

Alcohol, Entertainment & Late Night Refreshment Licensing Committee



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Monday, 15 December 2025 at 10.00 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, Councillor Susan Sandall and Councillor Elvis Stooke

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 11 November 2025** (Pages 3 - 19)
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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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: Review of Premise Licence - Nisa Local (Shiv Sakthi UK Ltd), 12 High Street, Billingborough, Lincolnshire NG34 0QA** (Pages 21 - 357)
Hearing to determine an application for the review of a premises licence.
6. **Any other business which the Chairman, by reason of special circumstances, decides is urgent.**

Minutes

Alcohol, Entertainment & Late Night Refreshment Licensing Committee

Tuesday, 11 November 2025



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Committee members present

Councillor Robert Leadenhams (Vice-Chairman)
Councillor Pam Bosworth
Councillor Jane Kingman
Councillor Rhea Ryside
Councillor Susan Sandall
Councillor Elvis Stooke

Officers

Elizabeth Reeve, Chris Clarke, Licensing Officers
Heather Green, Licensing Manager
Kim Robertson, Legal Advisor (LSL)
Lucy Bonshor, Democratic Officer

35. Apologies for absence

Apologies for absence were received from Councillor Harrish Bisnauthsing, Councillor Helen Crawford, Councillor Patsy Ellis, Councillor Paul Fellows and Councillor Philip Knowles.

36. Disclosures of interests

None disclosed.

37. Minutes of the meeting held on 28 October 2025

The minutes of the meeting held on 28 October 2025 were proposed, seconded and agreed.

Adjournment

The Vice-Chairman who was presiding over the meeting stated that due to the large amount of last minute documentation that had been submitted, the meeting would be adjourned until 11:05 to allow the Committee to read the information supplied.

A two minute silence took place at 11:00am.

Meeting adjourned between 10:15 – 11:05.

38. Exclusion of Press and Public

The Legal Advisor asked those present whether the Committee needed to go into private session. It was agreed with those present that the meeting could remain public.

39. Licensing Act 2003: Review of Premise Licence - Todays Express, 50 Kesteven Road, Stamford, Lincolnshire PE9 1SU

Decision

To revoke the Premise Licence for the premises known as Todays Express, 50 Kesteven Road, Stamford PE91SU.

The Vice-Chairman introduced those present and confirmed who was to speak in connection with the Review before the Committee.

Lincolnshire Police representative was Sergeant Amy Adams also present from Lincolnshire Police were PC Kat Braithwaite and PC Rebeka Casey.

Home Office Immigration representative was Stacey Donnelly also present from Home Office Immigration was Rebecca Fortune.

Premises Licence Representative was Duncan Craig Barrister also present was the Premise Licence Holder (PLH) Arumugam Kalamohan, Ian Rushton, JL Licensing and Jon Jones, RJJ Consultancy and Rosil Stanislaus interpreter.

The Licensing Officer presented the report which concerned a review of the premise licence for Todays Express, Stamford which had been received from Lincolnshire Police in August 2025. The application for the review related to the licensing objective of the Prevention of Crime and Disorder. The Police advised that they had obtained evidence which indicated that the management of the premises were operating in such a manner that amounts to criminal activity and thus undermines the licensing objective. Activity included:

- Evidence of illegal workers on the premises

- Breach of the annex 2 and annex 3 premises licence conditions relating to staff operation of the CCTV, out of date DPS Authority list, lack of required signage, right to work documentation, staff training logs and incident and refusal recordings. Offences under the Price Marking Order Act 2004
- The sale and display of equipment within the shop that could be used to prepare and smoke illegal drugs.

During the consultation period a representation was received from the Home Office in September 2025 supporting the Police's application that the PLH was not taking suitable measures to prevent crime and disorder. Their representation included evidence of a visit made in October 2023 whereby an individual was located on the premises who subsequently had no right to work in the UK. No other comments from members of the public or other responsible authorities were made.

The current Premise Licence permitted the sale of alcohol off the premises from 06:00 to 00:00 Monday to Sunday, with the same hours for opening. The Premise Licence was granted in November 2013 to Arumugam Kalamohan who was the Premises Licence Holder (PLH) but not the named Designated Premise Supervisor (DPS).

In July 2023 an application was submitted for Arumugan Kalamohan to be the named DPS on the licence which was still current.

The Licensing Officer then referred to the previous history of enforcement action that had taken place at the premise.

- In May 2020 Lincolnshire Police submitted a review of the Premise Licence. Arumugam Kalamohan was both the Premises Licence Holder and the DPS at the time of the review. The decision notice and minutes were contained within Appendix 1 of the documents supplied by the Police as part of their representation. The review centred around evidence obtained that there was an illegal worker found at the premises and that there had been non-compliance in regard to the Annex 2 premises Licence conditions relating to the operation of the CCTV and insufficient or missing paperwork to do with staff training and a refusal/incident log.

The Committee had determined to modify the Premise Licence conditions at the Review which included adding conditions relating to the training and refresher training of staff on age restricted product sales and refusals, carrying out the necessary checks for employees right to work in the UK and the retention of such documentation and training logs. These conditions were part of Annex 3 of the current Premises Licence.

The Committee were reminded that each application should be determined on its own merits and the Committee should take such steps as they consider appropriate for the promotion of the licensing objectives as outlined in Licensing Act 2003 at section 167(6).

The Committee may;

- Modify the conditions of the licence
- Exclude a licensable activity from the licence (although as the licence only permits one licensable activity excluding this would render it void);
- Remove the designated premises supervisor;
- Suspend the licence for a period not exceeding 3 months; or
- Revoke the licence.

There were no questions for the Licensing Officer from those parties present.

Sergeant Adams from Lincolnshire Police then made their representation. The Review had been requested on the grounds that the Police had evidence that indicated that the management of the premises were operating in such a manner that amounted to criminal activity and was undermining the licensing objective of the Prevention of Crime and Disorder as well as clear evidence of non-compliance with the conditions as set out in the Premise licence.

Mr Kalamohan had been the PLH since 2013. The Premise had previously been reviewed in 2020. The review had been initiated by Lincolnshire Police following a visit made by the Police and Immigration Officers in March 2020. During the visit an illegal working was encountered. In addition to this two persons were located in the staff accommodation area with no right to work who were believed to be workers at the premises together with various non-compliant issues in respect of the premise licence. The Committee's decision at the time was to modify the licence to include more stringent conditions relating to staff training and refresher training, checks and recording of employees right to work (Appendix B within Appendix 1 to the report contained details of the decision and minutes of the meeting).

It was noted that the £10,000 penalty issued in relation to the illegal working discovered in 2020 remained outstanding and had been referred to a third party debt collection agency. Although this penalty was not issued to Mr Kalamohan personally, the business at the time was under his control.

The premises under review had been visited by the Police on three separate occasions over the last two years and consistent issues had been encountered during every visit. Mr Kalamohan had held the position of DPS during this period.

Sergeant Adams then highlighted issues that had been encountered.

In October 2023 during a visit accompanied by Immigration Officers an illegal worker was encountered together with non-compliance of conditions including CCTV, DPS authority, right to work documentation and staff training. Immigration officers referred the case to the Home Office Civil Penalty Compliance Team for a civil penalty to be issued, however no further action was taken. It was confirmed at the time that the worker encountered was working without the

correct right to work entitlement which did amount to a crime. Appendices F and G of Appendix 1 contained statements and images taken at the time.

In November 2024 a Police inspection was carried out and various non-compliance of conditions of the Premise licence were found. These related to CCTV, DPS authority, incident and refusals recording, signage, right to work documentation and staff training. Members were referred to Appendix H of Appendix 1. An email was forwarded to Mr Kalamohan asking that urgent action was taken to address the issues found by the Police, no acknowledgment about the concerns raised was received by the Police. Members were referred to Appendix I for details of the email and the breach of conditions found.

A further Police inspection was carried out in June 2025 were once again non-compliance with conditions relating to CCTV, DPS authority, incident and refusals recording, location of spirits, shop signage, right to work documentation and staff training were discovered. Concern were also raised in respect of the sale of equipment used to prepare and smoke illegal drugs, along with the sale of "Poppers" a product commonly used as a recreation drug. Members were referred to Appendices J & K of Appendix 1 for detailed statements and images taken.

It was noted that during visits carried out in 2023 and 2025 quantities of non-priced alcohol were witnessed which was an offence under the Price Marking Order Act 2004 and images were appended to the report showing this.

The Police then spoke about the employment of illegal workers and stated that an employer by law must carry out various checks to ensure that their staff were legally allowed to work.

Sergeant Adams then made reference to the non-compliance that had been found at the premise and the lack of compliance in respect of training records incomplete right to work checks amongst other issues such as lack of signage and non-compliance with Annex 3 conditions on the Premise Licence which were offences under Section 125 of the Licensing Act 2003 which had been added at the Review which had taken place in 2020. It was stated that the Licensing Objectives were not being upheld and were being continually breached.

Sergeant Adams then spoke of the lack of price marking as required by the Price Marking Order Act 2004 which had been found on visits to the premise.

Reference was made to other premises owned by Mr Kalamohan located in Grantham and Caistor at which illegal workers had been found present and where Premise licences had been revoked.

The Police felt that the PLH appeared to have a total disregard in respect of what was expected of him and his employees and the promotion of the licensing objectives which the Police felt that Mr Kalamohan was continually undermining which was a major concern for the Police who felt that this was not due to lack of understanding and asked the Committee to consider revocation of the Premises Licence. Reference was made to the Revised Guidance issued under Section

182 of the Licensing Act 2003 particularly sections: 11.23, 11.24, 11.25, 11.26, 11.27 and 11.28.

Sergeant Adams then spoke in respect of the Independent Audit that had been carried out on the same day that the Police had visited (07.11.25) by RJJ Consultancy, querying who had been present at the time of the audit, that records were still incomplete, right to work checks could not be accessed and refresher training logs had not been completed since September 2024. Concern was also expressed in respect of some of the material for sale which although not illegal it was felt did not promote the licensing of objectives.

The Police felt that Annex 2 conditions were being breached in respect to the sale and location of the some of the alcohol situated in the shop. The Police had found that following their visit the premises was only partially compliant and there were continued issues with the premise which the Police felt were not "minor clerical issues". Issues at the premises had been going on over a long period of time, the licensing objectives were not being promoted by the Mr Kalamohan and the licensing objectives of the Prevention of Crime and Disorder were being undermined. The management of the premises was not sufficient and the Police requested the Committee to seriously consider revocation of the Premise Licence.

During questions to the Police the PLH Representative, Duncan Craig asked questions in respect of the civil penalty fine which was not served on Mr Kalamohan, also the visits that had been undertaken at the premises and the people present together with conditions imposed in 2020.

The Immigration Officer, Stacey Donnelly, made her representation to the Committee, referencing the illegal worker discovered at the premises in October 2023. During her presentation, reference was made to the worker who claimed they were not employed at the premises but had helped with stacking shelves and watched over the shop while the staff took breaks even though they were the only person present at the time of the visit. The illegal worker had identified Mr Kalamohan as "the boss" and that he provided food and accommodation for the worker. It was important to note that the person was not allowed to work in the UK and reference was made to the use of illegal workers who were often paid below minimum wage, did not pay NI and did not have the rights that legal employees had. It was felt that revocation of the Premises Licence would be a proportionate measure.

During questions Duncan Craig made reference to the high thresholds that were in place in respect of any prosecution in respect of illegal workers and that there had not been enough evidence for a prosecution to take place by the Civil Penalty Team. It was confirmed that no further action took place.

Duncan Craig on behalf of the Premises Licence Holder made their representation. Reference was made to the overarching principals in respect of the Licensing Act 2003 and South Kesteven District Council's Licensing Policy

together with the 182 Guidance issued. Each case should be looked at on its own merits. Mr Kalamohan had held a licence over a 12 year period.

Mr Craig then referred to the visits that had been undertaken and that following the visit in October 2023 no further action had been taken by Immigration enforcement and therefore limited weight should be attached to this. He then spoke about the visit in November 24 and the visit in June 25 and the number of alleged breaches found. He questioned whether the spirits that had been referred to within the papers were “proper” spirits. He also made reference to Section 136 and offences under this section in respect of licensable activity that the Police had raised and felt that he couldn’t see that a criminal offence had taken place and stated that it wasn’t legally correct. There did not have to be a conviction for crime and disorder to be engaged.

It was stated that the comprehensive report undertaken had demonstrated an improved position at the premises and the audit that had taken place stated that the premise was overall compliant. The Police had acknowledged an improved position but that the premise was not fully compliant. Mr Craig then highlighted paragraphs within the audit document and the overall conclusion that there was a commendable commitment to adhering to conditions with upcoming training scheduled to be undertaken. It was felt that the breaches highlighted by the Police were minor breaches and that any decision had to be appropriate and proportionate and revocation was not appropriate or proportionate.

During questions it was stated that the sprits that had been referenced were still alcohol. The Police made reference to Section 136 offences and that the Police had to undertake due diligence in respect of the Licensing Act 2003. The inability of the person present to show right to work checks on request which was a condition to be provided on request when the police visited in November 2024. How many staff were actually present during the time of the audit; records were not up to date when the Police had visited.

Discussion followed in respect of how many days the PLH was in the premise and where he resided and the hours that he worked in the premise. The sale of certain products in the premise were not illegal and nothing suggested that they contributed to any drug incidents at the premise. Clarification was sought in respect of the position of the women present at the Police’s visit, was she a manager, it was confirmed that no she was not a manager and she did not have permission to access right to work papers on the computer. Was the audit visit known about by the PLH. It was stated that the audit visit was known but the Police visits were unannounced. The PLH was asked to recite one of the Licensing Objectives which he confirmed.

The Licensing Officer then gave her closing statement. Each application should be determined on its own merits. The Committee must take such steps as they considered appropriate for the promotion of the licensing objectives as outlined in the Licensing Act 2003 at Section 167(6). Options available to the Committee were:

- To modify the conditions of the licence
- Exclude a licensable activity from the licence (although as the licence only permits one licensable activity excluding this would render it void);
- Remove the Designated Premises Supervisor
- Suspend the licence for a period not exceeding three months; or
- Revoke the licence.

Members should take note of the guidance issued under Section 182 (Paragraph 11.20) of the Act that:

“In deciding which of these powers to invoke, it is expected that licensing authorities should, as 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 as these causes and should always be no more than an appropriate and proportionate response.”

The Police then gave their closing statement, making reference to changes to the DPS at other premises owned by Mr Kalamohan and the ongoing issues at premises which were not fully compliant. Information not being available for the Police as required by the condition of the licence and although work had been done to address some of the concerns the Police felt that it was too little too late. Mr Kalamohan was an experienced Premise Licence Holder and DPS and changes should have made as soon as they had been pointed out. The Police felt that further conditions would not mitigate the risks and neither would changing the DPS relevant sections of 182 guidance were highlighted. The Police had no confidence that the Licensing Objectives would be upheld and not undermined and they asked that revocation of the Premise licence be considered by the Committee.

A brief closing statement was made by the Immigration Officer in respect of the no action notice, high civil penalty threshold and the visit that was undertaken and spot checks carried out.

Duncan Craig then made his closing statement on behalf of Mr Kalamohan. He did not agree with the high threshold and made reference to the visits that had been carried out, the availability of employment records and right to work checks, breaches to the licensing conditions and that the premises was now partially compliant and that revocation of the premise licence was an extreme decision which was not appropriate or proportionate in the circumstances.

(12:35 the licensing officers and all other parties left the meeting)

Members discussed the review before them having regard to all relevant guidance and Policy documents and the representations that had been made. Concern was expressed about the continued breaches to the premise licence and the illegal workers found on the premise which appeared to be a continued theme with the owner of the premise. As conditions had been placed on the

licence back in 2020 it was felt that further conditions would not address the issues and modifying the licence or removing the DPS would again not address the issues at the premise. Suspending the licence was not deemed appropriate and after further discussion it was proposed, seconded and unanimously agreed that the premise licence should be revoked.

(1:05 the licensing officer and all parties returned to the meeting)

The Legal Advisor read out the Committee's decision. The Committee had read all the paperwork before them and had heard from the Licensing Officer, Lincolnshire Police, Immigration and the Premises licence holders representative.

Lincolnshire Police presented their application as set out in their evidence pack. They expressed concerns regarding the non-compliance of conditions and illegal workers found at the premises, advising of recent visits and non-compliances found. They also noted the history of this premises in relation to previous non-compliances and illegal workers which included a hearing in 2020 where additional conditions were placed on the licence. The police referred to other premises controlled by the licence holder where there have been non-compliances found.

Immigration advised about the visit on 3rd October 2023 when a person not entitled to work was found on the premises. The details of the visit are set out in the evidence they submitted. No further action was taken in relation to this matter.

The Premises Licence holder's representative set out the evidence in their report noting the most recent independent compliance check which showed an improvement. The representative advised that there had been three visits of the Police noting that the independent check and one of the Police visits was on the same day. The representative noted that there had been no further action in respect of the person found at the premises and there was no evidence of a criminal offence under s136.

The Committee considered all options available to them. They considered whether there were any conditions that could be included which would address concerns and were of the view that there were not, noting that conditions had previously been imposed following a hearing in 2020. They considered removing a licensable activity from the licence but noted that as the licence was only for the sale of alcohol to remove a licensable activity would be the same as revoking the application.

They considered removing the DPS but did not consider with the history of this premises that this would address their concerns.

The Committee considered a suspension of the licence but did not consider given the history of the premises it was appropriate for the promotion of the licensing objective of prevention of crime and disorder.

Whilst the Committee have noted there have been some improvements the Committee note that failures to comply with conditions have been ongoing for some time and having considered all other options available have decided that it is appropriate for the promotion of the licensing objective of crime and disorder to revoke the licence.

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

An adjournment took place between 1:10 and 1:50.

40. Licensing Act 2003: Review of Premise Licence - Today's Local, 10 Red Lion Square, Stamford, Lincolnshire PE9 2AJ

Decision

To modify the conditions in respect of Today's Local, 10 Red Lion Square, Stamford as submitted by the Premises Licence Representative in the supplementary papers to include the following condition:

- All alcoholic products will not be displayed for sale adjacent to confectionary, snacks and children's magazines***

This was to allow more robust and enforceable conditions to be part of the Premise Licence.

The Licensing Officer presented the report which concerned an application for the Review of the premises licence for Today's Local, Stamford which had been received from Lincolnshire Police in August 2025 along with supporting documentation which could be found at Appendix 1 of the report. The application for the Review related to the licensing objective of the Prevention of Crime and Disorder. The Police advised that they had obtained evidence that indicated the management of the premises had been operating in such a manner that amounted to criminal activity. Evidence included:

- Evidence of illegal workers on the premises
- Breach of Annex 2 Premise Licence conditions relating to the lack of a personal licence holder on site, lack of required signage, CCTV issues and outdated paperwork.
- Offences under the Price Marking Order Act 2004.

During the consultation period a representation from the Home Office was received supporting the Police's application that the licence holder was not taking suitable measures to prevent crime and disorder, their representation included

evidence of a visit made in October 2023 whereby an individual was located on the premises who subsequently had no right to work in the UK. A further visit to the premise in November 2024 raised concerns that there were further illegal workers involved with the premises as shown at Appendix 2. No other comments from members of the public or responsible authorities were made.

A copy of the current Premise Licence was appended at Appendix 3 which permitted the Sale of Alcohol off the premises from 06:00 to 02:00 Monday to Sunday with the same opening hours.

The Premise Licence was originally granted in 2011 and Arumugam Kalamohan was the Premise Licence Holder and Designated Premise Supervisor (DPS) at the time. Arumugam Kalamohan was removed as the DPS after August 2012 but remained the Premise Licence Holder. In September 2022 there was a Transfer of Premise Licence Holder from Arumugam Kalamohan to Mohan Retail Ltd, for which Arumugam Kalamohan is the sole trader. The current DPS at the premise is Santhosh Sekar.

There was a history on record of concerns with the premises following visits made. Reports relate to the Prevention of Crime and Disorder and the Protection of Children from Harm licensing objectives. This included alleged underage sales taking place, as well as concerns regarding the immigration status of individuals seen at the premise.

- In April 2021 correspondence from the agent for the licence holder and the Police following a visit from South Kesteven District Council and Police after concerns had been reported Appendix 4 of the report supplied details.
- August 2021 a report regarding alleged underage sales taking place and Appendix 5 of the report supplied details.
- Correspondence from June 2022 with some temporary interim measures to be informally adhered to after a meeting with the Premise Licence Holder and the Police following a visit and concerns raised. Appendix 6 to the report supplied details.
- Correspondence from September 2022 between the Premise Licence Holder and Police in relation to some alleged thefts of alcohol and anti-social behaviour incidents appearing to involve underage children, Members were referred to Appendix 7 of the report for more details.

Members were reminded of the key considerations at outlined within the report at paragraph 3 and the guidance issued under Section 182:

“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

There were no questions for the Licensing Officer from any of the parties present.

Sergeant Adams from Lincolnshire Police then made the Police's representation. The Review had been submitted on the grounds that the Police had obtained evidence which indicated that the management of the premises had been operated in such a manner that amounted to criminal activity and undermined the licensing objective of the Prevention of Crime and Disorder. Reference was made to the change of DPS since 2011 and also the Premise Licence Holder was now in the name of Mohan Retail Ltd, for which Arumugam Kalamohan is the sole trader. Members attention was drawn to the compliance visits that had been undertaken at the premises and other premises owned by Mr Kalamohan and which were listed within the supporting documents appended to the report. At a compliance visit in August 2023 the immigration status of a lone worker was in question although not enough detail was known to take any action or confirm that he did not have the right to work in the premise. Emails were sent to Mr Kalamohan following the visit informing of the areas of non-compliance and requesting that they be addressed. A compliance visit took place in October 2023 and a lone worker encountered was arrested by Immigration as an overstayer (the same lone worker who had been in the premise previously) and the same non-compliance issues were again discovered. Although the Immigration case was referred to the Home Office Civil Penalty Compliance Team no further action was taken. The Police believed that the worker encountered was working without the correct right to work entitlement which did amount to a crime.

In November 2024 a Police inspection was carried out with Immigration Officers and various non-compliance of conditions were discovered and included the absence of a premises licence on site, the absence of a personal licence holder on site, CCTV issues, an invalid PDS authority, a disorganised and outdated refusals register, lack of shop signage and alcohol found on sale in areas of the shop where it was not permitted. The shop worker at the time was checked by Immigration and found to be legally entitled to work, a suspicious male was encountered outside the shop and on checking his details had no right to work, however, at the time there was no direct evidence linking the male to working in the premise although he did have Mr Kalamohan's bank card in his phone case.

Town CCTV footage was requested by the Police in respect of the premises for a three hour period on 7 November 2024 to establish if the suspicious male with no right to work had indeed been working. A list of staff was also requested by the Police and this was provided by Mr Kalamohan but did not have the male on the list. CCTV was requested of the premises for specific hours however although a CCTV storage device was provided to the Police it did not contain footage of the premise. Mr Kalamohan stated that he had attempted to re-copy but it had dropped off the system. The Police's concern was that this may have been a deliberate act of avoidance on Mr Kalamohan's part to provide CCTV to prevent the Police discovering that the male had been working in the premise. The Police felt this was a breach of conditions as per Appendix 9. In November 2024 the Police received a DPS variation for the premises from Ms Rasathurai to a Thasatharan Armirthalingham which the Police felt may have been a tactic

deployed by Mr Kalamohan to relinquish his responsibility for failings at the premise.

A further Police inspection took place in June 2025 where virtually the same non-compliance issues were found as found in November 2024. When the visit took place the DPS was Santhosh Sekar, with a variation to the DPS being applied for in April 2025.

The Police felt that during all the visits to the premises non-compliance of the annex 2 licence had been found together with issues around non-priced alcohol had been witnessed which was an offence under the Price Marking Order Act 2004.

It was stated that Mr Kalamohan had been the Premises Licence Holder at the times that the premise had been visited with concerns raised by the Police with Mr Kalamohan about the non-compliance issues on various occasions and issues with not having the necessary paperwork as required by the Licensing Act in respect of right to work documents, training, signage. The Police questioned the audit that had been undertaken and the conclusions found by the audit in respect of the premises only being partially compliant when Mr Kalamohan had been repeatedly told about the non-compliance issues. The Police felt the licensing objectives were being serious undermined at the premise by Mr Kalamohan and had been for some considerable time and they asked the Committee to seriously consider revocation of the Premise Licence.

Questions were asked of the Police from the Premises Licence Holder representative in respect of enforcing proof of age and the location of products in the premise.

The Immigration Officer then made their representation and referred to the visits to the premises that had taken place and the right to work checks undertaken on those found within the premise. It was confirmed that on the joint visit in November 2024 the worker present did have a right to work in the UK and it was confirmed that the £10,000 fine that had been referred to previously had been paid in full.

The representative for the Premise Licence Holder, Duncan Craig then made their representation. Members were drawn to Annex 3 of the Premise Licence where it was noted that the premises before the Committee had never been reviewed previously and therefore there was nothing contained in Annex 3 where conditions following a review hearing would be shown.

It was noted that the conditions currently appended to the Premise Licence had been in place when the Licensing Act 2003 had come into force and some of the conditions were poorly worded and not precise or enforceable in their current format and were not fit for purpose which had been referenced within the Police's review of the Premise Licence. Within the supplementary papers circulated were a set of conditions which were proposed to replace the existing conditions on the

Premise Licence which included checks in respect of Right to Work documentation which was missing in the current conditions. The conditions proposed were in an enforceable format and covered CCTV, recording and retention periods, right to work checks, training records, challenge 25, refresher training, alcohol refusals register, incident book, refusals policy, displaying signage and checking and monitoring the area immediately outside the premises. Reference was made to breaches as outlined by the Police but due to the conditions currently worded on the licence it was hard for these to be enforced. Further comments were made in relation to the visits made to the premises and those found working and that there was no evidence to support that the individual located outside the shop actually worked in the premise and no civil penalty was imposed by the Immigration Office.

It was noted that due to the compliance issues and the number of premises owned by Mr Kalamohan it was recognised that an area manager needed to be in place to deal with compliance issues. It was denied that changes to DPS's were a tactical move by the Premises Licence Holder. Duncan Craig then made reference to the conditions proposed and also the audit that had been undertaken and that the staff present during the audit had been competent and knowledgeable. Comment was made about the licensable area and a further condition was offered to enable this to be enforced:

That alcohol products will not be displayed for sale adjacent to confectionery, snacks and children's magazines.

Duncan Craig stated that the current conditions on the licence needed to be modified and he reminded the Committee that the premise had not been reviewed previously and that a stepped approach should be taken which was appropriate and proportionate.

Clarification was sought on whether prior notification of the audit was known and it was confirmed that the audit was known about.

Further questions were asked in respect of incident records, refusal logs, criminal and anti-social behaviour and it was reiterated that that current conditions were difficult to enforce.

Questions were then raised by the Police in respect of the individual found outside the premise and why CCTV had not been provided, the number of employees employed at the Red Lion Square premise and why right to work checks were only carried out after the visit.

The Immigration Officer reiterated the need for right to work checks and the requirement of the employer to carry out these checks.

(As the meeting had reached the three hour mark Members agreed to continue until the meeting concluded)

The Licensing Officer then gave her closing statement reminding the Committee that each application should be determined on its own merits and the steps available to the Committee:

- modify the conditions of the licence;
- exclude a licensable activity from the licence (although as the licence only permits one licensable activity excluding this would render it void);
- remove the designated premises supervisor;
- suspend the licence for a period not exceeding 3 months; or
- revoke the licence.

The guidance issued under Section 182 of the Act stated:

“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)

The Legal Advisor made reference to the request for CCTV by the Police and which condition this related to, as the current condition only stipulated that CCTV be in place on site and the current condition did not make reference to supplying copies of footage.

Sergeant Adams on behalf of the Police then made a closing statement making reference to the non-compliance of conditions on the premises which continued to be outstanding and that there was no excuse for the Premises Licence holder not to address this and work with the Police. Changes to the DPS had not resolved problems at the premise which the Police felt was poorly managed with inadequate conditions. The Police had no confidence in the Premises Licence Holder and that the licensing objective of the Prevention of Crime and Disorder was being undermined and they asked the Committee to consider revocation of the Premise Licence.

The Immigration Officer had nothing to add.

Duncan Craig then made a closing statement on behalf of the Premises Licence Holder. He made reference to the compliance found during the audit and reiterated that there was no evidence of illegal workers found at the premises and due to the wording of the current conditions there had been no breaches in respect of CCTV. Mr Craig then went through each proposed condition as circulated in the supplementary papers including the modified condition in respect of the licensable area:

That alcohol products will not be displayed for sale adjacent to confectionery, snacks and children's magazines.

The premise had been in situ for 20 years and had not been reviewed during this time. There was no evidence of illegal workers and he felt that it was not appropriate or proportionate to revoke the premise licence. He asked the Committee to modify the licence with the new conditions submitted which had been robustly worded including the modified condition submitted during the course of the meeting.

(3:08 the Licensing Officers and all parties left the meeting)

Members considered the Review before them having regard to all the relevant policies, guidance and the representations made. Members noted that the conditions as currently shown on the premise licence were not enforceable and the premise had not previously been subjected to a review. The conditions supplied as a supplement were more stringent, robust and enforceable. It was also noted that reference had been made to the appointment of an area manager to ensure compliance with the premise licences of those premises owned by Mr Kalamohan. Reference was also made to the extra condition offered during the representation in respect of where alcohol was situated in relation to confectionary, snacks and children's magazines. Members felt that the conditions offered were robust and it was proposed, seconded and agreed to modify the premises licence to include to the new conditions offered plus the extra condition. On being put to the vote this was unanimously agreed.

(15:25 the Licensing Officers and all parties returned to the meeting)

The Committee had read all the paperwork before them and had heard from the Licensing Officer, Lincolnshire Police, Immigration and the Premises licence holder's representative.

Lincolnshire Police presented their application as set out in their evidence pack. They expressed concerns regarding the non-compliance of conditions and noted a lone worker at the premises on 2 August 2023 who was referred to the National Command and Control Unit. A visit on 3 October 2023 found the same lone worker and non-compliances as found at the previous visit. Further non-compliances were found at visits on 7 November 2024 and 17 June 2025. The police referred in their evidence pack to other premises controlled by the licence holder where there have been non-compliances found.

Immigration advised about previous visits to the premises.

The Premises Licence holder's representative set out the evidence in their report noting that the premises had not previously been reviewed and had no further conditions on. They also discussed the conditions on the licence which were not enforceable offering up new enforceable conditions. There was no evidence of an

illegal worker at the premises. In terms of the conditions there was no evidence of non-compliance with the CCTV condition.

The Committee considered all options available to them. They considered that the conditions offered by the premises licence (those contained in the papers) along with the addition of the following condition;

- All alcoholic products will not be displayed for sale adjacent to confectionary, snacks and children's magazines.

were sufficient to address their concerns in relation to this premises and inclusion on the licence was appropriate for the promotion of the licensing objectives.

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

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

The Democratic Officer informed the Committee that she had not been notified of any items for the scheduled meeting on 25 November 2025 and it was very likely that this would be cancelled. The next scheduled meeting was due to take place on Tuesday 16 December 2025. A review was due to be heard at this meeting and a request had been received to move the meeting to Monday 15 December at 10:00am subject to agreement from Members. Those Members present at the meeting agreed to move the meeting to Monday 15 December 2025 at 10:00am.

The Vice-Chairman indicated that the "Ask Angela" campaign was due to be implemented on a trial basis across the District shortly. It was noted that the 10 year anniversary would take place in February 2026.

42. Close of meeting

The meeting closed at 15:40pm.

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SOUTH
KESTEVEN
DISTRICT
COUNCIL



Alcohol, Entertainment and Late-Night Refreshment Licensing Committee- *Review of Premise Licence*

15th December 2025

ENV925

Report of Elizabeth Reeve, Licensing
Officer

Licensing Act 2003: Review of Premise Licence – **Nisa Local (Shiv Sakthi UK Ltd), 12 High Street, Billingborough, Lincolnshire NG34 0QA**

Report Author – Elizabeth Reeve – Licensing Officer

01476 406080



Licensing@southkesteven.gov.uk

Hearing to determine an application for the review of a premises licence – Nisa Local (Shiv Sakthi UK Ltd), 12 High Street, Billingborough, Lincolnshire NG34 0QA

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, **Nisa Local (Shiv Sakthi UK Ltd), 12 High Street, Billingborough, Lincolnshire NG34 0QA** and decide whether to:

1. Modify the conditions of the licence;
2. Exclude a licensable activity from the licence (although as the licence only permits one licensable activity excluding this would render it void);
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 No
exempt or confidential
information not for publication?

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

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 Guidance issued under section 182 of the Licensing Act 2003 (para 11.2) states that at any stage following the grant of a premises licence, a responsible authority, such as the Police or the Environmental Health Service, or any other person who can seek a review, may ask the Licensing Authority to review the premises licence because of a matter arising at the premises in connection with any of the four licensing objectives.

1.3 As such, in accordance with section 52(2) of the above-mentioned Act, the Licensing Authority must hold a hearing to consider the application and any relevant representations. 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

1.4 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 23rd October 2025 an application for the review of the premise licence for Nisa Local, 12 High Street, Billingborough was received from Lincolnshire Police along with supporting documents. (**Appendix 1 A to L**).

2.2 The application for the review relates to the following licensing objective: -

- Prevention of Crime and Disorder.

2.3 Lincolnshire Police advise that they have obtained evidence after visits in September and October 2025 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 objective. This includes:

- Evidence of an Illegal worker on the premises
- Employing an underage individual to serve alcohol without the correct supervision
- Breach of a number of annex 2 premise licence conditions relating to the lack of external CCTV including an inaccessible CCTV system, written training records, required signage and incident and refusal logbooks,
- Offences under the Licensing Act 2003 and Price Marking Order Act 2004
- Concerns over a lack of management involved in the premises
- Information on fire safety concerns from a Fire Safety Inspector following a visit in October 2025

The police have also indicated within their application that they wish to disclose some further relevant information to support this review within a private session, due to its sensitive nature.

2.4 During the consultation period a representation from the Home Office was received by the licensing authority dated 18th November 2025. This supports the Police's application that the licence holder is not taking suitable measures to prevent crime and disorder, and their representation includes evidence of a visit made in September 2025, whereby an individual was located on the premises who subsequently no longer had the right to work in the UK. A civil penalty referral notice was issued to Shiv Sakthi UK Ltd for employing an individual without the right to work. The penalty is currently under consideration. (**Appendix 2**)

2.5 During the consultation period, the representative for the Premise Licence Holder submitted documents in response to the review application. These documents include copies of right to work checks, staff training guides, refusal logs, fire safety records and photos of alcohol pricing and posters on display in the shop. **(Appendix 3 and 4)**

2.6 A copy of the current premise Licence is at **(Appendix 5)**. This Licence permits the Sale of Alcohol off the premises from 06.00 to 22.00 Monday to Sunday, with the same hours for opening.

2.7 The Premise Licence was initially granted in March 2020. Shiv Sakthi UK Ltd of which Vikram Deva Keshwala is the sole director, has been the Premise Licence Holder of the licence since that date. The current Designated Premise Supervisor (DPS) is Vishal Ashokbhai.

3. Key Considerations

3.1 Each application to be determined on its own merits

3.2 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 52(4):

The Licensing Committee may:

- a) modify the conditions of the licence;
- b) exclude a licensable activity from the licence (although as the licence only permits one licensable activity excluding this would render it void);
- c) remove the designated premises supervisor;
- d) suspend the licence for a period not exceeding 3 months; or
- e) revoke the licence.

3.3 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.)

3.4 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 24th October 2025 until 20th November 2025. During this period one representation from the Home Office was received and a representation from the Premise Licence Holders representative was sent in, in response to the review. No comments from members of the public or other responsible authorities were made.

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 Annex 1 A) to L)

7.2 Appendix 2: Representation from the Home Office

7.2 Appendix 3 and 4: Representation from the Premise Licence Holder

7.3 Appendix 5: Copy of the Premise Licence

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