

**LICENSING SUB-
COMMITTEE**

10.30 A.M.

22ND MAY 2025

1 LICENSING ACT 2003 - PREMISE LICENCE GRANT- LUNA BARGAIN, 2 NEW STREET, LANCASTER, LA1 1EG - DETERMINATION OF APPLICATION FOLLOWING RELEVANT REPRESENTATIONS

The Sub-Committee comprised of Councillors Martin Bottoms (Chair), Gerry Blaikie and Paul Tynan.

The Legal Adviser was Daniel Spencer, Solicitor.

The Democratic Support Officer was Sarah Moorghen.

The Sub-Committee was requested to consider an application for a Premises Licences submitted by Singhandkumar Limited under Section 17 of the Licensing Act 2003 in respect of Luna Bargain, 2 New Street, Lancaster, LA1 1EG. The application is for a licence for the sale and supply of alcohol on/ between Monday – Sunday 07:00 until 23:00 (off premises)

During the 28-day statutory consultation period there were no representations received from any of the Responsible Authorities who are considered experts in one or more of the Licensing Objectives. However, the Council received two relevant representations from “Other Persons” as defined by The Act. These relate to both the Public Nuisance and Crime Prevention licensing objectives.

The concerns of the other persons related predominantly to public nuisance where it is perceived that should members seek to grant this licence then there would be a strong likelihood of an increase to both noise nuisance and alcohol fuelled anti-social behaviour in respect of this largely commercial area of the city centre. Further, they believe that to allow the retail sale of alcohol for 16 hours per day from the premises would encourage homeless people who they contend regularly use the steps of the premises directly opposite to congregate and thereby exacerbate alcohol consumption in the street and any associated anti-social behaviour which would be wholly detrimental to the current status quo of this area of Lancaster.

The applicant was represented by Company Director Mr Singh together with his Licensing Consultant Mr Tony Clark.

Mr John Oliver was in attendance who was an interested party as he had made relevant representations against the grant of the application.

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

The Licensing Officer, David Eglin, introduced the report and answered questions. He confirmed that the options available to the Sub-Committee were:

- 1) grant the application as applied for.
- 2) modify any offered conditions within the application.

- 3) include additional conditions.
- 4) reject the whole application.

Mr Oliver made representations in line with the written representations that he had already submitted. He believes that the sale of the alcohol from the premises will encourage anti-social behaviour. He provided details of issues of overflowing bins on Sun Street, a recent fire, bins tipped over and general anti-social behaviour. He states that as consuming alcohol on the street is illegal in the area, it is causing people to do it down the alleyways instead. He also highlighted the issue of homelessness, whereby alcohol misuse can also be an issue. He stated that the Council has recently invested in the area with new disability access, seating which prevents homeless sleeping and locks on bins, but the issues have still remained. He states that the operating hours of 7am-11pm it would support that people buying so late would be purchasing alcohol to drink in the street. There are also shops, Tesco, Sainsbury's and the beer store that provide adequate provision for the sale of alcohol. He is concerned that the anti-social behaviour would worsen.

Mr Clark made representations on behalf of the applicant. He confirms the application covers all of the four licensing objectives. He states that within the application there is a provision for CCTV, which includes monitoring the front of the premises and dispersing customers who are seen to be loitering outside the premises. All staff receive 6 months training. All CCTV recordings will be retained and provided to the police upon request. He highlights that there will be logs of any incidents and signs asking people to be quiet. They also have a logbook dealing with issues concerning refusals to sell alcohol to customers, they will not sell to people who are acting in an antisocial manner, who are under the influence of alcohol and who appear to be underage. The shop has had two weeks' worth of temporary licences during this time they were open between 9am-9pm. During this time there have been no issues and there have been no representations by responsible authorities.

The issue of too many premises selling alcohol in the area, is not a Licensing Act issue but is more of a planning issue. There has been no evidence of a cumulative impact issue within the area. Mr Clark believes that the operating hours are appropriate, and it is a solid application. If there are issues in the future then the license could be reviewed.

Mr Clark states the premises is to sell various goods, with alcohol only accounting for approximately 15% of the products. The applicant consists of the two families who are very experienced, have invested money into the premises and are working very hard.

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

DECISION

The Sub-Committee has carefully considered all the written information before it, and all the representations and views expressed at the hearing.

The Sub-Committee considered the details within the report, the representations from the parties present and the Council's own Statement of Licensing Policy, The Licensing Act 2003 and any Regulations made under the Act, together with the Home Office s.182 guidance.

The Sub-Committee has taken note of the representations submitted by Mr Clarke on behalf of the applicant. They note that this is a new application and there were no objections from the responsible authorities. It is a thorough application which addresses the licensing objectives.

The Committee have noted the objections that have been raised but are of the view that the issues can be addressed by imposition of the conditions proposed within the application.

The Sub-Committees decision is to grant the application as applied for.

In accordance with Section 181 and Schedule 5 of the Licensing Act 2003, the parties have a right of appeal against this decision within 21 days from receiving this written decision.

(The meeting ended at 11.30 a.m)

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