

Cappuvino Street café licence application

An application for a street café licence has been applied for in respect of the premises Cappavino, 60 Church Street, Lancaster . The applicant Mr Miguel Binetti has requested an exemption from compliance with three of the standard licence conditions routinely applied to all street café licences and detailed on the street café licence application form in that he would like.

- permitted times of operation for the street cafe licence to allow him to operate from 8.30am to 9pm instead of the standard 10am to 8pm.
- To facilitate alcohol consumption without patrons having a table meal
- To allow the use of standard glasses rather than those made of polycarbonate plastic.

Historically Lancaster city centre streets have been designated an alcohol free zone, a number of street café licences have been granted to premises that do not sell alcohol, further a small number of licences have been granted to premises where alcohol is sold subject to the standard licence conditions referred to above. Street café licences by their very name give an indication that the focus is on both food and drink, the aspiration of street cafes is to enhance the ambiance of an area and offer an additional and varied food and drink experience.

The provision of food is seen as a fundamental requirement to a street café, the granting of a street café licence is giving the applicant a licence to utilise the public highway. In the case of cappuvino the applicant has requested permission to be allowed to serve alcohol without the need for provision of a meal. This request is not supported by licensing officers, the requirement for a meal to be served is to support the “street café” ambiance. Without such a requirement the street café could become a “beer garden” on one of the main thoroughfares of the city centre. It is widely acknowledged that Church Street has in recent times been the main centre of night-time economy in Lancaster with patrons frequenting premises at the both ends with substantial footfall between The Sun Inn & The Cornerhouse at the North side with Vue Cinema, Mint Café Bar, The Study Room & Crafty Scholar towards Lower Church Street along with the long standing taxi rank on North Road.

It is acknowledged that within the vicinity of these premises there are other establishments with outside customer areas which are predominantly drinks led, for example The Cornerhouse. These premises are not subject to street café licences granted by the Council , they are businesses that have chosen to utilise outside drinking areas within the curtilage of their own premises. There are also further premises located on Church Street that are in possession of a Street Café licence where the consumption of alcohol is facilitated with a table meal such as Bella Italia and Crafty Scholar where these conditions are attached to their licence and have not impacted on the licensing objectives in being so.

A further exemption is requested to facilitate extended operating hours of the street café. Officers have no objection to the extension of morning trading hours 8.30 -10am for the provision of food and non alcoholic beverages. Licensing officers do object to the request for an extension of the closure of the street café facilitates from 8pm to 9pm. The 8pm curfew is applied to close street cafes prior to the start of the late night economy, street cafes could encourage the congregation of large groups of people and the associated noise that such

groups can cause. Furthermore for the purposes of safety it is deemed appropriate for the area to be cleared, and furniture removed before the onset of the late night economy, so as to prevent any of the furnishings being used as weapons during the late night economy.

Licensing officers would object to the use of glass at street cafes. The applicant acknowledges that the premises are used by families. Glass is less durable than polycarbonate or crockery. Wine/ cocktail glasses can easily be blown or knocked over creating an obvious risk of injury. In addition in unfortunate circumstances glass can be used as a weapon and even if the premises clientele may not conduct themselves in such a manner, a person walking pass the street café may grab a glass to use as a weapon as they pass by.

The conditions attached to the grant of a street café licence (ie an express permission granted by the Council to use the public highway) are in place to support the licensing objectives associated with the Licensing Act 2003 in particular

- Public safety
- The prevention of Public nuisance
- Prevention of Crime and Disorder