

**LICENSING SUB-
COMMITTEE**

10.30 A.M.

4TH DECEMBER 2025

4 LICENSING ACT 2003 - PREMISE LICENCE GRANT- BOWLING GREEN SERVICE STATION, SCOTFORTH ROAD, LANCASTER, LA1 4SG - DETERMINATION OF APPLICATION FOLLOWING RELEVANT REPRESENTATIONS

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

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 Licence under Section 17 of the Licensing Act 2003 submitted by Ascona Retail Limited, Unit 12, Bridge Innovation Centre, Pembroke Dock, Pembrokeshire, SA72 6UN following the receipt of relevant representations. The application is for a licence for the sale of alcohol on / between Monday – Sunday 06:00 until 23:00 (off premises only).

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 four relevant representations from “Other Persons” as defined by The Act. The representations received relate to the public safety, crime and disorder, prevention of noise nuisance and the protection of children from harm licensing objectives.

Objection 1 was submitted by Omar Radwan (other persons). Mr Radwan states that the granting of the licence will lead to road safety concerns, drink driving, increased noise, littering and anti-social behaviour.

Objection 2 was submitted by Madina Lunat (other persons) who states that the sale of alcohol in such close proximity to a sporting and recreational facility is inappropriate and poses potential risks to the welfare of young people. Furthermore, Ms Lunat believes that the sale of alcohol would lead to crime and disorder such as under aged drinking, shop lifting and drink driving.

Objection 3 was submitted by Karen Milner (other persons), she states that she is already impacted by crime and disorder in the area and feels that the sale of alcohol at the service station will increase antisocial behaviour as well as noise nuisance.

Objection 4 was submitted by Raihan Patel (other persons), who states that allowing alcohol sales so close to a sports venue that draws in young people creates a high risk of antisocial behaviour such as underage sales of alcohol and drink driving.

Alison Anderton, the Area Manager of Ascona Retail was in attendance on behalf of the applicant, who was also represented by Gill Sheratt from Licensing Matters.

The objectors did not attend to provide oral representations.

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.

Gill Sheratt made representations on behalf of the applicant. She outlined details of the Ascona company and how they have 68 stores nationally, most of which have alcohol licences, and some can sell alcohol 24 hours a day. They are very experienced in dealing with premises licences. Staff are trained and always deal with any complaints appropriately. She describes Ascona as having a flawless record in relation to alcohol sales.

The premises themselves have been operated by Ascona for 4 years and alcohol will not be the main focus of the business, with this making up only a small part of the projected sales. The company running the shop is Nisa, which is a recognised company, which upholds high standards.

Ms Sherratt addressed the evidence that had been submitted in relation to the primary use of the premises not being that of a garage as defined under the Licensing Act 2003. The Sub-Committee did not require any additional information in relation to the use of the premises.

Ms Sherratt confirmed that the application covers the four licensing objectives. She stated that within the application there is a provision for CCTV. Full training for staff. Challenge 25 will be used in relation to alcohol sale. The applicant has also been in contact with the Police who have no objections to the sale of alcohol.

Addressing the representations made against the application, Ms Sherratt states that three of the representations have come from two members of staff who work at the premises and the partner of another member of staff and that there are personal reasons / motivations behind the representations, which are being addressed by the company. She accepts that Mrs Milner's representations are genuine; however, the objections raised are not evidence based.

Regarding the disturbance that could occur, she states that the premises are already open, and the hours of opening will be the same. Alcohol sales will not cause any further disturbances. If there are any issues in the future, which she believes will be unlikely, these would be dealt with by the company, or they could be dealt with by way of a review.

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 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 Sub-Committee were satisfied from the evidence provided that the premises primary use was not of a garage and therefore were eligible to apply for a premises licence.

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

The Sub-Committee therefore concluded and were of the opinion that it is 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 have a right of appeal against this decision within 21 days from receiving this written decision.

(The meeting ended at 11.05 a.m.)

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