



Report To: Panel of the Committee of the Licensing Authority

Date: Thursday 9th July 2026

Subject: The Old Black Lion, Chapelgate, Gedney.

Purpose: To consider an application for a premises licence where relevant representation has been received.

Key Decision: No

Portfolio Holder: N/A

Report Of: Richard Boole, Public Protection Manager

Report Author: Hannah Wright, Licensing Officer

Ward(s) Affected: Gedney Ward

Exempt Report: No

Summary

This is a hearing to consider an application for the grant of a Premises Licence, the applicant being Mr Maurice Chevalier, following the receipt of a relevant representation.

The Licensing Act 2003 in conjunction with the Council's Constitution requires that the Panel of the Committee of the Licensing Authority determines an application where relevant representations have been received.

Recommendations

It is recommended that the Panel takes into account all evidence and information received from the interested parties and the applicant and determine this matter.

Reasons for Recommendations

Section 18 (3) of the Licensing Act 2003 requires that where relevant representations are made, the authority must hold a hearing to consider them, unless the authority, the applicant and each person who has made a representation agree that a hearing is unnecessary, and having regard to representations, take such of the steps mentioned in the Act as it considers necessary for the promotion of the licensing objectives.

Those steps are set out in the Licensing Act 2003 Section 18 (4) and are detailed in the main body of the report.

Other Options Considered

None

1. Background

- 1.1 On 18 May 2026 an application for the grant of a premises licence, under section 17 of the Licensing Act 2003, was received from Mr Maurice Chevalier for premises situate at The Old Black Lion, Chapelgate, Gedney.
- 1.2 The Local Authority requires that the applicant serves a copy of the application on the Responsible Authorities, advertises the application in a local news publication and places notice of the application details outside the premises. The Licensing Authority must also publish a notice on its website. It is confirmed that these requirements were complied with.
- 1.3 A Responsible Authority or other person may submit a representation during the statutory 28-day consultation period.
- 1.4 The Licensing Act 2003 states that relevant representations mean representations which are about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Only parts of a representation that are relevant to the application and its impact on those objectives may be considered.
- 1.5 Where relevant representations are received the Licensing Authority encourages all parties to mediate and will assist in the facilitation of mediation discussions. Where agreement cannot be reached, the Licensing Act 2003 requires that a hearing is held to determine the application.

2. Report

2.1 The application

- 2.1.1 An application for a Premises Licence has been received for The Old Black Lion, Chapelgate, Gedney. The premises is located in Gedney in a predominately residential area. A location plan is attached at **appendix 1**.
- 2.1.2 The activities and hours applied for are detailed below and a copy of the application is attached at **appendix 2**.

The applicant seeks a licence to permit licensable activities as follows:

Live Music (Indoors) and Recorded Music (Indoors)

Monday-Sunday 23:00 hours until 00:00 hours

Late night refreshment (Indoors)

Sunday-Thursday 23:00 hours until 00.00 hours

Friday-Saturday 23:00 hours until 01:00 hours

Sale by retail of alcohol for consumption on the premises

Sunday-Thursday 10:30 hours until 00.00 hours

Friday-Saturday 10:30 hours until 01:00 hours

2.1.3 In submitting the application the applicant is required to describe any steps intended to be taken to promote the four licensing objectives, namely:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

2.1.4 The steps the applicant intends to take to promote the licensing objectives, should the licence be granted, are in accordance with the operating schedule at section M of the application. Steps identified at part M are appended to a granted licence as conditions with which a licence holder must comply.

2.2 Relevant representations

2.2.1 On 15 June 2026 a relevant representation was received from Lincolnshire Police in their capacity as a responsible authority. The representation addresses concerns regarding the absence of a 30-minute wind-down/drink up period when the finishing time of the licensable activities is the same as the closure time, and CCTV conditions due to the operating style and timings on the premise application. Lincolnshire Police have requested that additional conditions be imposed on the licence to assist in the promotion of the licensing objectives. Details of those requested conditions are detailed below, and a copy of the full representation is attached at **appendix 3**. However, in summary the Police are requesting the following conditions:

- *Licensable activities to cease 30min before closure time on days where they are the same. Closure times to remain as per the application.*
- *A CCTV system shall be installed, recording and maintained in working order and operated at the premises to the satisfaction of Lincolnshire Police, specifically:*
 - a) There shall be a minimum of one high resolution colour cameras, fitted in a weatherproof housing, for external coverage of the entrance and premises frontage.*
 - b) There shall be a minimum of one high resolution colour camera fitted to each public entrance/exit. To provide a quality head and shoulder image for facial recognition/identification purposes of all persons entering the premises.*
 - c) There shall be sufficient cameras able to cope with the normal operating illumination to reasonably cover all licensed public areas.*
 - d) Recordings must be kept for a minimum of 31 days and endorsed with the accurate, correct time/date (BST/GMT adjusted).*
 - e) Police and/or Authorised Licensing Officers shall be able on attendance to view immediate playback of any incident without the necessity for download.*
 - f) Recordings of incidents at the premises must be provided to the police following lawful request.*
 - g) A member of management shall be on the premises at all times they are open to the public who is capable of operating the CCTV system and providing recordings on request. When this is not possible recordings shall be provided within 24hours of the original request.*
 - h) Recording equipment shall be housed in a secure room/cabinet where access and operation is strictly limited to authorised persons.*

- i) *In the event of a system malfunction, the Designated Premises Supervisor or the Premises licence Holder must immediately notify Lincolnshire Police Licensing Department tel 101, ask for Lincolnshire, ask for the alcohol licensing or email countylicensing@lincs.police.uk . Details of this malfunction must be recorded in the premises refusals/incident book. Arrangements for its repair must be made without delay. Police Licensing must be notified when the system is again operational.*
- *An incident/refusals recording system shall be kept at the premises, in which details of crime and/or disorder or alcohol refusals relating to the premises shall be recorded. It shall contain the following details;*
 - a) *Time, date of incident/refusals.*
 - b) *Nature of the incident/refusal.*
 - c) *Result of the incident/refusals.*
 - d) *Action taken to prevent such incidents.*
 - e) *Retained for a period of no less than 12 months and made available to Lincolnshire Police for inspection upon request.*
- *The premises shall operate the "Challenge 25" Proof of Age Policy to prevent the sale or supply of alcohol to persons under 18 years of age. The policy shall require any person who appears to be under the age of 25 years to produce one of the following forms of identification:*
 - a) *A recognised proof of age card accredited under the British Retail Consortiums Proof of Age Standards Scheme (PASS);*
 - b) *Photo driving licence;*
 - c) *Passport.*
- *Notices shall be prominently displayed advising customers of the Challenge 25 policy.*
- *All point-of-sale staff shall undergo twelve monthly training in the challenge 25 proof of age scheme and all other relevant policies with a record kept of the date of training, signed by the member of staff being training and the trainer. Each entry shall be retained for a period of 12 months from date of completion. This record shall be made available for inspection by Lincolnshire Police Officers or other relevant authority.*

2.3 Options

2.3.1 In making their determination and having had regard to all the information presented, the Panel must take such steps as considered appropriate for the promotion of the licensing objectives. These steps are set out in the Licensing Act 2003 Section 18 (4) as follows:

- To grant the licence, subject to mandatory conditions and conditions in the operating schedule;
- To grant the licence with modified conditions;
- Exclude from the scope of the licence any of the licensable activities to which the application relates;
- To refuse to specify a person in the licence as the premises supervisor
- To reject the application.

2.4 Considerations

- 2.4.1 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what would be suitable to achieve that end. This does not require a licensing authority to decide that no lesser step will achieve the aim, but the authority should aim to consider the potential burden that the condition would impose on the Premises Licence holder as well as the potential benefit in terms of the promotion of the licensing objectives.
- 2.4.2 It is imperative that the Panel ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the licensing objectives and nothing outside of those parameters and determination must be based on an assessment of the evidence of both the risks and benefits either for or against making the determination.
- 2.4.3 The Panel should consider whether to impose additional conditions on the licence would result in the licensing objectives being promoted. Conditions on a premises licence can be a useful tool in setting the parameters within which premises can lawfully operate. If consideration is given to attaching or amending conditions, they:
- Must be appropriate for the promotion of the licensing objectives;
 - Must be precise and enforceable;
 - Must be unambiguous and clear in what they intend to achieve;
 - Should not duplicate other statutory requirements;
 - Must be tailored to the individual type, location and characteristics of the premises and events concerned;
 - Should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives;
 - Should not replicate offences set out in the 2003 Act or any other legislation;
 - Should be proportionate, justifiable and capable of being met;
 - Cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
 - Should be written in a prescriptive format.
- 2.4.4 If the Panel are minded to grant the licence, they can be assured that mechanisms are available to responsible authorities, or other persons, to enable them to review the licence where issues arise in connection with the licence holders failure to promote the licensing objectives.
- 2.4.4 In determining the application, the licensing authority must give appropriate weight to:
- The Licensing Authority's Statement of Licensing Policy. Relevant extracts of which are attached at **appendix 4**.
 - The statutory guidance issued under section 182 of the Licensing Act 2003. Relevant extracts of which, are attached at **appendix 5**.

2.5 Human Rights & Equalities

- 2.5.1 In determining the review the Panel should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Human

Rights Act it is unlawful for a public authority to act in a manner which is incompatible with the European Convention on Human Rights.

2.5.2 When determining the application, the Panel should be satisfied that any decision which interferes with the rights of the licence holder, or of any other person, only does so insofar as is necessary to protect the rights of others and that no alternative decision would be more appropriate.

2.5.3 The Panel, in its decision-making, must have due regard to its public sector equality duty under section 149 of the Equality Act 2010. A copy of section 149 of the Act is attached at **appendix 6**.

2.6 Appeal

2.6.1 The applicant may appeal the decision made by the Panel to the Magistrates Court. Any appeal must be made within 21 days of the day on which the appellant is notified, in writing, by the Licensing Authority of the decision to be appealed against.

2.6.2 The determination does not take effect until the end of the period for appealing against the decision or, if the decision is appealed against, until the appeal is disposed of.

3. Conclusion

3.1 The Panel must come to its determination based on an assessment of the evidence of both the risks and benefits either for or against granting a licence.

3.2 When considering the evidence, the Panel must satisfy themselves whether or not the licensing objectives would be promoted as the application stands. The Panel must have regard to evidence, not speculation. In the case of a new application/new premises, the history and makeup of the site (and surrounding area) and the history of the applicant will be relevant, if sufficiently evidenced.

3.3 The Panel should seek to focus the hearing on the relevant parts of representations only and the steps considered appropriate to promote the particular licensing objective(s) that have given rise to the representations and avoid straying into undisputed areas. Any matter which is not about the likely effect of the grant of the licence on the promotion of one or more of the four licensing objectives is not, in accordance with the Licensing Act 2003, relevant and therefore cannot be considered.

3.4 The Panel must give full reasons for its decision.

3.5 In making its' determination, the Panel must evidence that they have had due regard for all that they have read and heard, to the Licensing Authority's Statement of Licensing Policy, the guidance issued under Section 182 of the Licensing Act 2003, and their public sector duty under Section 149 of the Equality Act 2010.

Implications

South and East Lincolnshire Councils Partnership

None

Corporate Priorities

None

Staffing

None

Workforce Capacity Implications

None

Constitutional and Legal Implications

The constitutional and legal implications relating to this matter are contained within the report and appendices.

Data Protection

Certain personal details have been redacted from the public agenda pack for data protection purposes.

Financial

None

Risk Management

There is a theoretical risk of civil action against the Licensing Authority if it is found not to have exercised due diligence in licensing matters.

Stakeholder / Consultation / Timescales

None

Reputation

There is a risk that the Council's reputation could be damaged if the requirements of licensing legislation are not implemented in the prescribed manner.

Contracts

None

Crime and Disorder

The Council has a duty to promote and ensure compliance with the licensing objectives of, the prevention of crime and disorder, public safety, prevention of public nuisance, and the protection of children from harm.

Equality and Diversity / Human Rights / Safeguarding

Equality Implications: The licensing authority must have due regard to its public sector equality duty under section 149 of the Equality Act 2010.

Human Rights: Under the Human Rights Act 1998, it is unlawful for a public authority to act in a manner that is incompatible with the European Convention on Human Rights.

Safeguarding Implications: None

Health and Wellbeing

None

Climate Change and Environmental Implications

None

Acronyms

None

Appendices

Appendices are listed below and attached to the back of the report:

Appendix 1	Location plan
Appendix 2	Premises licence application
Appendix 3	Representation - Lincolnshire Police
Appendix 4	Extract - Statement of licensing policy
Appendix 5	Extract – Section 182 Guidance
Appendix 6	Section 149 – Equality Act 2010

Background Papers

A report on this item has not been previously considered by a Council body.

Chronological History of this Report

None

Report Approval

Report author:	Hannah Wright
Signed off by:	Richard Boole