

If you would like any further information or have any special requirements in respect of this Meeting, please contact Lynda Eastwood, Democratic Services Officer on (01507) 613422

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Date: Thursday, 6 November 2025

Dear Councillor,

Licensing Act 2003 Committee

You are invited to attend a Meeting of the **Licensing Act 2003 Committee** to be held at **the Hub, Mareham Road, Horncastle, Lincolnshire LN9 6PH**, on **Monday, 17th November, 2025** at **the rising of the General Licensing Committee**, for the transaction of the business set out in the attached Agenda.

Yours sincerely



Robert Barlow
Chief Executive

Conservative

Councillors Neil Jones (Vice-Chairman), Richard Avison, Carl Macey, Terry Taylor and Ruchira Yarsley

District Independent/Liberal Democrat

Councillor Sandra Campbell-Wardman (Chairman)

Labour

Councillor Graham Cullen

Reform UK

Councillor Jimmy Brookes

East Lindsey Independent Group

Councillors George Horton, Darren Hobson and Andrew Leonard

LICENSING ACT 2003 COMMITTEE AGENDA
Monday, 17 November 2025

Item	Subject	Page No.
1.	APOLOGIES FOR ABSENCE:	
2.	DISCLOSURE OF INTERESTS (IF ANY):	
3.	MINUTES:	1 - 20
	To confirm the Minutes of the Licensing Act 2003 Meeting held on 18 November 2024, the Minutes of the Licensing Act 2003 Sub Committee Meetings held on 13 January 2025 and 3 March 2025 and the Minutes of the Special Meeting held at the rising of the Annual General Meeting held on 21 May 2025.	

Minutes of a Meeting of the Licensing Act 2003 Committee held in the Hub, Mareham Road, Horncastle, Lincolnshire LN9 6PH on Monday, 18th November, 2024 at the rising of the General Licensing Committee.

PRESENT

Councillor Sandra Campbell-Wardman (Chairman)
Councillor Neil Jones (Vice-Chairman)

Councillors Richard Avison, Jimmy Brookes, Stephen Evans, George Horton, Darren Hobson, Andrew Leonard, Carl Macey and Terry Taylor.

OFFICERS IN ATTENDANCE:

Neil Brooks	- Senior Licensing Officer
Kia McKenna	- Licensing Officer
Kim Robertson	- Legal Advisor
Lynda Eastwood	- Democratic Services Officer

5. APOLOGIES FOR ABSENCE:

Apologies for absence were received from Councillor Graham Cullen.

6. DISCLOSURE OF INTERESTS (IF ANY):

At this point in the meeting, Members were asked to disclose any relevant interests. The following interests were disclosed:

- Councillor Carl Macey asked it be noted that he was a personal licence holder.
- Councillor Andrew Leonard asked it be noted that he was a personal licence holder and a Magistrate.

7. MINUTES:

The Minutes of the Licensing Act 2003 Committee Meeting held on 30 September 2024 were agreed as a correct record.

The Meeting closed at 2.35pm.

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Minutes of a Meeting of the Licensing Act 2003 Sub Committee held in the Hub, Mareham Road, Horncastle, Lincolnshire LN9 6PH on Monday, 13th January, 2025 at 2.00pm.

PRESENT

Councillors Sandra Campbell-Wardman, Neil Jones and Terry Taylor.

Councillor George Horton attended the Meeting as a Substitute.

Officers in Attendance:

Neil Brooks	- Senior Licensing Officer
Kia McKenna	- Licensing Officer
Kim Robertson	- Legal Advisor
Lynda Eastwood	- Democratic Services Officer

Also in Attendance:

Sergeant Amy Adams	- Lincolnshire Police
PC Gareth Crabb	- Lincolnshire Police
Mr Andrew Rae	- Representative of SPG Property Owners Ltd
Miss Sally Hewson	- Licence Applicant
Mr Noor Mohammed	- Co-Owner of Mo's Indian Cuisine

13. ELECTION OF CHAIRMAN:

Councillor Sandra Campbell-Wardman was duly nominated and upon being put to the vote, it was

RESOLVED

That Councillor Sandra Campbell-Wardman be elected Chairman of the Licensing Sub-Committee for this Meeting only.

COUNCILLOR SANDRA CAMPBELL-WARDMAN IN THE CHAIR

14. APOLOGIES FOR ABSENCE:

Those present were noted.

15. DISCLOSURE OF INTERESTS (IF ANY):

At this point in the meeting, Members were invited to declare any relevant interests. None were received.

16. APPLICATION FOR A PREMISES LICENCE:

The Sub-Committee was presented with a report by the Group Manager - Public Protection which enabled Members to consider an application for a premises licence in respect of Mo's Indian Cuisine, 1 Victoria Road, Mablethorpe, LN12 2AF.

Lincolnshire Police had submitted a representation in relation to the premises licence application. In the representation, the Police had indicated that they had no confidence in Sally Hewson's ability to promote the licensing objectives, in particular the prevention of crime and disorder objective.

The Police were asking the Licensing Authority to give serious consideration to the refusal of the premises licence application.

Following a request from the Police, Appendix C was removed from Evidence Pack 1.

The Senior Licensing Officer outlined the background information detailing the licensing objectives, pages 3 to 4 of the report refer and highlighted the recommendations available to the Sub-Committee, page 2 of the report refers.

Sergeant Amy Adams, Lincolnshire Police, was invited to make her representation to the Sub-Committee.

Sergeant Adams informed Members that Lincolnshire Police had concerns regarding the premises licence application submitted by Miss Hewson in relation to Mo's Indian Cuisine at 1 Victoria Road, Mablethorpe and highlighted the reasons as to why they felt the licensing objectives would be undermined if the application was accepted.

Sergeant Adams referred to circumstances around the premises licence application made by SPG Property Owners Ltd on 5th November 2024 and the concerns made by Lincolnshire Police with regards to the transfer of licence to Miss Hewson and Mr Mohammed, page 19 of the report refers.

Sergeant Adams continued to inform Members of the withdrawal of the licence application by SPG Property Owners Ltd on 13th November 2024 and the resubmitted application on 18th November 2024 with Miss Hewson named as the applicant and Designated Premises Supervisor for 1 Victoria Road, Mablethorpe, pages 19 to 20 of the report refer.

Following which, details relating to Miss Hewson's premises licence history, along with issues relating to illegal workers, crime and disorder and supply of non-duty paid alcohol at 22 Victoria Road, Mablethorpe, the Eagle Hotel in Mablethorpe and the Windmill Hotel in Alford were read out, pages 20 to 22 of the report refer. Reference was further made to Mr Mohammed's sexual assault on an employee at Nayeema's, page 21 of the report refers. Members were also referred to Appendices A, B, D, E and F in the confidential Police Evidence Pack 1. Sergeant Adams advised the Sub-Committee that it was not the first time that Miss Hewson and Mr Mohammed

were subject to enforcement by Immigration officers and Members were referred to Appendix G in the confidential Police Evidence Pack 2.

Mr Rae, the representative for SPG Property Owners Ltd, was invited to make his representation to the Sub-Committee.

Mr Rae explained that he was representing SPG Property Owners Ltd as they were unable to attend the hearing. Members were informed that SPG Property Owners Ltd was a family-run business, and that the family also ran another successful business in the area, PC Coaches of Lincoln. It was highlighted to Members that the directors of SPG Property Owners Ltd were passionate about Mablethorpe and were trying to revitalise local amenities for the public to enjoy. Members were further informed that SPG Property Owners Ltd had purchased the premises at 1 Victoria Road, Mablethorpe, and had offered the tenancy to Miss Hewson and Mr Mohammed to operate the restaurant under their mentorship. SPG Property Owners Ltd had made sure that the establishment was of a high standard and that Miss Hewson and Mr Mohammed were actively involved in the business. Mr Rae advised the Sub-Committee that the directors of SPG Property Owners Ltd had experience in running a public house and also held a personal licence with West Lindsey District Council and advised that they were offering to work with Miss Hewson and Mr Mohammed in order to guide and advise them and would ensure that the restaurant was run properly with ad-hoc spot-checks and inspections being carried out.

Mr Rae also reported that SPG Property Owners Ltd felt that Miss Hewson had been taken advantage of many times in the past, with nobody to turn to for help, however with SPG Property Owners Ltd mentoring Miss Hewson he considered there would be a vast improvement.

Mr Rae requested that the Sub-Committee grant a temporary licence in order for SPG Property Owners Ltd to demonstrate to the Sub-Committee and Lincolnshire Police that they could run the premises in the proper manner.

Members were then invited to put questions to both parties.

- A Member commented that Mr Rae had delivered a very passionate speech regarding the premises, however he considered that Miss Hewson was not capable of running a bar and queried why the owners could not bring in somebody else to run it.

Mr Rae responded that the directors of SPG Property Owners Ltd wanted to work with Mr Mohammed and Miss Hewson and hoped that with their mentorship, they would see a completely different situation in compliance with future licensing activities at the premises.

- A Member further highlighted that Miss Hewson had failed to comply with the law at all of the other premises she has been involved with and considered that she was not capable of running a premises.

Mr Rae attempted to reassure the Sub-Committee by explaining that CCTV had been ordered and was waiting to be installed and the requirements for the premises were all in hand as they wanted to be fully compliant.

- A Member queried why the directors of SPG Property Owners Ltd did not want to take on the role of responsible person until they were assured that the restaurant was running properly and it could then be transferred on to someone else to run.

In response, Mr Rae explained that SPG Property Owners Ltd had originally applied for the licence, however were contacted by police who suggested they withdrew the application. Following which, SPG Property Owners Ltd decided to take on the mentorship role in order to ensure the restaurant was being run properly.

- Sergeant Adams queried whether SPG Property Owners Ltd owned the building. Mr Rae confirmed that they did, along with some of the fixtures and fittings. The kitchen equipment belonged to Miss Hewson and Mr Mohammed.
- Sergeant Adams further queried whether Miss Hewson would be responsible for the day to day running of the business. Mr Rae responded that she would, however SPG Property Owners Ltd would also be involved.
- Further to a query on why Miss Hewson was selling illegal alcohol at 22 Victoria Road, Mablethorpe and why there was an illegal immigrant working as a chef, Miss Hewson explained that it was Mr Mohammed's friend who had been staying at the premises and he had been cooking his dinner. Miss Hewson further explained that the alcohol had been gifted and that no alcohol had been sold at 22 Victoria Road.
- A Member queried why it had taken 5 months for Miss Hewson to submit her licence application for the Eagle Hotel in Mablethorpe, to which Miss Hewson responded that she did not know why.

In summing up, Sergeant Adams highlighted changes to the Licensing Act 2003 in 2017 with regards to illegal working and stressed that the onus was on the employer to ensure all staff had the right to work, and where restrictions were in place they needed to make sure they fully understand what those restrictions were. Members were referred to the guidance at Section 1.2 issued under Section 182 of the Licensing Act 2003 and Section 1.2 of the East Lindsey District Council Statement of Licensing Policy (January 2024), pages 18 to 19 of the report refer.

Sergeant Adams concluded that Lincolnshire Police had serious concerns regarding the application and felt that if it were granted, the licensing objectives would be undermined and therefore requested that the application be rejected.

In summing up, Mr Rae stated that in the past the running of the various premises by Miss Hewson and Mr Mohammed had been a disaster, however he was confident that under the mentorship of a successful business man and an experienced licensee things would improve. Mr Rae asked the Sub-Committee to grant Miss Hewson and Mr Mohammed a temporary licence in order for them to demonstrate that they could run the business in a compliant manner.

Mr Mohammed added that he would appreciate one more chance and apologised for his previous behaviour.

N.B The Sub-Committee retired for their deliberation at 2:45pm.

N.B The Sub-Committee re-convened at 3:03pm.

Reason for the Decision:

The Licensing Act 2003 Sub-Committee convened to consider the application.

The Sub-Committee read all the information before them, they discounted the information contained within Appendix C of the police evidence pack, as requested by the police.

The Sub-Committee heard from Mr Rae on behalf of SPG, the owner of the premises and Miss Sally Hewson. The police recited the Licensing history of Miss Hewson and Mr Noor Mohammed – noting incidence of illegal workers at previous premises, issues with crime and disorder and supply of non-duty paid alcohol.

Mr Rae provided background of the owners of the premises and their involvement in their current business and their background in Licensed premises. Mr Rae advised SPG would mentor Miss Hewson and Mr Mohammed and would be supervising them both and the premises.

The Sub-Committee noted the comments made but were mindful that the premises licence application was made solely in Miss Hewson's name, they noted her licensing history.

Having considered the application and Miss Hewson's history, the Licensing Sub-Committee were of the view that it was not appropriate for the promotion of the licensing objectives to grant the licence.

The Sub-Committee considered whether there were other options available. They did not consider conditions or exclusion of licensable activities were appropriate, given the background licensing history of Miss Hewson being the sole applicant.

Following which, it was

RESOLVED

That the licence application be refused.

Miss Hewson was advised of her Right to Appeal to the Magistrates Court against the above decision.

Any appeal must be made to the Lincoln Magistrates Court, The Court House, 358 High Street, Lincoln, LN5 7QA, (Tel: 01522 528218) within 21 days of the date of the decision notice.

The Meeting closed at 3.05pm.

Minutes of a Meeting of the Licensing Act 2003 Sub Committee held in the Hub, Mareham Road, Horncastle, Lincolnshire LN9 6PH on Monday, 3rd March, 2025 at 10.30am.

PRESENT

Councillors Sandra Campbell-Wardman, Stephen Evans, Darren Hobson and George Horton.

Councillor Stephen Evans attended the Meeting as a Substitute.

Officers in Attendance:

Neil Brooks	- Senior Licensing Officer
Kia McKenna	- Licensing Officer
Kim Robertson	- Legal Advisor
Lynda Eastwood	- Democratic Services Officer

Also in Attendance:

Sergeant Amy Adams	- Lincolnshire Police
PC Gareth Crabb	- Lincolnshire Police
Mr Balasundaram Balagajendran	- Premises Licence Holder
Mrs Archana Balagajendran	- Wife of Premises Licence Holder
Mr Roy Light	- Barrister
Mr Richard Baker	- RB Retail & Licensing Serviced Ltd

17. ELECTION OF CHAIRMAN:

Councillor Sandra Campbell-Wardman was duly nominated and upon being put to the vote, it was

RESOLVED

That Councillor Sandra Campbell-Wardman be elected Chairman of the Licensing Sub-Committee for this Meeting only.

COUNCILLOR SANDRA CAMPBELL-WARDMAN IN THE CHAIR

18. DISCLOSURE OF INTERESTS (IF ANY):

At this point in the meeting, Members were invited to declare any relevant interests. None were received.

19. APOLOGIES FOR ABSENCE:

Those present were noted.

20. REVIEW OF A PREMISES LICENCE:

The Sub-Committee was presented with a report by the Group Manager, Public Protection which enabled Members to consider an application by Lincolnshire Police for a review of the premises licence held in respect of the premises known as Sairam Alford Convenience Store, 14 Market Place, Alford, LN13 9EB.

The grounds of the application for review related to the prevention of crime licensing objective – the premises had recently been visited by Lincolnshire Police and were found to be employing an illegal worker. The Police were asking the Licensing Authority to consider a revocation of the premises licence.

The application for review had not attracted representations from the other Responsible Authorities (e.g. Lincolnshire Trading Standards, Lincolnshire Fire & Rescue, etc.).

One representation from the public was received and circulated.

The Home Office guidance to Licensing Authorities stated that there were certain criminal activities which should be treated particularly seriously by a Licensing Authority, one of those was knowingly employing a person who was not entitled to work in the UK.

The Authority's licensing policy stressed that in cases when the crime prevention objective was being undermined it could be expected that revocation of the premises licence would be seriously considered.

The Senior Licensing Officer outlined the report detailing the licensing objectives, page 3 to 6 of the report refer and the recommendations available to the Sub-Committee, page 2 of the report refers. The information included the background on the Designated Premises Supervisor (DPS), Mr Balasundaram Balagajendran (Mr Bala).

N.B. Meeting adjourned at 10.45am to allow Members to review the necessary paperwork, which had arrived late.

N.B. Meeting reconvened at 10.50am.

It was confirmed that the hearing would be held in open session. Redacted and unredacted documents were discussed, with a request not to disclose sensitive personal information publicly.

Sergeant Amy Adams, Lincolnshire Police, was invited to make her representation to the Sub-Committee.

Lincolnshire Police presented their case for the review of the premises licence for Sairam Alford Convenience Store, Alford. Members were referred to the police report, pages 25 to 27 of the agenda pack refer and Appendices A to H in the police evidence pack. Key points included:

- Employment of illegal workers on two occasions (October and November 2024.)
- Workers were observed stacking shelves, serving customers, and demonstrating knowledge of store operations.
- A pattern of non-compliance with licence conditions across both premises operated by Mr Bala, including lack of Challenge 25 policy, refusal logs, and staff training.
- No right-to-work checks were conducted.
- Failure to implement improvements after initial warnings.
- Absence of CCTV footage and refusal logs.

Lincolnshire Police requested revocation of the licence due to serious breaches undermining the licensing objective of preventing crime and disorder.

Mr Roy Light, the Barrister for Mr Bala was invited to make his representation to the Sub-Committee and responded with the following points:

- Acknowledged past failings but argued no civil penalties were issued and stated that any compliance issues had been rectified.
- Claimed the two individuals were not employees and were present for personal reasons.
- Proposed new conditions agreed with the police.
- Presented documentation of new compliance measures, including:
 - o Employee checklists
 - o Right-to-work documentation
 - o Contracts and wage slips
 - o CCTV maintenance contracts
- Presented evidence of new staff training.
- Proposed separate DPS appointments for each shop (Mr Bala and Mrs Bala).
- Requested a yellow card approach with conditions and advanced DPS training for both Mr and Mrs Bala.
- Emphasised Mr Bala's community ties and lack of previous issues
- Requested a proportionate response (modification of conditions) rather than revocation.

Following which, Members were invited to put their questions to both parties.

- A Member queried whether Mr Bala had carried out the right-to-work checks on the two employees, paragraph 2.12 on page 5 of the agenda pack refers.
Mr Bala responded that the checks were not carried out on those two individuals as they were not his employees. Mr Light further advised Members that the checks were not carried out previously but that they were now and he referred Members to the Starter Checklist in the evidence pack. He continued to explain that everything was now in

place and Lincolnshire Police had seen the information and were satisfied with it.

- A discussion ensued with regards to how long one of the men had been working at the premises and Mr Bala advised Members that he was not an employee and could not have been working at his store for 12 months, as the Lincolnshire Police had stated, as he had been held by the Home Office during that time.
- When asked when he had met the individual, Mr Bala replied that this was at the Temple, he could not remember the exact date but it was in September 2024.
- A Member queried whether Mr Bala had trained the individual to use the till system in the shop as the police officer had witnessed him serving several customers. Mr Bala responded that the individual was not allowed to serve customers and that he was an unwell man suffering with depression but he had invited him to the shop to keep him company.

At this point, Mr Light clarified that it was only one customer that was served.

- When invited to address questions to Mr Bala, Sergeant Adams queried the omission of key Home Office documentation. Mr Light advised that it had been inadvertently missed out by Mr Baker, the Licensing Agent.
- Sergeant Adams further queried the identity of a second individual present during inspection and Mr Bala responded that he was unaware of the second individual's identity.
- Mr Bala was asked why the improvements to the shops which were requested by Lincolnshire Police were delayed despite prior warnings. Mr Bala explained that the majority of customers were local people and people known to them so there was no need to ask them to produce ID.
- When Mr Bala was asked whether he was still saying that the individual in the shop was not working, he said that he was not.

In summing up, Lincolnshire Police reiterated the seriousness of illegal working and non-compliance of the licence conditions and requested revocation.

In summing up, Mr Light emphasised the remedial actions that had been taken and the lack of civil penalties. He requested the modification of conditions with a yellow card warning and training instead of revocation.

N.B The Sub-Committee retired for their deliberation at 11.55am.

N.B The Sub-Committee re-convened at 12.33pm.

Reason for the Decision:

The Sub-Committee had read all of the paperwork before them. They had heard from Lincolnshire Police and Mr Light, Mr Baker and Mr & Mrs Bala on behalf of the Premises Licence holder.

The Sub-Committee heard evidence in respect of Sairam Alford Convenience Store and Shop Local and the parties confirmed they had provided to the Sub-Committee all the information for the Sub-Committee to make a decision on both Premises.

The Sub-Committee noted the evidence provided by both the police and premises licence holder which had been set out in written paperwork.

The Sub-Committee was advised of suggested conditions for both Licences which had been agreed between the parties. These conditions were detailed on appendix 1 of the notice.

In respect of the illegal worker the Sub-Committee heard that no civil penalty had been issued but the statement of care, noted that they were considered to be working. The premises licence holder disputed that they were working at the premises but did acknowledge they were in the shop and he did not check right-to-work documents. The Sub-Committee determined on the balance of probabilities that it was reasonable to assume from the actions of the person that they were working.

With all of this in mind the Sub-Committee decided it was appropriate for the promotion of the licensing objectives to modify the conditions on the Licence to remove the existing conditions and replace them with those as set out in appendix 1 of the notice.

The Sub-Committee considered removing a Licensable activity but noted it would have the same effect as revocation. They considered removing the DPS but had heard that Mr Bala would remain as DPS at one premises and Mrs Bala would be DPS at the other premises. The Sub-Committee considered two separate DPS would be appropriate to promote the licensing objectives.

The Sub-Committee did however consider it was appropriate to suspend the licence for a period of three months and to require both DPS to undergo further advanced training during that suspension time. They also considered such suspension would enable the premises licence holder to put in place procedures & policies as required. The Sub-Committee also decided to issue a yellow card.

Pending no appeal, suspension commencement date was 25 March 2025, ending at midnight on 24 June 2025.

Following which, it was

RESOLVED

That the conditions of the licence be modified, the licence be suspended for a period of 3 months, both DPS's attend advanced training and a yellow card be issued.

Mr Balagajendran was advised of his Right to Appeal to the Magistrates Court against the above decision.

Any appeal must be made to the Lincoln Magistrates Court, The Court House, 358 High Street, Lincoln, LN5 7QA, (Tel: 01522 528218) within 21 days of the date of the decision notice.

21. REVIEW OF A PREMISES LICENCE:

The Sub-Committee was presented with a report by the Group Manager, Public Protection which enabled Members to consider an application by Lincolnshire Police for a review of the premises licence held in respect of the premises known as Shop Local at 107 West Street, Alford, LN13 9HA.

The grounds of the application for review related to the prevention of crime licensing objective – the premises had recently been visited by Lincolnshire Police and were found to be employing an illegal worker. The Police were asking the Licensing Authority to consider a revocation of the premises licence.

The application for review had not attracted representations from the other Responsible Authorities (e.g. Lincolnshire Trading Standards, Lincolnshire Fire & Rescue, etc.). No representations had been submitted by local residents, local businesses, etc.

The Home Office guidance to Licensing Authorities stated that there were certain criminal activities which should be treated particularly seriously by a Licensing Authority, one of those was knowingly employing a person who was not entitled to work in the UK.

This Authority's licensing policy stressed that in cases when the crime prevention objective was being undermined it could be expected that revocation of the premises licence would be seriously considered.

The Senior Licensing Officer outlined the report detailing the licensing objectives, page 43 to 46 of the report refer and the recommendations available to the Sub-Committee, page 42 of the report refers. The information included the background on the Designated Premises Supervisor (DPS), Mr Balasundaram Balagajendran (Mr Bala).

N.B. Meeting adjourned at 10.45am to allow Members to review the necessary paperwork, which had arrived late.

N.B. Meeting reconvened at 10.50am.

It was confirmed that the hearing would be held in open session. Redacted and unredacted documents were discussed, with a request not to disclose sensitive personal information publicly.

Sergeant Amy Adams, Lincolnshire Police, was invited to make her representation to the Sub-Committee.

Lincolnshire Police presented their case for the review of the premises licence for Shop Local, Alford. Members were referred to the police report, pages 25 to 27 of the agenda pack refer and Appendices A to H in the police evidence pack. Key points included:

- Employment of illegal workers on two occasions (October and November 2024.)
- Workers were observed stacking shelves, serving customers, and demonstrating knowledge of store operations.
- A pattern of non-compliance with licence conditions across both premises operated by Mr Bala, including lack of Challenge 25 policy, refusal logs, and staff training.
- No right right-to-work checks were conducted.
- Failure to implement improvements after initial warnings.
- Absence of CCTV footage and refusal logs.

Lincolnshire Police requested revocation of the licence due to serious breaches undermining the licensing objective of preventing crime and disorder.

Mr Roy Light, the Barrister for Mr Bala was invited to make his representation to the Sub-Committee and responded with the following points:

- Acknowledged past failings but argued no civil penalties were issued and stated that any compliance issues had been rectified.
- Claimed the two individuals were not employees and were present for personal reasons.
- Proposed new conditions agreed with the police.
- Presented documentation of new compliance measures, including:
 - o Employee checklists
 - o Right-to-work documentation
 - o Contracts and wage slips
 - o CCTV maintenance contracts
- Presented evidence of new staff training.
- Proposed separate DPS appointments for each shop (Mr Bala and Mrs Bala).

- Requested a yellow card approach with conditions and advanced DPS training for both Mr and Mrs Bala.
- Emphasised Mr Bala's community ties and lack of previous issues
- Requested a proportionate response (modification of conditions) rather than revocation.

Following which, Members were invited to put their questions to both parties.

- A Member queried whether Mr Bala had carried out the right-to-work checks on the two employees, paragraph 2.12 on page 5 of the agenda pack refers.
Mr Bala responded that the checks were not carried out on those two individuals as they were not his employees. Mr Light further advised Members that the checks were not carried out previously but that they were now and he referred Members to the Starter Checklist in the evidence pack. He continued to explain that everything was now in place and the Police had seen the information and were satisfied with it.
- A discussion ensued with regards to how long one of the men had been working at the premises and Mr Bala advised Members that he was not an employee and could not have been working at his store for 12 months, as the police had stated, as he had been held by the Home Office during that time.
- When asked when he had met the individual at the temple, Mr Bala replied this was at the Temple, he could not remember the exact date but it was in September 2024.
- A Member queried whether Mr Bala had trained the individual to use the till system in the shop as the police officer had witnessed him serving several customers. Mr Bala responded that the individual was not allowed to serve customers and that he was an unwell man suffering with depression and he has invited him to the shop to keep him company.

At this point, Mr Light clarified that it was only one customer that was served.

- When invited to address questions to Mr Bala, Sergeant Adams queried the omission of key Home Office documentation. Mr Light advised that it had been inadvertently missed out by Mr Baker.
- Sergeant Adams further queried the identity of a second individual present during inspection and Mr Bala responded that he was unaware of the second individual's identity.
- Mr Bala was asked why the improvements to the shops which were requested by Lincolnshire Police were delayed despite prior warnings. Mr Bala explained that the majority of their customers were local

people and people known to them so there was no need to ask them to produce ID.

- When Mr Bala was asked whether he was still saying that the individual in the shop was not working, he said that he was not.

In summing up, Lincolnshire Police reiterated the seriousness of illegal working and non-compliance of the licence conditions and requested revocation.

In summing up, Mr Light emphasised the remedial actions that had been taken and the lack of civil penalties. He requested the modification of conditions with a yellow card warning and training instead of revocation.

N.B The Sub-Committee retired for their deliberation at 11.55am.

N.B The Sub-Committee re-convened at 12.33pm.

Reason for the Decision:

The Sub-Committee had read all of the paperwork before them. They had heard from Lincolnshire Police and Mr Light, Mr Baker and Mr & Mrs Bala on behalf of the Premises Licence holder.

The Sub-Committee heard evidence in respect of Sairam Alford Convenience Store and Shop Local and the parties confirmed they had provided to the Sub-Committee all the information for the Sub-Committee to make a decision on both Premises.

The Sub-Committee noted the evidence provided by both the police and premises licence holder which had been set out in written paperwork.

The Sub-Committee was advised of suggested conditions for both Licences which had been agreed between the parties. These conditions were detailed on appendix 1 of the notice.

In respect of the illegal worker the Sub-Committee heard that no civil penalty had been issued but the statement of care, noted that they were considered to be working. The premises licence holder disputed that they were working at the premises but did acknowledge they were in the shop and he did not check right-to-work documents. The Sub-Committee determined on the balance of probabilities that it was reasonable to assume from the actions of the person that they were working.

With all of this in mind the Sub-Committee decided it was appropriate for the promotion of the licensing objectives to modify the conditions on the Licence to remove the existing conditions and replace them with those as set out in appendix 1 of the notice.

The Sub-Committee considered removing a Licensable activity but noted it would have the same effect as revocation. They considered removing the DPS but had heard that Mr Bala would remain as DPS at one premises and Mrs Bala would be DPS at the other premises. The Sub-Committee considered two separate DPS would be appropriate to promote the licensing objectives.

The Sub-Committee did however consider it was appropriate to suspend the licence for a period of three months and to require both DPS to undergo further advanced training during that suspension time. They also considered such suspension would enable the premises licence holder to put in place procedures & policies as required. The Sub-Committee also decided to issue a yellow card.

Pending no appeal, suspension commencement date was 25 March 2025, ending at midnight on 24 June 2025.

Following which, it was

RESOLVED

That the conditions of the licence be modified, the licence be suspended for a period of 3 months, both DPS's attend advanced training and a yellow card be issued.

Mr Balagajendran was advised of his Right to Appeal to the Magistrates Court against the above decision.

Any appeal must be made to the Lincoln Magistrates Court, The Court House, 358 High Street, Lincoln, LN5 7QA, (Tel: 01522 528218) within 21 days of the date of the decision notice.

The Meeting closed at 12.37pm.

Minutes of a Meeting of the Licensing Act 2003 Committee held in the Hub, Mareham Road, Horncastle LN9 6PH on Wednesday, 21 May 2025 at the rising of the Annual General Council Meeting.

PRESENT

Councillor Terry Taylor (Chairman of the Council in the Chair)

ELECTED MEMBERS OF THE COMMITTEE PRESENT:

Councillors Richard Avison, Stephen Evans, Neil Jones, Carl Macey, Terry Taylor, Andrew Leonard, George Horton, Darren Hobson, Graham Cullen, Sandra Campbell-Wardman and Jimmy Brookes.

1. ELECTION OF CHAIRMAN:

It was proposed and seconded that Councillor Sandra Campbell-Wardman be elected Chairman.

Upon being put to the vote, it was

RESOLVED:

That Councillor Sandra Campbell-Wardman be elected Chairman of the Licensing Act 2003 Committee for the Council year 2025/26.

2. ELECTION OF VICE-CHAIRMAN:

It was proposed and seconded that Councillor Neil Jones be elected Vice-Chairman.

Upon being put to the vote, it was

RESOLVED:

That Councillor Neil Jones be elected Vice-Chairman of the Licensing Act 2003 Committee for the Council year 2025/26.

The Meeting closed at 8.34pm.

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