

LICENSING REGULATORY COMMITTEE

Highways Act 1980 Street Café Licence – Greggs, 9 Cheapside, Lancaster Request for Variation of Standard Conditions in relation to Permitted Times 24th November 2016

Report of the Licensing Manager

PURPOSE OF REPORT

An application for a Street Cafe Licence has been received from Greggs PLC. 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 7am 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 7am 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 Licences.
- 1.3 In relation to this application condition no.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 Greggs PLC have now submitted a request to operate their Street Cafe area from 7am Mondays to Sundays. This is to facilitate and enhance early morning breakfast trade and allow their customers the choice of consuming non-alcoholic beverage with food outside, weather permitting.
- 1.6 The Street Cafe would replace the existing one located outside of their premises on Cheapside in Lancaster, which has been in operation since 5th March 2015. A copy of the application is attached at appendix 1 to this report.
- 1.7 As part of the application process County Highways officers, Council Planning and Environmental Services officers, the Police, as well as other businesses in the area of the frontage have been consulted.
- 1.8 The closing date for representations was the 6th October 2016 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 Greggs Plc 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 a variation of the standard condition and to allow the Street Cafe at Greggs PLC, 9 Cheapside, Lancaster, to operate from 7am 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	Contact Officer: Wendy Peck Telephone: 01524 582317 E-mail: wpeck@lancaster.gov.uk Ref: WP/DWE
None	