

KANTEENA, LODGE STREET, CANAL QUARTER, LANCASTER

DETERMINATION OF APPLICATION FOR A PREMISE LICENCE FOLLOWING RESPONSIBLE AUTHORITY REPRESENTATIONS

DECISION OF LICENSING SUB-COMMITTEE

THURSDAY, 24TH OCTOBER 2019

The Sub-Committee comprised of Councillor Mel Guilding (Chair), Councillor Mike Greenall and Councillor Joan Jackson.

The Legal Adviser was Rephael Walmsey, who was accompanied by Dan Spencer, Criminal Lawyer.

The Democratic Support Officer was Jane Glenton, Democratic Services, who was accompanied by Eric Marsden, Democratic Support Officer and Hannah Read, Corporate Service Apprentice.

An application for a premise licence had been made under Section 17 of the Licensing Act 2003 by Mr. Pablo Aguilar in respect of Kanteena, Lodge Street, Canal Quarter, Lancaster.

During the 28-day representation period, the applicant had agreed additional conditions with Lancashire County Council Public Health and Wellbeing with specific regard to the safeguarding of children from harm licensing objective, namely:

- Persons under the age of 18 years shall vacate the premises by 9.00 p.m. on days when no live music is being played at the venue;
- Persons under the age of 18 years shall vacate the premises by 11.30 p.m. on days when live music is being played at the venue.

Similarly, the applicant had agreed an additional condition with the Council's Senior Environmental Health Officer for Community Protection with specific regard to the prevention of public nuisance licensing objective, namely:

- A noise limiting device will be utilised at the premises to prevent music noise levels being audible from within the nearest noise sensitive receptors. This would be subject to Environmental Health validation prior to the premises becoming operational.

The applicant had agreed to accept all the representations made.

The Licensing Act 2003 does not offer any provision to allow officers to grant applications where the licence issued does not reflect the licence applied for. As the application had been amended to reflect the representations made, the determination of the application must be made by the Sub-Committee. In view of the agreements reached, the parties had not been invited to attend the determination. It was not felt necessary to request any clarification from the parties.

Jenette Hicks, Licensing Manager, introduced the report, stating that the application was for a licence to facilitate the following:

Late Night Refreshment - Monday to Sunday, 2300 hours until 0500 hours.

The sale and supply of alcohol – Monday to Sunday, 0900 hours until 0600 hours.

DECISION

Having considered the Application for a Premises Licence of Kanteena, Lodge Street, Canal Quarter, Lancaster and the Licensing Officer's report, and upon noting the Applicant's agreement on conditions with Lancashire County Council Public Health and Wellbeing and the Council's Senior Environmental Health Officer for Community Protection, the Committee, pursuant to Sections 17 and 18 of the Licensing Act 2003 has determined that:

1. The Application be granted as modified by the inclusion of the information contained within Appendices 2 and 3 of the Licensing Officer's report (*as outlined above*).

**Any queries regarding these Minutes, please contact
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