



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL



## Alcohol, Entertainment and Late-Night Refreshment Licensing Committee

17 February 2026

ENV926

Report of Chris Clarke, Licensing  
Officer

### **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**

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### **Purpose of Report**

Committee to determine an application to transfer a premises licence and vary the designated premise supervisor at Manor Way Superstore, 73 Manor Way, Deeping St James, PE6 8PX.

### **Recommendations**

The Alcohol, Entertainment and Late-Night Refreshment Committee to consider the applications to transfer the premise licence and to vary the designated premise supervisor at a premise known as Manor Way Superstore, 73 Manor Way, Deeping St James, Lincolnshire, PE6 8PX, the views of the representations made by Lincolnshire Police bearing in mind the four licensing objectives:

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

<b>Decision Information</b>	
Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	Healthy and strong communities
Which wards are impacted?	All wards

## **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***

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***

This is an application for a transfer of a premises licence under S42 of the Licensing Act 2003. The committee should consider whether the application is likely to impact on the promotion of the licensing objectives. In reaching the decision the Committee should consider, the steps that are appropriate to promote the licensing objectives, the representation (including supporting information) presented by the parties, the guidance issued under S182 of the Licensing Act 2003 and the Councils own statement of licensing policy.

### ***Is an Equality Impact Assessment required? No***

### ***Community Safety***

1.1 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 4<sup>th</sup> December 2025 an application to transfer the premise licence and vary the designated premise supervisor ('vary DPS') for Manor Way Superstore, 73 Manor Way, Deeping St James, Lincolnshire, PE6 8PX was accepted by the Licensing Team (**Appendix 1 & Appendix 2**), processed and forwarded to the Police, the only responsible authority that can object to either application.

2.2 Section 43 the Licensing Act 2003 provides a mechanism which allows the transfer to come into immediate effect as soon as the Licensing Authority receives it, until it is formally determined or withdrawn. The applicant has indicated on the application for the transfer to have immediate effect.

2.3 Section 38 of the Licensing Act 2003 provides a mechanism which allows the variation to come into immediate effect as soon as the Licensing Authority receives the application, until it is formally determined or withdrawn.

2.4 Statutory consultation for both the transfer and vary DPS applications was undertaken, with the consultation period of 14 days expiring on 18<sup>th</sup> December 2025.

2.5 During the consultation period the authority received an objection from Lincolnshire Police (**Appendix 3** for the transfer and **Appendix 4** for the vary DPS). The reasons for representation are as follows: -

- Operating in a manner that amounts to criminal activity
- Employment of illegal workers

2.7 Where relevant representations are made the authority must:

- i. Hold a hearing to consider them, unless the authority, the applicant and each person who has made such representation agree that a hearing is unnecessary, and
- ii. Having regard to the representations, take such steps mentioned below (if any) as it considers necessary for the promotion of the licensing objectives.  
The steps are:
- iii. Grant the application subject to conditions that are consistent with the operating schedule modified to the extent that the committee considered appropriate for the promotion of the licensing objectives and any mandatory conditions that must be included under the Licensing Act 2003.
- iv. Reject the whole or part of the application.

2.8 On 19<sup>th</sup> January 2026 at 16:30 the licensing team received an email from ARKA licensing requesting that the hearing be postponed as the licensing agent would not be able to attend.

2.9 At the beginning of the hearing on the 20<sup>th</sup> January 2026 the decision was made to adjourn until the next meeting of the Alcohol, Entertainment and Late-Night Refreshment committee, to be held on 17<sup>th</sup> February 2026.

### **3. Key Considerations**

3.1 In relation to a transfer of premise licence, Section 182 Guidance issued by the Home Office states:

*8.101 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.*

3.2 In relation to a vary DPS, Section 182 Guidance states:

*4.69 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. The police can object where, for example, a DPS is first specified in relation to particular premises and the specification of that DPS in relation to the particular premises gives rise to exceptional concerns...*

3.3 The licensing authority should give appropriate weight to;

- ❖ The steps that are appropriate to promote the licensing objectives.
- ❖ The representation (including supporting information) presented by the parties.
- ❖ The guidance issued under section 182 of the Licensing Act 2003.
- ❖ South Kesteven District Councils Licensing Policy.

### **4. Reasons for the Recommendations**

4.1 The guidance issued under Section 182 of the Licensing Act 2003 states at 9.37 that;

*“As a matter of practice, Licensing Authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation.”*

They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation and should be allowed sufficient time to do so, within reasonable and practical time limits.”

## **5. Consultation**

5.1 Statutory 14 day consultation has taken place from 4<sup>th</sup> December 2025 until 18<sup>th</sup> December 2025. During this time one representation was received from Lincolnshire Police.

## **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 to transfer a Premise Licence.  
Appendix 2 – Application to vary the designated premise supervisor  
Appendix 3 – Representation from Lincolnshire Police (Transfer of Premise Licence Holder).  
Appendix 4 - Representation from Lincolnshire Police (Vary Designated Premise Supervisor)