

LICENSING REGULATORY COMMITTEE

HIGHWAYS ACT 1980 STREET CAFE LICENCE – THE CRAFTY SCHOLAR, 33-37 CHURCH STREET, LANCASTER

REQUEST FOR VARIATION OF STANDARD CONDITIONS IN RELATION TO PERMITTED TIMES

3rd September 2015

Report of Licensing Manager

PURPOSE OF REPORT

An application for a Street Cafe Licence has been received from Stonegate Pub Company Limited. The applicant has also requested a variation of the standard licence condition which allows a street cafe to operate between the hours of 10am and 8pm, to allow them to operate from 8am each day of the week.

The report is public

RECOMMENDATIONS

The Committee is requested to determine in the light of the representations made, whether to allow the applicant's request for a variation of the standard licence condition in relation to the permitted times of operation for the street cafe licence to allow them to operate from 8am to 8pm instead of the standard condition 10am to 8pm

1.0 Introduction

- 1.1 The Council grants permissions for Street Cafe Licences. Under Section 115E of the Highways Act 1980. Under section 115F of the same Act, a District Council may attach to the grant of a licence under this section such conditions as they may think fit
- 1.2 For the purpose of the above, the Council has established conditions attached to the grant of Street Cafe Licence.
- 1.3 In relation to this application condition 4 states:-
The use of the Licensed Area shall cease before 20.00 hours each day and shall not commence prior to 10.00 hours.

- 1.4 The purpose of this condition is to keep the areas clear of obstruction to allow vehicular access for service vehicles and to allow street cleansing before the commencement of operation of the cafe where necessary.
- 1.5 Stonegate Pub Company Limited have now submitted a request to operate their Street Cafe area from 8am Mondays to Sundays. The company have recently refurbished the premises, formerly known as Yates' and re-branded as The Crafty Scholar. A recent minor variation to their premises licence facilitated an extension to the start time for opening hours to 7am Monday to Sunday to allow for breakfast business. The earlier commencement time for the Street Café area would be more in line with this.
- 1.6 The Street Cafe would replace the existing one located outside of their premises on Church Street, Lancaster. A copy of the application is attached at appendix 1 to this report.
- 1.7 As part of the application process County Highways officers and Council Planning officers as well as other businesses in the area of the frontage have been consulted.
- 1.8 The closing date for representations was the 27th July 2015 and whilst no representations were received, County Highways noted they would not wish to see any conflict with vehicular access for unloading purposes to neighbouring businesses or for City Council street cleansing
- 1.9 Stonegate Pub Company Limited and their solicitor Poppleston Allen have been invited to attend the meeting to make representations in support of their request.

2.0 Conclusion

- 2.1 Members are asked to consider whether they are satisfied to allow the applicant's request for variation of the standard condition and to allow the Street Cafe at The Crafty Scholar, 33-37 Church Street, Lancaster to operate from 8am until 8pm instead of the standard 10am until 8pm.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

None.

FINANCIAL IMPLICATIONS

Financial Services have not been consulted as there are no financial implications.

LEGAL IMPLICATIONS

There is no right of appeal against imposition of a condition attached to a Street Café licence.

BACKGROUND PAPERS

None

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