

**LICENSING SUB-
COMMITTEE**

10.30 A.M.

12TH FEBRUARY 2026

5 LICENSING ACT 2003 - PREMISE LICENCE GRANT-SCALE HALL STORES, LANCASTER, LA1 1HD - DETERMINATION OF APPLICATION FOLLOWING RELEVANT REPRESENTATIONS

AT THE COMMENCEMENT OF THE MEETING THE CHAIR WAS ADVISED THAT THE MEETING WAS INQUORATE. THE MEETING WAS ADJOURNED AND RECONVENED AT 10.45AM.

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

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 Niranjana Sivanathan, Scale Hall Stores, 74 Cleveleys Avenue, Lancaster, LA1 5HD, following the receipt of relevant representations. The application is for a licence for the sale of alcohol (off the premises only) between Monday – Sunday 07:00 until 23:00.

During the 28-day statutory consultation period, no representations were received from any of the Responsible Authorities, who are considered experts in one or more of the Licensing Objectives. However, the Council received fourteen relevant representations from “Other Persons” as defined by the Act. The representations related to the prevention of crime and disorder, public safety, prevention of public nuisance, and the protection of children from harm licensing objectives.

The objections raised concerns relating to increased noise, litter, traffic, antisocial behavior, public safety, and the proximity of the premises to residential properties and areas where children are present. Several objectors also referred to the availability of alcohol from other nearby licensed premises.

The applicant Niranjana Sivanathan was in attendance and was represented at the hearing by Suresh Kanapathi from Ark Licensing Consultants.

The objectors Jodie Simpson, Katrina Blayden-Byrne, Dorothea Williamson, and Christine Adams were in attendance.

The Chair explained the procedure to those present and confirmed that the hearing would be a discussion led by the Licensing Authority, with all questions directed through the Chair.

The Licensing Officer, Sarah Jones, introduced the report and answered questions.

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

- 1) Grant the application as applied for.
- 2) Grant the application with modified conditions offered within the application.
- 3) Grant the application with additional conditions.
- 4) Reject the whole application.

The Objectors were all given the opportunity to address the Sub-Committee and they made representations in line with the written objections submitted. The objectors highlighted a number of concerns, relating to the opening hours, the risk of increased crime-related incidents and anti-social behavior, such as vandalism, and underage drinking and smoking. They stated there would be increased noise from people and traffic. People would loiter outside the premises; and there would be problems with bins and litter. Concerns were raised about traffic from deliveries and customers, together with parking problems and road traffic concerns for children. The objectors believed that children would be exposed to alcohol related inappropriate behavior and students could be enticed to purchase vapes and alcohol. The objectors stated that there are three other licensed premises within the local area and a further licensed premises was not needed or necessary. The objectors also stated that the issues arising from the premises could further stretch police resources.

The objectors also raised concerns over the advertising of the application. The Licensing Manager confirmed that the application had been validly submitted and had complied with all legal requirements.

Mr Kanapathi, on behalf of the applicant, outlined the applicant's experience stating that the applicant has been operating different premises for over 10 years, he lives within close proximity to the premises. He described that the premises had previously been a licensed post office but had been vacant for some time, and that bringing it back into operation would be beneficial to the local area.

It was submitted that the application addressed all four licensing objectives and included a comprehensive operating schedule with conditions in line with promoting the licensing objectives, included measures such as CCTV coverage, staff training, the operation of a Challenge 25 proof of age scheme, and the maintenance of an incident log and refusals register. The applicant confirmed that they would monitor and manage the issues of litter and bins. They stated that the car park is suitable for the size of the premises and that whether the store is licensed or not there will still be customers coming and going during opening hours. It was further stated that the applicant intends to put up signs asking customers to leave the vicinity and not to loiter.

It was stated that the applicant would cooperate with everyone to ensure that there are no issues, and that should issues occur, that there are processes and laws in place to deal with those issues and review the licence. It was reported that this is a new application and the police or other responsible authorities currently have no concerns or objections.

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

DECISION

The Sub-Committee has carefully considered all of the written information before it, together with the representations and submissions made at the hearing.

The Sub-Committee had regard to the Licensing Act 2003, the Council's Statement of Licensing Policy, the Home Office Guidance issued under Section 182 of the Act, and all relevant representations.

The Sub-Committee noted that this was a new application and that no representations were received from any Responsible Authority. The Sub-Committee was satisfied that the operating schedule submitted by the applicant was comprehensive and adequately addressed the promotion of the four licensing objectives.

The Sub-Committee considered the representations made by other persons but were of the view that these concerns were largely speculative and not supported by sufficient evidence to demonstrate that the granting of the application would undermine the licensing objectives.

The Sub-Committee considered the case of Daniel Thwaites v Wirral Borough Magistrates' Court and were mindful of the need for an evidence-based approach when determining new applications.

The Sub-Committee concluded that it was appropriate and proportionate to grant the application as applied for, subject to the conditions consistent with the operating schedule and the mandatory conditions imposed by the Licensing Act 2003. The Sub-Committee want it noted for the benefit of all parties that should there be any issues or problems arising from the premises than the license could be subject to a review.

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

(The meeting ended at 12.15 p.m.)

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