

**LICENSING SUB-
COMMITTEE**

10.30 A.M.

15TH JULY 2025

2 LICENSING ACT 2003 - PREMISE LICENCE GRANT- 52 MARKET STREET, LANCASTER, LA1 1HS - DETERMINATION OF APPLICATION FOLLOWING RELEVANT REPRESENTATIONS

The Sub-Committee comprised of Councillors Martin Bottoms (Chair), Louise Belcher and Maria Deery.

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 under Section 17 of the Licensing Act 2003 submitted by the Cocktail Experience Ltd in respect of their premises at 52 Market Street, Lancaster, LA1 1HS. The application was for a licence to facilitate the sale and supply of alcohol (on/off the premises) and the provision of recorded music (indoors only).

During the 28-day statutory consultation period there were no representations received from any of the Responsible Authorities, however, the Council received one relevant representation from "Other Persons" as defined by The Act. This was from Mr Michael Evans and relates to the Public Nuisance, Public Safety and Crime Prevention licensing objectives.

The concerns of Mr Evans were outlined in his email dated the 20 June 2025 (Appendix 2 to the report) and related predominantly to public nuisance and crime and disorder, where it is perceived that should members decide to grant this licence then there would be a strong likelihood of an increase to noise nuisance and anti-social behaviour in the area. Mr Evans was not able to attend the hearing but requested that the Sub-Committee consider the representations he had made.

The applicant was represented by two of the company directors Antonio Martinez and Gareth Cumpsty.

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, Sarah Jones, introduced the report and answered questions.

She confirmed that the options available to the Sub-Committee where:

- 1) grant the application as applied for.
- 2) modify any offered conditions within the application.
- 3) include additional conditions.
- 4) reject the whole application.

As Mr Evans was not in attendance the Sub-Committee and all parties present confirmed that they had considered the written representations that he had provided.

Mr Martinez Mr Cumpsty provided a lengthy written statement outlining his representations. All parties present consented for it to be submitted before the Sub-Committee, who duly read the representation in their entirety, which covered amongst other things the applicants history in the trade, the details of the application and considered the objections raised by Mr Evans and provided information in rebuttal. The applicant highlighted that the business hasn't opened yet. They have other businesses, and they operate a very professional business. They do not believe that the objector has any reasonable ground and believes the objection is based largely on competition. They have reached out to the police and the licensing department in advance of the application and the proposed conditions were put forward in line with the views of PC Andrew Taylor, Lancashire Constabulary, Licensing Officer.

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 Martinez 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 has noted the objections that have been raised by Mr Evans but are of the view that the issues can be addressed by imposition of the conditions proposed within the application.

The Sub-Committee's 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 11.00 a.m.)

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