

**LICENSING SUB-
COMMITTEE**

11.00 A.M.

14TH MARCH 2024

3 LICENSING ACT 2003 PREMISE LICENCE VARY - KFC, 110 PENNY STREET, LANCASTER, LA1 1XN - DETERMINATION OF APPLICATION FOLLOWING MEDIATION WITH RESPONSIBLE AUTHORITY

The Sub-Committee comprised of Councillor Blaikie (Chair), Councillor Hall and Councillor Maddocks.

The Legal Adviser was Daniel Spencer, Solicitor.

The Democratic Support Officer was Sarah Moorghen.

Also present was Jennifer Curtis, Licensing Manager, and the Solicitor acting on behalf of the applicant Mr Leigh Schelvis.

Members were asked to determine an application to vary a Premise Licence under Section 34 of the Licensing Act 2003 submitted by Mulcroft Limited, 30 Corporation Street, Rotherham, S60 1NG, relating to the premises licence for KFC, 110 Penny Street, Lancaster, LA1 1XN. The hearing was necessary as relevant representations were received from a responsible authority, namely Lancashire Constabulary.

The Sub-Committee carefully considered the report by Licensing Officer David Eglin, together with all written information before it, the Council's own Statement of Licensing Policy and the representations and views expressed at the hearing by the Licensing Officer and Mr Schelvis.

The application was to increase the hours of licensable activity for late night refreshment on Monday – Sunday from 23:00 hours until 05:00 hours inclusive and increase the opening times to a 24-hour operation.

During the 28-day statutory consultation period the Council received notification from a Responsible Authority namely PC 2338 Andrew Taylor of Lancashire Constabulary that mediation had taken place with the Solicitor acting for the applicant in respect of the crime prevention licensing objective. The Police wished to see more robust conditions contained within the operating schedule of the premise licence to satisfy the crime & disorder licensing objective than those originally offered by the applicant in their application. Following discussions between the Police Licensing Officer and the solicitor acting on behalf of the applicant agreement was reached to include additional conditions within the premises licence in respect of crime prevention to the satisfaction of both parties.

DECISION

The Sub-Committee has listened carefully to the representations from Mr Schelvis on behalf of the applicant. Importantly it has also taken into consideration that there were representations received from Lancashire Constabulary; however, following the applicant agreeing additional conditions being attached to the licence they no longer object to the application. There were no other objections from Responsible Authorities or interested parties.

The Sub-Committee are of the opinion that it is proportionate and appropriate to grant the application, which is to incorporate the conditions agreed between the applicant and Lancashire Constabulary.

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

(The meeting ended at 11.20 a.m.)

**Any queries regarding these Minutes, please contact
Sarah Moorghen, Democratic Support - email smoorghen@lancaster.gov.uk**