



SOUTH
KESTEVEN
DISTRICT
COUNCIL



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


23rd June 2026
ENV 941

Report of Elizabeth Reeve, Licensing
Officer

Licensing Act 2003: Notification of an objection to a Temporary Event Notice

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Purpose of Report

Committee to consider the objection to a notification of a temporary event under section 104 of the Licensing Act 2003.

Recommendations

That the Alcohol, Entertainment and Late-Night Refreshment Committee consider the objection to the temporary event notice and take such steps as it considers appropriate for the promotion of the following licensing objectives:

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

Decision Information

Does the report contain any exempt or confidential information not for publication?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

- 1.1 There are no specific financial implication associated with this report, however, there is a right of appeal, as set out in paragraph 1.7 of this report against a decision and if subsequently upheld, the Council may incur additional costs.

Legal and Governance

- 1.2 If the objection relates to a standard TEN, the licensing authority must hold a hearing to consider the objection (unless all parties agree that this is unnecessary).
- 1.3 The police or environmental health (as appropriate) may agree changes to the TEN with the premises user and the other authority at any time prior to the hearing and the objection notice will then be considered to be withdrawn.
- 1.4 If the objection is upheld at the hearing, the licensing authority must serve a counter-notice and the event will not proceed.
- 1.5 If the event is to take place in premises where a premises licence or club premises certificate is already in force, the licensing authority may, at the hearing, impose on the TEN any of the existing conditions attached to the premises licence or club premises certificate. Any such conditions imposed must be notified to the premises user on the form prescribed in the amended 2005 Regulations. Conditions may not be imposed in any other circumstances.

- 1.6 In determining this application for an objection of the Temporary Event Notice the Committee should have regard to the Council's Statement of Licensing Policy and to the guidance issued by the Secretary of State under s182 of the Licensing Act 2003. Representations from all parties both written and verbal will form part of matters that are to be considered. Findings on issues of fact should be on the balance of probability, and the final decision should be based on the individual merits of the application and findings of fact made at the hearing.
- 1.7 An appeal against the licensing authority's decision to serve a counter-notice can be made by a premises user, and an appeal against the licensing authority's decision not to serve a counter-notice following service of an objection notice may be made by the police or environmental health (as appropriate).
- 1.8 Appeals are to the magistrates' court and must be made within 21 days from the date of notification of the decision from the licensing authority. However, no appeal may be brought later than five working days before the start date specified on the TEN.
- 1.9 The licensing authority and the premises user will be respondents to an appeal by the police or environmental health (as appropriate).

Diversity and Inclusion

- 1.10 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.

Is an Equality Impact Assessment required? No

Community Safety

- 1.11 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 12th June 2026 a Temporary Event Notice (TEN) by Arka Licensing (Agent) on behalf of the applicant, Subramaniam Sivatharan, was received by the Licensing Team for premises Deeping Local 73 Manor Way, Deeping St James, Lincolnshire, PE6 8PX (**Appendix 1**).
- 2.2 The TEN was to cover the Sale of Alcohol off the premises from 1st to 5th July 2026 between the hours of 08:00 to 23:00 each day
- 2.3 On 17th June 2026, the last date for any representation, the Licensing Team received an objection from Lincolnshire Police, this objection was around historic concern regarding this premises and in relation to all four licensing objectives. (**Appendix 2**)

- 2.4 The premises was previously known as Manor Way Superstore and benefitted from a premises licence for the off sale of alcohol. This premises licence was revoked by Licensing Committee on 19th May 2026 after a review application, and the revocation took effect on 10th June 2026. The agenda pack and minutes for this meeting are in the background papers.

3. Key Considerations

- 3.1 The committee, after considering the objection application, consider what action, if any, to take in order to ensure that the licensing objectives are complied with.
- 3.2 The following options are available to the Licensing Sub-Committee:
- Allow the Temporary Event Notice being determined as applied for;
 - Reject the Temporary Event Notice as applied for and issue a Counter Notice, which will prevent Subramaniam Sivatharan from selling alcohol.

4. Reasons for the Recommendations

- 4.1 To ensure that the Council complies with statutory processes.

5. Consultation

- 5.1 A statutory three working day consultation period took place between 15th to 17th June 2026. During this time one objection was received from Lincolnshire Police

6. Background Papers

- 6.1 [Statement of Licensing Policy 1st April 2021](#)
- 6.2 [Licensing Act 2003](#)
- 6.3 [Guidance issued under section 182 of the Licensing Act 2003](#)
- 6.4 [Agenda and Minutes from Licensing Committee ENV 934](#)

7. Appendices

- 7.1 Appendix 1 – Temporary Event Notice
- 7.2 Appendix 2 – Objection to TEN by Lincolnshire Police