

**THE WOBBLY COBBLER MICROPUB, 49 SCOTFORTH ROAD, SCOTFORTH,
LANCASTER**

**DETERMINATION OF APPLICATION FOR A PREMISE LICENCE FOLLOWING
RELEVANT REPRESENTATIONS**

DECISION OF LICENSING SUB-COMMITTEE

THURSDAY, 28TH NOVEMBER 2019

The Sub-Committee comprised of Councillor Colin Hartley (Chair), Councillor Joyce Pritchard and Councillor Joan Jackson.

The Legal Adviser was Luke Gorst, Solicitor. Also present was Daniel Spencer, Solicitor and Tom Mitchell, Solicitor.

The Democratic Support Officer was Jane Glenton.

An application for a Premises Licence had been made under Section 17 of the Licensing Act 2003 by Thomas Robinson in respect of The Wobbly Cobbler Micropub, 49 Scotforth Road, Scotforth Lancaster.

The hearing was held in light of relevant representations received from other persons as defined under the 2003 Act.

The applicant, Mr Robinson was present and represented by Gill Sherratt of Licensing Matters.

Of the Other Persons who had made relevant representations, Alison Aylott was not present but was represented by Ann Goddard, a Governor at Scotforth St. Paul's C of E Primary and Nursery School. Matthew Smalley was not present.

The Chair explained the procedure to those present, and stated that the hearing would be a discussion led by the licensing authority.

All parties present introduced themselves.

Jenette Hicks, Licensing Manager, introduced the report stating that the application was a new application for the sale of alcohol on the premises from 1600 hours until 2200 hours every Wednesday, Thursday and Friday. Between 1400 hours and 2200 hours each Saturday and between 1200 hours and 1800 hours each Sunday. The application included an extension of the sale of alcohol on New Year's Eve until midnight. No other licensable activities were applied for.

Miss Goddard then presented the objection to the application from the school.

Mrs Sherratt then presented the applicant's case and Mr Robinson helped answer questions.

The Sub-Committee then withdrew to make its decision, and sought advice from its legal adviser as to the appropriate phraseology of the decision.

DECISION

The Sub-Committee carefully considered all the written information before it, and the representations and views expressed at the hearing by the parties who were present.

The concerns from the Other Persons all related to the potential for an increase in nuisance, particularly from the anti-social behaviour of customers, including bad language, smoking and littering. There were also concerns raised in relation to increased traffic congestion and issues concerning parking. Miss Goddard, a Governor of Scotforth St. Paul's C of E Primary and Nursery School, raised specific concerns about the protection of children from harm given the location.

The applicant told the Sub-Committee that the premises was a micro-pub designed to cater for the local population only. It would have a specific target demographic who would not be interested in any loud traditional drinking establishments.

The hours applied for were limited and it was hoped any business would develop into a coffee shop in the daytime to promote local social events.

Importantly the Sub-Committee noted that no representations had been received from the Responsible Authorities in relation to the application and that the terminal hour each night was not excessive.

The Sub-Committee considered the case of Daniel Thwaites v Wirral Borough Magistrates' Court and were mindful that this was a new application. They were of the opinion that there was insufficient evidence provided to show that the licensing objectives would be undermined if the application was granted,

In light of the above, the Sub-Committee was of the opinion that it was proportionate and appropriate to grant the application as applied for.

In accordance with Section 181 and Schedule 5 of the Licensing Act 2003, the parties had a right of appeal against this decision.

Importantly, the parties were reminded of the statutory right of Responsible Authorities and other persons to seek a review of a licence on the basis that the licensing objectives were not being met. This would be particularly relevant in the event of any ongoing complaints about noise.

**Any queries regarding these Minutes, please contact
Jane Glenton, Democratic Services - telephone (01524) 582068 or email
jglenton@lancaster.gov.uk**