



DECISION NOTICE

Date	Tuesday, 17 November 2020 – 10am
Applicant	The Courtyard Lytham Limited
Reason for Hearing	<p>The Licensing Authority has received an application for the grant of a premises licence for The Courtyard, 2 Queen Street, Lytham.</p> <p>There have been representations from “other persons” as defined by the Act and as such a hearing must be held to determine the application.</p>
Parties in Attendance	<p>Panel: Councillor Alan Clayton - Convenor, Councillor Matthew Lee, Councillor Viv Willder</p> <p>Applicant: Rodger Wightman from The Licensing Practice, on behalf of the applicant.</p> <p>Representative: Leo Charalambides, of counsel, on behalf of Mr R Steele..</p>

The Licensing Authority has received an application for the grant of a premises licence from The Courtyard Lytham Limited for 2 Queen Street, Lytham.

The application had been referred to the panel because one written representation had been received from Mr R Steele, who is an “other person” as defined by the Act. Mr Charalambides addressed the hearing on behalf of Mr Steele. The applicant company was represented by Mr Wightman. Ms Nabridnyi, of the applicant company, was also in attendance.

In considering the application, the panel had to consider whether granting the licence as requested would promote the four licensing objectives which are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

The panel acknowledged and took into consideration the written submission of the objector, the verbal representations offered by Mr Charalambides and the applicant together with the information contained in the agenda papers.

The Panel also had regard to the Council’s Statement of Licensing Policy and the Guidance issued under section 182 of the Licensing Act 2003.

The concerns of Mr Steele mainly involved the potential for an increase in noise within the vicinity of the premises. As such, the prevention of public nuisance licensing objective was engaged. Mr Charalambides in his submission to the panel made reference to the characteristics of the surrounding area, including the regulatory and policy characteristics, and that the premises were situated within a conservation area.

Assisted by the very helpful submissions made by the representatives, the panel understood and gave weight to the concerns, but felt that it would be disproportionate to refuse the licence as had been urged on behalf of the objector. Nevertheless, they felt, having regard to the characteristics of the area, that it would be appropriate for the promotion of the licensing objective of the prevention of public nuisance to include a condition to restrict the sale of alcohol to patrons eating in the café.

The panel's decision is therefore as follows:

To grant the application for a premises licence for The Courtyard, 2 Queen Street, Lytham, subject to the mandatory conditions and conditions reflecting the operating schedule and the addition of the following condition:-

1. Alcohol must only be served as part of a main meal. For the purposes of this condition:
 - a) alcohol is not to be treated as being served as part of a main meal unless it is served during the time that the meal is being prepared or consumed;
 - b) A "main meal" means a meal:
 - i. eaten by a person seated at a table; and
 - ii. of such nature and substance as might be expected to be served as the main or only course at a midday or main evening meal, or as a traditional full cooked breakfast.

We thank the parties for their assistance.