

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 ✓

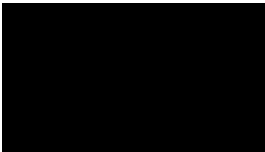
yes

- 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.