

## **Consideration of an application for the Grant of a Premises Licence for Yeovil Lysander Road Service Station**

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Division / Local Member: Cllrs Faye Purbrick and Andy Soughton

### **1. Summary**

- 1.1 An application has been made by Motor Fuel Ltd, in accordance with the Licensing Act 2003 (LA2003), for the grant of a premises licence in respect of Yeovil Lysander Road Service Station, Lysander Road, Yeovil, BA20 2AU.
- 1.2 The Licensing Authority has received a relevant representation and must therefore hold a hearing for the Licensing Sub Committee to determine the application.

### **2. Issues for consideration/recommendations**

- 2.1 The Sub Committee must, having regard to the representations, take one of the following steps as it considers appropriate for the promotion of the licensing objectives:
  - a) Grant the licence subject to such conditions which are consistent with the operating schedule modified to such extent as the Authority considers appropriate for the promotion of the Licensing Objectives together with the mandatory conditions.
  - b) Exclude from the scope of the licence any of the licensable activities to which the application relates.

- c) Refuse to specify a person in the licence as the premises supervisor.
- d) Reject the application.

2.2 In determining the application, the Sub Committee must have regard, and give appropriate weight, to the following:

- a) Any relevant representation (including supporting documentation received).
- b) Revised guidance issued under section 182 of the LA2003 by the Home Office (August 2023).
- c) The Licensing Authority's Statement of Licensing Policy, published in September 2023.
- d) Human Rights considerations, in particular Article 6, Article 8, and Article 1 of Protocol 1.

### **3. Background**

3.1 The Licensing Authority received an application for the grant of a premises licence in respect of Yeovil Lysander Road Service Station, Lysander Road, Yeovil, BA20 2AU. A copy of the full application is attached at **Appendix 1**, and the plan of the proposed licensed premises at **Appendix 2**.

3.2 The purpose of the licence, if granted is to enable late night refreshment and the supply of alcohol for consumption off the premises.

3.3 The Licensing Authority is satisfied that the applicant complied with Regulation 28 of The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005, requiring the application to be advertised. The applicant provided photographs demonstrating that notices were on display at the premises. Furthermore, a notice was published in the Western Gazette on the 21 March 2024.

3.4 A relevant representation was received from Avon and Somerset Constabulary. A copy of this representation is attached at **Appendix 3**.

3.5 The representation suggests re-wording of information from the promotion of the licensing objectives section of the application (Section M) to ensure that this can be turned into clear, concise and robust conditions which support the promotion of the licensing objectives.

#### **4. Appeals**

4.1 All relevant parties to the decision of the Licensing Authority have the right of appeal to Magistrates Court, in connection with this matter. This must be done within 21 days of being notified in writing of the relevant decision.

#### **5. Appendices**

1. Application
2. Plan of premises
3. Representation from the Police.

**Note** For sight of individual background papers please contact the report author.