

LICENSING ACT 2003 PREMISE LICENCE GRANT- CHAPEL STREET WINES, 9 CHAPEL STREET, LANCASTER, LA11NZ

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 Hartley (Chairman), Councillor Guilding and Councillor Jackson.

The Legal Adviser was Daniel Spencer, Solicitor.

The Democratic Support Officer was Jenny Kay.

Also present was Jenette Hicks, Licensing Manager.

An application for premises licence had been made under Section 17 of the Licensing Act 2003 by Adam Ventress in respect of Chapel Street Wines of 9 Chapel Street, Lancaster LA1 1NZ.

The hearing was held in light of relevant representations received by Lancashire Constabulary, as defined under the 2003 Act.

The applicant, Mr Ventress 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.

Parties present introduced themselves.

The Licensing Manager, Jenette Hicks, introduced the report, and stated that the application was for a premises licence for the sale and supply of alcohol Monday to Saturdays between the hours of 11.00 and 22.00.

Lancashire Constabulary have made proposals for additional conditions to be added to the conditions included within the application. These conditions have been agreed by the applicant in advance of the hearing and were attached with the report. (Appendix No.2)

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 Licensing Manager.

The Sub-Committee accepts that this premises is in a city location and has listened carefully to the reasons for the application. Importantly it has also taken into consideration that there were representations were received from Lancashire Constabulary; however following the applicant agreeing additional conditions being attached to the licence they no longer objected to the application. There were no other objections from Responsible Authorities or interested parties.

The Sub-Committee has considered the case of Daniel Thwaites v Wirral Borough Magistrates Court and were mindful that this is a new application. They are of the opinion that there was insufficient evidence provided to show that the licensing objectives would be undermined if the application was granted subject to the additional conditions as agreed involving the installation of CCTV, implementation of Challenge 25 policy, ensuring staff are fully trained and due diligence documentation is retained.

In light of the above, the Sub-Committee is of the opinion that it is proportionate and appropriate to grant the application, (subject to the above conditions)

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

**Any queries regarding these Minutes, please contact
Jenny Kay Democratic Services email jkay@lancaster.gov.uk
- telephone (01524) 582065**