensing Authority reject the application as it is necessary for the promotion of this licensing objective.

In relation to this application, the following **Guidance issued under Section 182 of the Licensing Act 2003** has been considered –

Section 2.1, Licensing authorities should look to the police as the main source of advice on crime and disorder.

Section 2.8, (which is in relation to premises licence holders but relevant) Licence holders have a responsibility to ensure the safety of those using their premises, as part of their duties under the 2003 Act.

Appendix 1 - C

Section 4.61 Every premises licence that authorises the sale of alcohol must specify a DPS. This will normally be the person who has been given day to day responsibility for running the premises by the premises licence holder.

Section 8.101 (in relation to transfer) In exceptional circumstances where the chief officer of police believes the transfer may undermine the crime prevention objective, the police may object to the transfer. The Home Office (Immigration Enforcement) may object if it considers that granting the transfer would be prejudicial to the prevention of illegal working in licensed premises. Such objections are expected to be rare and arise because the police or the Home Office (Immigration Enforcement) have evidence that the business or individuals seeking to hold the licence, or businesses or individuals linked to such persons, are involved in crime (or disorder) or employing illegal workers.

Section 9.12 Each responsible authority will be an expert in their own field...for example the police have a key role in managing the night-time economy.....However, any responsible authority under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations. Licensing Authorities must therefore consider all relevant representations from responsible authorities carefully, even where the reason for a particular responsible authority's interest or expertise in the promotion of a particular objective may not be immediately apparent.

All of the section 11 guidance is based on reviews, but points deemed relevant are:

Section 11.23 states where the premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises

Section 11.24 states a number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises, money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.

Section 11.25 states that in any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives.

Section 11.26 states that the licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.

Appendix 1 - C

Section 11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- for employing a person who is disqualified from that work by reason of their immigration status in the UK.

Section 11.28 states it is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

South Kesteven District Council statement of licensing policy (2021 – 2026)

also raises the following points that are deemed relevant to this application:

4. Licensing Objectives

1.17 In undertaking its licensing function, the Licensing Authority is also bound by other legislation including, but not exclusively:

• Section 17 of the Crime and Disorder Act 1998 – which imposes a duty on every Local Authority to do all that it reasonably can to prevent crime and disorder in its decision-making process.

In relation to the Prevention of Crime and Disorder licensing objective the council policy states :

4.3 In accordance with the Guidance, Police views on matters relating to crime and disorder will be given considerable weight. There are many steps an applicant may make to prevent crime and disorder. The Licensing Authority will look to the Police for the main source of advice on these matters.

Crime and Disorder Act 1998 Section 17

Duty to consider crime and disorder implications.

(1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent,

(a) crime and disorder in its area (including anti-social and other behaviour adversely affecting

the local environment); and

(b) the misuse of drugs, alcohol and other substances in its area, and

(c) re-offending in its area

(2) This section applies to each of the following—

.a local authority

Appendix 1 - C

For and on behalf of Chief Constable P.Gibson

LINCOLNSHIRE POLICE

NOTICE OF OBJECTION TO THE APPLICATION TO TRANSFER A
PREMISES LICENCE
SECTION 42(6) OF THE LICENSING ACT 2003

The Chief Officer of Lincolnshire Police, Paul Gibson, having been notified under Section 42 of the Licensing Act 2003, of the application to transfer the Premises Licence for Alisia Off Licence, Manor Way, Deeping St James and Stores to Kugenthiran Kugathas and being satisfied that the exceptional circumstances of the case are such that granting the application would undermine the crime prevention objective, hereby gives notice of objection.

The grounds for the objection notice are as follows:

Lincolnshire Police have obtained evidence that indicates the management of the premises has been operating it in such a manner that amounts to criminal activity. The events raised within this report suggest that the premises is being poorly managed, with disregard to relevant regulations and legislation.

The premises name on the licence is given as 'Alisia Off Licence and Stores', but trades as Manor Way Superstore. The premises is a general convenience shop located within a housing estate near to both a primary and secondary school.

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When police made enquiries with the individual believed to be the premise licence holder (PLH), they were informed that individual had sold the business at the **end of June 2025** and a new individual had taken it over. At this time, SKDC confirmed that no premises licence transfer or designated premises supervisor (DPS) variation had been received for this premises.

The premises was visited by a SKDC Licensing Officer on the **7th November 2025** and found to have alcohol on sale. The premises were instructed to stop selling alcohol immediately and to remove it from sale, or at least cover it up as they did not have a premises licence.

Later that same day, a police officer attended the premises, which was open to the public, and found large quantities of alcohol still on sale. It is a criminal offence to expose alcohol for sale without a licence under Section 127 of the Licensing Act 2003. The shop worker encountered did not provide their full details to the officer when asked to do so, and the new owner of the shop failed to attend the shop to meet the officer as requested.

Appendix 1 - D

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Mr Kugathas unconvincingly provided the details of the shop worker present during the times of both reported police incidents relating to inappropriate behaviour. He confirmed this was the same male police encountered on the 7th November 2025. Police and Immigration have conducted checks on the details provided but no trace of this male can be found. It is unusual for Immigration not to hold any records, and with the reluctance to provide full details to police by Mr Kugathas and the shop worker himself, this raises suspicion that false details were provided due to this male also being an illegal worker.

Mr Kugathas did not provide police with any confidence that he is correctly checking the Right to Work of any of his employees. To his own admission, he stated that he had not carried out any Right to Work checks at all on the worker suspected of inappropriate behaviour. Concerningly, he also did not class this male as a 'worker', despite him being left alone to manage the shop when it has been open to the public. Mr Kugathas claimed he did not pay this male as he just helped him out at times, but did provide him food and accommodation. This is typical behaviour of an employer who employs illegal workers. Mr Kugathas could not produce any written documentation relating to the Right to Work of any of his other employees.

It is an offence to employ an illegal worker under section 21 of the Immigration, Asylum and Nationality Act 2006, as amended by section 35 of the Immigration Act 2016, if the employer knows or has reasonable cause to believe that they are employing an illegal worker. The employer by law must carry out various checks to ensure that their staff are legally allowed to work.

Where an employer pays wages to illegal workers off record with no tax or national insurance deductions which are then deliberately omitted from an employers End of Tax Year P35 returns to HMRC, the employer may be dealt with by means of the Fraud Act 2006. Similarly, HMRC may take their own action, as a civil proceedings case and raise a tax debt against the business.

Illegal workers are more than likely poorly paid for the hours they are required to work and are not subject to the benefit of a minimum wage or restricted hours as prescribed in law. Nor are they afforded the benefit of the protections offered by UK employment legislation and are therefore often exploited.

Lincolnshire has led the way with how illegal working within licenced premises and its impact on how the crime prevention objective should be viewed. The stated case of East Lindsey District Council v Abu Hanif in 2016 involved an illegal worker in a

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licenced premises in Lincolnshire in April 2014, where a civil penalty was later issued by immigration. The premises licence was reviewed and revoked, an appeal followed which was successful, based on the argument that a civil penalty was not a prosecution and so did not concern the crime prevention objective. East Lindsey District Council then appealed that decision by way of a case stated, arguing that it was not necessary for a crime to have been reported, prosecuted, or established in a court of law for the crime prevention objective to be engaged. That the licensing objectives were prospective and were concerned with the avoidance of harm in the future. Mr Justice Jay upheld the councils appeal, citing defrauding the revenue and exploitation of vulnerable individuals by not paying minimum wage as evidence of the commission of criminal offences, and the fact that the employee could not provide the required paperwork as clear inference that Mr Hanif well knew that he was employing an illegal worker.

During the meeting on the **18th November 2025**, further concerns were raised about Mr Kugathas' lack of understanding of his responsibilities in terms of the Licensing Act 2004 and poor operating practices. He was unable to correctly state what the four licensing objectives were, had no written staff training records, had no incident book, and could not access his own CCTV system to retrieve footage.

Mr Kugathas admitted that he had been selling alcohol without a premises licence during the period from the end of June to the 7th November 2025, but attempted to pass responsibility to the previous licence holder and also his own landlord for this failure and took no personal responsibility. It is an offence under Section 136 of the Licensing Act 2003 to carry on licensable activity on a premises otherwise than under and in accordance with an authorisation.

For the above reasons, the Chief Officer of Police is satisfied the exceptional circumstances of the case are such that granting the application would undermine the prevention of crime and disorder. Accordingly, it is respectfully requested that Licensing Authority reject the application as it is necessary for the promotion of this licensing objective.

In relation to this application, the following **Guidance issued under Section 182 of the Licensing Act 2003** has been considered –

From Section 2.1, Licensing authorities should look to the police as the main source of advice on crime and disorder.

Section 2.8 Licence holders have a responsibility to ensure the safety of those using their premises, as part of their duties under the 2003 Act.

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Section 8.101 (in relation to transfer) In exceptional circumstances where the chief officer of police believes the transfer may undermine the crime prevention objective, the police may object to the transfer. The Home Office (Immigration Enforcement) may object if it considers that granting the transfer would be prejudicial to the prevention of illegal working in licensed premises. Such objections are expected to be rare and arise because the police or the Home Office (Immigration Enforcement) have evidence that the business or individuals seeking to hold the licence, or businesses or individuals linked to such persons, are involved in crime (or disorder) or employing illegal workers.

Section 9.12 Each responsible authority will be an expert in their own field...for example the police have a key role in managing the night-time economy.....However, any responsible authority under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations. Licensing Authorities must therefore consider all relevant representations from responsible authorities carefully, even where the reason for a particular responsible authority's interest or expertise in the promotion of a particular objective may not be immediately apparent.

All of the section 11 guidance is based on reviews, but points deemed relevant are:

Section 11.23 states where the premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises

Section 11.24 states a number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises, money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.

Section 11.25 states that in any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives.

Section 11.26 states that the licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.

Section 11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- for employing a person who is disqualified from that work by reason of their immigration status in the UK.

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Section 11.28 states it is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

South Kesteven District Council statement of licensing policy (2021 – 2026)

also raises the following points that are deemed relevant to this application:

4. Licensing Objectives

1.17 In undertaking its licensing function, the Licensing Authority is also bound by other legislation including, but not exclusively:

- *Section 17 of the Crime and Disorder Act 1998 – which imposes a duty on every Local Authority to do all that it reasonably can to prevent crime and disorder in its decision-making process.*

In relation to the Prevention of Crime and Disorder licensing objective the council policy states :

4.3 In accordance with the Guidance, Police views on matters relating to crime and disorder will be given considerable weight. There are many steps an applicant may make to prevent crime and disorder. The Licensing Authority will look to the Police for the main source of advice on these matters.

Crime and Disorder Act 1998 Section 17

Duty to consider crime and disorder implications.

(1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent,

(a) crime and disorder in its area (including anti-social and other behaviour adversely affecting

the local environment); and

(b) the misuse of drugs, alcohol and other substances in its area, and

(c) re-offending in its area

(2) This section applies to each of the following—

.a local authority

For and on behalf of Chief Constable P.Gibson

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LINCOLNSHIRE POLICE**NOTICE OF OBJECTION TO THE APPLICATION TO VARY A
LICENCE TO SPECIFY INDIVIDUAL AS PREMISES
SUPERVISOR
SECTION 37(5) OF THE LICENSING ACT 2003**

The Chief Officer of Lincolnshire Police, Paul Gibson, having been notified under Section 37 of the Licensing Act 2003, of the application to vary the designated premises supervisor (DPS) for Alisia Off Licence, Manor Way, Deeping St James to Nirusan Sivatharan and being satisfied that the exceptional circumstances of the case are such that granting the application would undermine the crime prevention objective hereby gives notice of objection.

The grounds for the objection notice are as follows:

Lincolnshire Police have concerns that the premises is linked to criminal activity. There are concerns that the current applicant is not genuinely in control of the business and that they are acting on behalf of the previous operator (Kugenthiran Kugathas) who withdrew their application to vary DPS on 3rd December 2025, due to the concerns evidenced by the Police objection.

The concerns with the previous applicant, Mr Kugathas, are summarised as follows; the sale of alcohol otherwise than in accordance with a premises licence (s.136 Licensing Act 2003), inappropriate behaviour by a male shop worker towards females under 16 years old and also intelligence suggesting that sales of alcohol to underage persons were taking place. PC Braithwaite also met with Mr Kugathas at the premises on 18th November 2025 and encountered one male working at the shop who had no right to work in the UK. It is an offence to employ an illegal worker under section 21 Immigration Asylum and Nationality Act 2006 (as amended by section 35 of the Immigration Act 2016.) PC Braithwaite asked Mr Kugathas for details of the worker who was thought to be responsible for the inappropriate behaviour to females. When details were provided it was a Sri Lankan male who came back as no trace following Immigration checks. This is unexplained as an immigration record would be expected.

Appendix A – previous S.37 objection to vary DPS to Kugenthiran Kugathas.
Appendix B – statement of PC 842 Braithwaite.

When PC Braithwaite met with Mr Kugathas on 18th November 2025 he did not mention that the business was about to be sold or handed over to anyone new. It is evident from PC Braithwaite's statement that ownership of the business since June 2025 is unclear. Lincolnshire Police find it suspicious that immediately after the Police objected to both the vary DPS and transfer

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applications, which subsequently saw him withdraw the applications, Mr Kugathas has managed to advertise the business for sale, find a buyer and pass on full responsibility to that third party.

Lincolnshire Police have contacted the applicant's agents – Arka Licensing – to request some evidence of a takeover of the Manor Way Store by way of a lease agreement or similar. Arka Licensing have been emailed and spoken to on the telephone and each time they have assured Police that paperwork is coming. The latest phone call to Arka Licensing was on the morning of 17th December 2025 when the agent told PC Casey that the request for evidence was with the lawyers and that they would chase this up that day.

Later on the 17th December, Arka licensing sent an email with a letter attached. The letter confirms that solicitors have been instructed to handle the sale of the business and lease – it does not confirm completion of the sale and highlights that this process is in the early stages. That letter details the client as Nivethan Sivatharan which is slightly different name to the one on this transfer application.

Appendix C – Arka email and solicitors letter.

In summary Lincolnshire Police are concerned that this latest applicant is actually requesting the variation on behalf of Mr Kugathas who will truly be the person in control of the shop.

Lincolnshire Police respectfully request that this variation application is refused in order to uphold the licensing objectives of the prevention of crime and disorder and the protection of children from harm.

In relation to this application, the following Guidance issued under **Section 182 of the Licensing Act 2003** has been considered –

Section 2.1, Licensing authorities should look to the police as the main source of advice on crime and disorder.

Section 2.8, (which is in relation to premises licence holders is relevant) Licence holders have a responsibility to ensure the safety of those using their premises, as part of their duties under the 2003 Act.

Section 8.101 (in relation to transfer) In exceptional circumstances where the chief officer of police believes the transfer may undermine the crime prevention objective, the police may object to the transfer. The Home Office (Immigration Enforcement) may object if it considers that granting the transfer would be prejudicial to the prevention of illegal working in licensed premises. Such objections are expected to be rare and arise because the police or the Home Office (Immigration Enforcement) have evidence that the business or

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individuals seeking to hold the licence, or businesses or individuals linked to such persons, are involved in crime (or disorder) or employing illegal workers.

Section 9.12, Each responsible authority will be an expert in their own field...for example the police have a key role in managing the night-time economy.....However, any responsible authority under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations. Licensing Authorities must therefore consider all relevant representations from responsible authorities carefully, even where the reason for a particular responsible authority's interest or expertise in the promotion of a particular objective may not be immediately apparent.

Section 11.23 (which is in relation to reviews but deemed relevant) states where the premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

11.24 (which is in relation to reviews but deemed relevant) states a number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises, money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.

Section 11.25 (which is in relation to reviews but deemed relevant) states that in any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives.

Section 11.26 (which is in relation to reviews but deemed relevant) states that the licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.

Section 11.27, (which is in relation to reviews but deemed relevant) There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of licensed premises;

- for employing a person who is disqualified from that work by reason of their immigration status in the UK.

Section 11.28, (which again is in relation to reviews, but deemed relevant) It is envisaged that licensing authorities, the police, the Home Office

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(Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

South Kesteven District Council statement of licensing policy (2021 – 2026) also raises the following points that are deemed relevant to this application:

4. Licensing Objectives

1.17 In undertaking its licensing function, the Licensing Authority is also bound by other legislation including, but not exclusively:

- *Section 17 of the Crime and Disorder Act 1998 – which imposes a duty on every Local Authority to do all that it reasonably can to prevent crime and disorder in its decision-making process.*

In relation to the Prevention of Crime and Disorder licensing objective the council policy states :

4.3 In accordance with the Guidance, Police views on matters relating to crime and disorder will be given considerable weight. There are many steps an applicant may make to prevent crime and disorder. The Licensing Authority will look to the Police for the main source of advice on these matters.

Crime and Disorder Act 1998 Section 17

Duty to consider crime and disorder implications.

(1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent,

(a) crime and disorder in its area (including anti-social and other behaviour adversely affecting

the local environment); and

(b) the misuse of drugs, alcohol and other substances in its area, and

(c) re-offending in its area

(2) This section applies to each of the following—

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.a local authority;

.....

For and on behalf of Chief Constable P.Gibson

18/12/25

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LINCOLNSHIRE POLICE

NOTICE OF OBJECTION TO THE APPLICATION TO TRANSFER A PREMISES LICENCE SECTION 42(6) OF THE LICENSING ACT 2003

The Chief Officer of Lincolnshire Police, Paul Gibson, having been notified under Section 42 of the Licensing Act 2003, of the application to transfer the Premises Licence for Alisia Off Licence, Manor Way, Deeping St James to Nirusan Sivatharan and being satisfied that the exceptional circumstances of the case are such that granting the application would undermine the crime prevention hereby gives notice of objection.

The grounds for the objection notice are as follows:

Lincolnshire Police have concerns that the premises is linked to criminal activity. There are concerns that the current applicant is not genuinely in control of the business and that they are acting on behalf of the previous operator (Kugenthiran Kugathas) who withdrew their application to transfer the premises licence on 3rd December 2025, due to the concerns evidenced by the Police objection.

The concerns with the previous applicant, Mr Kugathas, are summarised as follows; the sale of alcohol otherwise than in accordance with a premises licence (s.136 Licensing Act 2003), inappropriate behaviour by a male shop worker towards females under 16 years old and also intelligence suggesting that sales of alcohol to underage persons were taking place. PC Braithwaite also met with Mr Kugathas at the premises on 18th November 2025 and encountered one male working at the shop who had no right to work in the UK. It is an offence to employ an illegal worker under section 21 Immigration Asylum and Nationality Act 2006 (as amended by section 35 of the Immigration Act 2016.) PC Braithwaite asked Mr Kugathas for details of the worker who was thought to be responsible for the inappropriate behaviour to females. When details were provided it was a Sri Lankan male who came back as no trace following Immigration checks. This is unexplained as an immigration record would be expected.

Appendix A – previous S.42 objection to transfer premises licence to Kugenthiran Kugathas.

Appendix B – statement of PC 842 Braithwaite.

When PC Braithwaite met with Mr Kugathas on 18th November 2025 he did not mention that the business was about to be sold or handed over to anyone new. It is evident from PC Braithwaite's statement that ownership of the business since June 2025 is unclear. Lincolnshire Police find it suspicious that immediately after the Police objected to both the vary DPS and transfer applications, which subsequently saw him withdraw the applications, Mr

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Kugathas has managed to advertise the business for sale, find a buyer and pass on full responsibility to that third party.

Lincolnshire Police have contacted the applicant's agents – Arka Licensing – to request some evidence of a takeover of the Manor Way Store by way of a lease agreement or similar. Arka Licensing have been emailed and spoken to on the telephone and each time they have assured Police that paperwork is coming. The latest phone call to Arka Licensing was on the morning of 17th December 2025 when the agent told PC Casey that the request for evidence was with the lawyers and that they would chase this up that day.

Later on the 17th December, Arka licensing sent an email with a letter attached. The letter confirms that solicitors have been instructed to handle the sale of the business and lease – it does not confirm completion of the sale and highlights that this process is in the early stages. That letter details the client as Nivethan Sivatharan which is slightly different name to the one on this transfer application.

Appendix C – Arka licensing email and solicitor's letter.

In summary Lincolnshire Police are concerned that this latest applicant is actually requesting the transfer on behalf of Mr Kugathas who will truly be the person in control of the shop.

Lincolnshire Police respectfully request that this variation application is refused in order to uphold the licensing objectives of the prevention of crime and disorder and the protection of children from harm.

In relation to this application, the following Guidance issued under **Section 182 of the Licensing Act 2003** has been considered –

Section 2.1, Licensing authorities should look to the police as the main source of advice on crime and disorder.

Section 2.7, (which is in relation to premises licence holders is relevant) Licence holders have a responsibility to ensure the safety of those using their premises, as part of their duties under the 2003 Act.

Section 4.61 Every premises licence that authorises the sale of alcohol must specify a DPS. This will normally be the person who has been given day to day responsibility for running the premises by the premises licence holder.

Section 8.101 (in relation to transfer) In exceptional circumstances where the chief officer of police believes the transfer may undermine the crime prevention objective, the police may object to the transfer. The Home Office (Immigration Enforcement) may object if it considers that granting the transfer would be prejudicial to the prevention of illegal working in licensed premises.

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Such objections are expected to be rare and arise because the police or the Home Office (Immigration Enforcement) have evidence that the business or individuals seeking to hold the licence, or businesses or individuals linked to such persons, are involved in crime (or disorder) or employing illegal workers.

Section 9.12, Each responsible authority will be an expert in their own field...for example the police have a key role in managing the night-time economy.....However, any responsible authority under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations. Licensing Authorities must therefore consider all relevant representations from responsible authorities carefully, even where the reason for a particular responsible authority's interest or expertise in the promotion of a particular objective may not be immediately apparent.

Section 11.23 (which is in relation to reviews but deemed relevant) states where the premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

Section 11.25 (which is in relation to reviews but deemed relevant) states that in any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives.

Section 11.27, (which is in relation to reviews but deemed relevant) There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of licensed premises;

- for employing a person who is disqualified from that work by reason of their immigration status in the UK.

Section 11.28, (which again is in relation to reviews, but deemed relevant) It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

The City of Lincoln Council statement of licensing policy (2024 – 2029) has also been considered and the following points are deemed relevant to this application:

1.15 In undertaking its licensing function, the Licensing Authority will have regard to other legislation, including, but not exclusively:

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· *Anti-Social Behaviour Crime and Policing Act 2014*

· *Immigration Act 2016*

2.3 There are a number of wider issues which may need to be given due consideration when dealing with applications. The Licensing Authority's Licensing Committee may therefore receive and may act upon relevant reports concerning:

· *crime and disorder;*

5.2 Prevention of Crime and Disorder

5.2.2 In addition to the requirement for the Licensing Authority to promote this licensing objective, it also has a duty under Section 17 of the Crime and Disorder Act 1998 to exercise its functions with due regard to the likely effect of the exercise of those functions on, and do all it reasonably can to prevent, crime and disorder in the City.

5.2.4 CCTV remains one of the most effective measures for reducing crime and disorder. The Licensing Authority expects premises that retail alcohol for consumption on or off the premises will have an effective CCTV system installed that operates in compliance with the requirements of Lincolnshire Police.

9.6.5 The statutory prevention of crime and disorder licensing objective in the Licensing Act 2003 includes the prevention of immigration crime and the prevention of illegal working in licensed premises. The licensing authority will work in partnership with the Home Office (Immigration Enforcement) and Lincolnshire Police with a view to preventing illegal working in premises licensed for the sale of alcohol or late night refreshment.

9.6.6 The licensing authority will have regard to any guidance issued by the Home Office in relation to the immigration related provisions now contained in the Licensing Act 2003.

11.2 All decisions, determinations, inspections and enforcement action taken by the Authority will have regard to the relevant provisions of the Licensing Act 2003, national guidance and the enforcement policy of the City Council.

Crime and Disorder Act 1998 Section 17

Duty to consider crime and disorder implications.

(1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent,

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(a) crime and disorder in its area (including anti-social and other behaviour adversely affecting

the local environment); and

(b) the misuse of drugs, alcohol and other substances in its area, and

(c) re-offending in its area

(2) This section applies to each of the following—

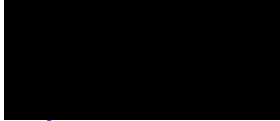
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For and on behalf of Chief Constable P.Gibson

18/12/25

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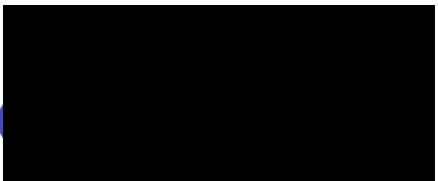
WITNESS STATEMENT				
Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s.9				
	URN			
Statement of:	Katherine Braithwaite			
Age if under 18:	Over 18	Occupation:	Pc 824	
<p>This statement (consisting of 4 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.</p>				
				
Signature:	Date 16/02/2026			

Tick if witness evidence is visually recorded (supply witness details on rear)

On Thursday 12th February 2026 I visited the convenience shop which is now trading as 'Deeping Local', 73 Manor Way, Deeping St James, Lincolnshire, PE6 8PX, in company with Sgt Amy Adams. The shop licenced under premises licence 6944 as 'Alisia Off Licence and Stores'.

On the 18th December 2025, Lincolnshire police submitted an objection to the transfer of the premises licence to a Nirusan Sivatharan, along with an objection to a vary DPS application into the name of the same individual. These had both been received on the 8th December 2025.

The full details regarding the objections are contained within documentation previously submitted to SKDC, but is based around concerns over who is truly in control of the premises.

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Statement of: **Katherine Braithwaite**

The findings from the visit on the 12th February 2026 only add to our concerns regarding the management of the premises.

On arrival at the shop, we were met by a lone male shop worker who I will refer to as Mr A. He stated it was only his third week working at the shop and his fifth shift. Mr A stated he worked part time and did not have his own personal alcohol licence. When asked what training he had received in relation to age restricted products, he worryingly said 'none' but he had been trained on how to use to till. Staff training is conditioned within annex 2 of the premises licence. Mr A confirmed there were no written training records at all on site. When asked questions around an age verification policy the premises used, Mr A did quote the Challenge 25 policy but was unconvincing when asked to explain what he understood in relation to the policy, for example what types of identification could be accepted.

When asked if the premises used a refusals or incident book, Mr A stated they did not exist. It was also noted that the CCTV monitor within the shop displayed cameras that provided no meaningful coverage of the shop and its exterior (*see exhibit KB/02*). Mr A confirmed he has no access at all to the system.

Mr A only knew his employer as 'Niv', who had taken over the shop around 2 months ago, and did not know any further details for him other than his mobile number. He stated that he did not know who else worked at the shop other than 'Niv' and his brother, who he only knew as 'Nish'.

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Statement of: **Katherine Braithwaite**

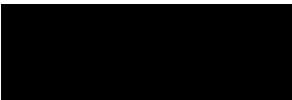
When Mr A was asked further about the hours that he worked, he stressed that was not permitted to work anymore than 16 hours a week but was very vague about the actual hours he worked on what days. For example, he couldn't recall what hours he had worked during recent days and said he had been handed the shop keys that morning, arrived at 0730hrs that morning to open up at 0800hrs, but had no idea who he would be handing over to during the day and at what time. This vagueness felt very strange and gave the impression the premises was disorganised in its operations.

Whilst inspecting some invoices located within the premises, we were concerned to find Booker Cash and Carry invoices in the customer name / company of Mr Kugenthiran Kugathas.

Concerns regarding Mr Kugathas' involvement with the premises have been documented within our previous objection bundles provided to SKDC. Photographs of these invoices were taken (*see exhibit KB/01*), and show that purchases of grocery items, alcohol and tobacco products were made using the account of Mr Kugathas on three occasions, on the dates of 28th December 2025, 13th and 26th January 2026.

It was interesting to see that Mr Sivatharan has clearly got his own Bookers account which is linked to the premises, and has used it to purchase products and invoices dated the 11th, 17th, 21st and 23rd January 2026 evidence this (*see exhibit KB/01*).

A further invoice for Bestway Wholesale was photographed for a purchase of grocery items, alcohol and tobacco products on the 10th January 2026 in the customer name of Mr Kugathas

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Statement of: **Katherine Braithwaite**

with the customer account address of 73 Manor Way Superstores, PE6 8PX (see exhibit KB/03).

Two unopened letters addressed to Mr Kugathas were also photographed at the premises (see exhibit KB/01 page 10).

These findings support the concern that Mr Kugathas still is involved with the premises.

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Licensing

Our Ref: 043559

Please ask for: Licensing Team

Date: 17th February 2026

Telephone Number: 01476 406080

Dear Sir/Madam,

Alcohol and Entertainment Licensing Committee Hearing Decision Premises Manor Way Superstore,

I refer to the application you made for transfer and vary designated premise supervisor and the subsequent committee hearing. I enclose a copy of the Committee's decision the minutes will follow.

Decision – Manor Way Superstore, 73 Manor Way, Deeping St James.

The Committee have read all the paperwork before them. They have heard from the Licensing Officer and Lincolnshire Police. The applicant did not attend despite this being an adjourned hearing to allow them to attend.

Lincolnshire Police presented their application as set out in their evidence pack. This detailed issues with the previous licence holder and the relationship that they have with the current applicant. No evidence has been provided of any genuine transfer to the current applicant. Further the police visited the premises on 12th February 2026 and found evidence that both the previous licence holder and current applicant had accounts at a cash and carry which had both been used throughout January. Evidence provided also shows the previous premises licence holder still receiving post at the premises and discussions with a worker at the premises also indicated both people were involved in the running of the business.

The Committee considered all options available to them. They considered whether there are any additional conditions that could be included but were of the view that there were no conditions which would adequately address their concerns.

The Committee considered whether it was appropriate to remove a licensable activity from the licence but noting as there was only one licensable activity on the licence this would have the same effect as revoking the licence.

The Committee having considered the information before them were of the view that there was no evidence that proved the transfer was a legitimate transfer and the previous licence holder

still was involved at the premises. The Committee were also deeply concerned about the lack of cooperation and communication from the applicant. With this in mind the committee decided to reject both the application for the transfer of the licence and for the variation of the DPS as it was appropriate for the promotion of the crime prevention licensing objective.

There is a right of appeal to the Magistrates' Court within 21 days of the licence decision being received.

There is a right of appeal against the Committee's decision to a Magistrate's court within 21 days from the date of this notification. The address to appeal against a decision is:

The Clerk to Lincolnshire Magistrates
Justices' Clerk's Office
Lincolnshire Magistrates' Court
358 High Street
Lincoln
LN5 7QA

Tel: 01522 528218

I take this opportunity to remind you that should a responsible authority or interested party consider that the operation of the premises is failing to comply with any of the four licensing objectives they may apply to the licensing authority for the licence to be reviewed.

The four licensing objectives are as follows

The Prevention of Crime and Disorder
Public Safety
Prevention of Public Nuisance
Protection of Children from Harm.

If we can be of any further assistance please don't hesitate to contact the Licensing Team on 01476 406190.

Yours faithfully



Chris Clarke
Licensing Officer

By virtue of paragraph(s) 1, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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LINCOLNSHIRE POLICE**NOTICE OF OBJECTION TO THE APPLICATION TO VARY A LICENCE TO SPECIFY INDIVIDUAL AS PREMISES SUPERVISOR SECTION 37(5) OF THE LICENSING ACT 2003**

The Chief Officer of Lincolnshire Police, Paul Gibson, having been notified under Section 37 of the Licensing Act 2003, of the application to vary the designated premises supervisor (DPS) for Alisia Off Licence, Manor Way, Deeping St James to Nirusan Sivatharan and being satisfied that the exceptional circumstances of the case are such that granting the application would undermine the crime prevention objective hereby gives notice of objection.

The grounds for the objection notice are as follows:

Lincolnshire Police submitted an objection to a previous DPS application to Nirusan Sivatharan only a couple months ago, on the 18th December 2025, along with an objection to Nirusan Sivatharan transferring the premises licence into his name. **See appendices A and B for Police objections and C for supporting statement of Pc Braithwaite.**

A hearing was set for 1000hrs on the 20th January 2026, however at 1618hrs on the 19th January 2026, Nirusan Sivatharan's agent notified SKDC Licensing that he could not attend, and requested it was postponed. Police and Committee members met as planned, but it was decided by the Committee that the hearing would be adjourned to 1045hrs on the 17th February 2026. SKDC informed the agent of this the same day.

Police and Committee members met once again on the 17th February 2026 but at 1044hrs SKDC Licensing received an email from the agent stating once again, they would not be attending the hearing. The hearing was held in their absence, and the Committee made the decision to reject both the premises licence transfer and the DPS variation application. The agent was provided with the decision notice by SKDC on the same day. **See appendix D for decision notice.**

The Police are now extremely surprised to receive another DPS variation application on the 24th February 2026 to Nirusan Sivatharan once again, alongside a premises licence transfer application into his brother Nivethan Sivatharan's name. These applications were once again submitted without any prior consultation with the police.

With only 7 days passing since the Committee's decision to reject both applications, the police feel they have absolutely no choice but to object again to this new application. The Police would argue that if the applicant was

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unhappy with the decision made at hearing, they should have initiated their right of appeal rather than simply submit yet another duplicate DPS vary application. The police can only imagine that this is a tactic deployed to avoid appeal costs.

It is believed that the applicant may argue that now his brother Nivethan Sivatharan has applied to take responsibility as the premises licence holder, this strengthens Nirusan's application. If this is the case, the Police do not agree.

Lincolnshire Police's position remains the same in that despite best efforts, no evidence of a genuine takeover from the previous applicant Mr Kugathas had been provided. The Committee shared this concern at hearing on the 17th February 2026. The police previously objected to Mr Kugathas' vary DPS and transfer applications, and he subsequently withdrew the applications. Lincolnshire Police outlined in their objections that they had concerns regarding illegal working and inappropriate sexual behaviour towards young females under 16 years old. Following the withdrawal of these applications, the new applications to Nirusan Sivatharan were then immediately received by SKDC which raised concern that the new applicant was acting on behalf of Mr Kugathas, and was not truly in control. **See appendices E and F for Police objections and G for supporting statement of Pc Braithwaite.**

It was only just prior to the last hearing and on the 13th February 2026 that the Police were actually informed by the agent that Nirusan's brother Nivethan was involved with the 'family' business. The Police raised questions around why this information had not previously been disclosed to them. This disclosure then proved his direct link to the premises and the concerns they held.

Police checks carried out on Nivethan further question his suitability to be a licence holder. This information has been provided within **Appendix H** and the Police request this is heard in private session.

During a Police visit on the 12th February 2026, the staff member working had described his boss as being a male called 'Niv' (now assumed Nivethan Sivatharan), and issues were highlighted in respect of how the premises was being run and the lack of staff training, which would be deemed a breach of their licence conditions. Paperwork was also photographed from utility companies and wholesalers indicating that Mr Kugathas was still involved in the business.

Lincolnshire Police respectfully request that this variation application is refused in order to uphold the licensing objectives of the prevention of crime and disorder and the protection of children from harm.

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In relation to this application, the following Guidance issued under **Section 182 of the Licensing Act 2003** has been considered –

Section 2.1, Licensing authorities should look to the police as the main source of advice on crime and disorder.

Section 2.8, (which is in relation to premises licence holders is relevant) Licence holders have a responsibility to ensure the safety of those using their premises, as part of their duties under the 2003 Act.

Section 8.101 (in relation to transfer) In exceptional circumstances where the chief officer of police believes the transfer may undermine the crime prevention objective, the police may object to the transfer. The Home Office (Immigration Enforcement) may object if it considers that granting the transfer would be prejudicial to the prevention of illegal working in licensed premises. Such objections are expected to be rare and arise because the police or the Home Office (Immigration Enforcement) have evidence that the business or individuals seeking to hold the licence, or businesses or individuals linked to such persons, are involved in crime (or disorder) or employing illegal workers.

Section 9.12, Each responsible authority will be an expert in their own field...for example the police have a key role in managing the night-time economy.....However, any responsible authority under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations. Licensing Authorities must therefore consider all relevant representations from responsible authorities carefully, even where the reason for a particular responsible authority's interest or expertise in the promotion of a particular objective may not be immediately apparent.

Section 11.23 (which is in relation to reviews but deemed relevant) states where the premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

11.24 (which is in relation to reviews but deemed relevant) states a number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises, money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.

Section 11.25 (which is in relation to reviews but deemed relevant) states that in any case, it is for the licensing authority to determine whether the problems

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associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives.

Section 11.26 (which is in relation to reviews but deemed relevant) states that the licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.

Section 11.27, (which is in relation to reviews but deemed relevant) There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of licensed premises;

- for employing a person who is disqualified from that work by reason of their immigration status in the UK.

Section 11.28, (which again is in relation to reviews, but deemed relevant) It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

South Kesteven District Council statement of licensing policy (2021 – 2026) also raises the following points that are deemed relevant to this application:

4. Licensing Objectives

1.17 In undertaking its licensing function, the Licensing Authority is also bound by other legislation including, but not exclusively:

- Section 17 of the Crime and Disorder Act 1998 – which imposes a duty on every Local Authority to do all that it reasonably can to prevent crime and disorder in its decision-making process.*

In relation to the Prevention of Crime and Disorder licensing objective the council policy states :

4.3 In accordance with the Guidance, Police views on matters relating to crime and disorder will be given considerable weight. There are many steps an applicant may make to prevent crime and disorder. The Licensing Authority will look to the Police for the main source of advice on these matters.

Crime and Disorder Act 1998 Section 17

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Duty to consider crime and disorder implications.

(1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent,

(a) crime and disorder in its area (including anti-social and other behaviour adversely affecting

the local environment); and

(b) the misuse of drugs, alcohol and other substances in its area, and

(c) re-offending in its area

(2) This section applies to each of the following—

.a local authority

.....

For and on behalf of Chief Constable P.Gibson

05/03/26

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LINCOLNSHIRE POLICE**NOTICE OF OBJECTION TO THE APPLICATION TO TRANSFER A PREMISES LICENCE SECTION 42(6) OF THE LICENSING ACT 2003**

The Chief Officer of Lincolnshire Police, Paul Gibson, having been notified under Section 42 of the Licensing Act 2003, of the application to transfer the Premises Licence for Alisia Off Licence, Manor Way, Deeping St James to Nivethan Sivatharan and being satisfied that the exceptional circumstances of the case are such that granting the application would undermine the crime prevention hereby gives notice of objection.

The grounds for the objection notice are as follows:

Lincolnshire Police submitted an objection to a previous transfer application to Nivethan Sivatharan's brother, Nirusan Sivatharan only a couple months ago, on the 18th December 2025, along with an objection to a DPS variation to Nirusan Sivatharan. **See appendices A and B for Police objections and C for supporting statement of Pc Braithwaite.**

At hearing on the 17th February 2026, the Committee made the decision to reject both the premises licence transfer and the DPS variation application. **See appendix D for decision notice.**

This new transfer application was received by the Police on the 26th February 2026, only 9 days after the decision made by Committee. In addition to this objection, Lincolnshire Police have submitted an objection to a vary DPS application received on the 24th February 2026 to Nirusan. **See appendix I.** The police have suggested that this application has been submitted to strengthen Nirusan's application. If this is the case, the police do not agree.

It was only just prior to the last hearing and on the 13th February 2026 that the Police were actually informed by the agent that Nirusan's brother Nivethan was involved with the 'family' business. The Police raised questions around why this information had not previously been disclosed to them. This disclosure then proved his direct link to the premises and the concerns they held.

Police checks carried out on Nivethan question his suitability to be a licence holder. This information has been provided within **Appendix H** and the Police request this is heard in private session.

During a police visit on the 12th February 2026, the staff member working had described his boss as being a male called 'Niv' (now assumed Nivethan Sivatharan), and issues were highlighted in respect of how the premises was being run and the lack of staff training, which would be deemed a breach of

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their licence conditions. Paperwork was also photographed from utility companies and wholesalers indicating that Mr Kugathas was still involved in the business.

Lincolnshire Police's position remains the same in that despite best efforts, no evidence of a genuine takeover from the previous applicant Mr Kugathas had been provided. The Committee shared this concern at hearing on the 17th February 2026. The police previously objected to Mr Kugathas' vary DPS and transfer applications, and he subsequently withdrew the applications. Lincolnshire Police outlined in their objections that they had concerns regarding illegal working and inappropriate sexual behaviour towards young females under 16 years old. Following the withdrawal of these applications, the applications to Nirusan Sivatharan were then immediately received by SKDC which raised concern that the new applicant was acting on behalf of Mr Kugathas, and was not truly in control. **See appendices E and F for Police objections and G for supporting statement of Pc Braithwaite.**

Lincolnshire Police respectfully request that this variation application is refused in order to uphold the licensing objectives of the prevention of crime and disorder and the protection of children from harm.

In relation to this application, the following Guidance issued under **Section 182 of the Licensing Act 2003** has been considered –

Section 2.1, Licensing authorities should look to the police as the main source of advice on crime and disorder.

Section 2.7, (which is in relation to premises licence holders is relevant) Licence holders have a responsibility to ensure the safety of those using their premises, as part of their duties under the 2003 Act.

Section 4.61 Every premises licence that authorises the sale of alcohol must specify a DPS. This will normally be the person who has been given day to day responsibility for running the premises by the premises licence holder.

Section 8.101 (in relation to transfer) In exceptional circumstances where the chief officer of police believes the transfer may undermine the crime prevention objective, the police may object to the transfer. The Home Office (Immigration Enforcement) may object if it considers that granting the transfer would be prejudicial to the prevention of illegal working in licensed premises. Such objections are expected to be rare and arise because the police or the Home Office (Immigration Enforcement) have evidence that the business or individuals seeking to hold the licence, or businesses or individuals linked to such persons, are involved in crime (or disorder) or employing illegal workers.

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Section 9.12, Each responsible authority will be an expert in their own field...for example the police have a key role in managing the night-time economy.....However, any responsible authority under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations. Licensing Authorities must therefore consider all relevant representations from responsible authorities carefully, even where the reason for a particular responsible authority's interest or expertise in the promotion of a particular objective may not be immediately apparent.

Section 11.23 (which is in relation to reviews but deemed relevant) states where the premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

Section 11.25 (which is in relation to reviews but deemed relevant) states that in any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives.

Section 11.27, (which is in relation to reviews but deemed relevant) There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of licensed premises;

- for employing a person who is disqualified from that work by reason of their immigration status in the UK.

Section 11.28, (which again is in relation to reviews, but deemed relevant) It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

The City of Lincoln Council statement of licensing policy (2024 – 2029) has also been considered and the following points are deemed relevant to this application:

1.15 In undertaking its licensing function, the Licensing Authority will have regard to other legislation, including, but not exclusively:

- Anti-Social Behaviour Crime and Policing Act 2014*
- Immigration Act 2016*

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2.3 There are a number of wider issues which may need to be given due consideration when dealing with applications. The Licensing Authority's Licensing Committee may therefore receive and may act upon relevant reports concerning:

· crime and disorder;

5.2 Prevention of Crime and Disorder

5.2.2 In addition to the requirement for the Licensing Authority to promote this licensing objective, it also has a duty under Section 17 of the Crime and Disorder Act 1998 to exercise its functions with due regard to the likely effect of the exercise of those functions on, and do all it reasonably can to prevent, crime and disorder in the City.

5.2.4 CCTV remains one of the most effective measures for reducing crime and disorder. The Licensing Authority expects premises that retail alcohol for consumption on or off the premises will have an effective CCTV system installed that operates in compliance with the requirements of Lincolnshire Police.

9.6.5 The statutory prevention of crime and disorder licensing objective in the Licensing Act 2003 includes the prevention of immigration crime and the prevention of illegal working in licensed premises. The licensing authority will work in partnership with the Home Office (Immigration Enforcement) and Lincolnshire Police with a view to preventing illegal working in premises licensed for the sale of alcohol or late night refreshment.

9.6.6 The licensing authority will have regard to any guidance issued by the Home Office in relation to the immigration related provisions now contained in the Licensing Act 2003.

11.2 All decisions, determinations, inspections and enforcement action taken by the Authority will have regard to the relevant provisions of the Licensing Act 2003, national guidance and the enforcement policy of the City Council.

Crime and Disorder Act 1998 Section 17

Duty to consider crime and disorder implications.

(1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent,

(a) crime and disorder in its area (including anti-social and other behaviour adversely affecting

the local environment); and

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(b) the misuse of drugs, alcohol and other substances in its area, and

(c) re-offending in its area

(2) This section applies to each of the following—

.a local authority

.....

For and on behalf of Chief Constable P.Gibson

18/12/25

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**South Kesteven District Council
Council Offices
St Peters Hill
Grantham
Lincolnshire
NG31 6PZ**

Premises licence summary

Premises licence number	6944
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Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Alisia Off Licence and Stores 73 Manor Way	
Post town	Post code
Deeping St James Lincolnshire	PE6 8PX
Telephone number	

Where the licence is time limited the dates
--

Licensable Activities authorised by the licence
Sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities
Sale by retail of alcohol
06.00 to 22.00 Monday to Sunday

The opening hours of the premises

06.00 to 22.00 Monday to Sunday

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Off the premises

Name of holder of premises licence

Veluppillai Alvappillai

Registered number of holder, for example company number, charity number (where applicable)

Name of designated premises supervisor where the premises licence authorises the supply of alcohol

Veluppillai Alvappillai

State whether access to the premises by children is restricted or prohibited



GRANTED
SOUTH KESTEVEN DISTRICT COUNCIL
Date: 27 May 2020

**South Kesteven District Council
Council Offices
St Peters Hill
Grantham
Lincolnshire
NG31 6PZ**

Premises licence number 6944

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description

Alisia Off Licence and Stores
73 Manor Way

Post town	Deeping St James Lincolnshire	Post code	PE6 8PX
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Telephone number

Where the licence is time limited the dates

Licensable activities authorised by the licence

Sale by retail of alcohol

The times the licence authorise the carrying out of licensable activities

Sale by retail of alcohol
06.00 to 22.00 Monday to Sunday

The opening hours of the premises

06.00 to 22.00 Monday to Sunday

Where the licence authorise supplies of alcohol whether these are on and/or off supplies

Off the premises

Part 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

Veluppillai Alvappillai
23 King Henry Chase
Bretton
Peterborough
PE3 9XE

Registered number of holder, for example company number, charity number (where applicable)

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Veluppillai Alvappillai
23 King Henry Chase
Bretton
Peterborough
PE3 9XE

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

110852 – Peterborough City Council

Annex 1 – Mandatory conditions

**Alisia Off Licence and Stores
73 Manor Way
Deeping St James
Lincolnshire
PE6 8PX**

Supply of alcohol

1. No supply of alcohol shall be made under this Premises Licence at a time:
 - a) When there is no designated supervisor in respect of the Premises Licence
 - b) When the designated premises supervisor does not hold a personal licence or his or her personal licence is suspended.
2. Every supply of alcohol under the Premises Licence shall be made or authorised by a person who holds a personal licence.

SCHEDULE Mandatory Licensing Conditions

- (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

Mandatory condition preventing the sale or supply of alcohol below the permitted price.

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

- (b) “permitted price” is the price found by applying the formula:-
 $P = D + (D \times V)$ where:-
P is the permitted price,
- i) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - ii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence:-
- i) the holder of the premises licence,
 - ii) the designated premises supervisor (if any) in respect of such a licence, or
 - iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the Operating Schedule

Alisia Off Licence and Stores
73 Manor Way
Deeping St James
Lincolnshire
PE6 8PX

Steps Taken To Promote the Licensing Objectives

a) General - all four licensing objectives (b,c,d,e)

- Appropriate signs at the door e.g. proof of age for the purchase of certain goods may be required
- Staff training e.g. what is acceptable proof of age identification.
- Participation in the use of the district's radio link scheme.
- We liaise with the local CPO Officer on a weekly or fortnightly basis. The shop is situated within a friendly neighbourhood.

b) The prevention of crime and disorder

- Membership of schemes
- Participation in the use of radio link scheme
- The area of Deeping St James has a low crime rate

c) Public safety

- Safe use of equipment and effects
- Staff training e.g. fire safety training
- Areas outside the shop are kept clean and tidy and free from hazards

d) The prevention of public nuisance

- Consider design and layout of the premises etc.
 - The neighbourhood where the shop is situated is very friendly.
- We do not have problems with anti-social crowds gathering outside the shop.

e) The protection of children from harm

- Management and staff training signs as appropriate
- My staff are well trained and they will not sell alcohol, solvents or cigarettes to under 16s.

Annex 3 – Conditions after a Hearing

**Alisia Off Licence and Stores
73 Manor Way
Deeping St James
Lincolnshire
PE6 8PX**

Conditions attached after a hearing by the licensing authority

(Date of Hearing)

(Committee Report No)

Annex 4 – Plans

**Alisia Off Licence and Stores
73 Manor Way
Deeping St James
Lincolnshire
PE6 8PX**

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