

REGULATORY COMMITTEE

At a meeting of the Regulatory Committee on Wednesday, 22 June 2016 in the Council Chamber, Runcorn Town Hall

Present: Councillors K. Loftus (Chair), Wallace (Vice-Chair), Fry, P. Hignett, A. McInerney, Nelson, Parker, G. Stockton and Wall

Apologies for Absence: Councillor McDermott

Absence declared on Council business: None

Officers present: K. Cleary and J. Tully

Also in attendance: Guy Morris Consultant Jolliffes Solicitors, Stephanie King Trainee Solicitor Jolliffes Solicitors Malcolm Floyd Chairman Runcorn Masonic Hall, Graham Clayton and two members of the public.

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

REG6 APPLICATION FOR A PREMISES LICENCE - RUNCORN MASONIC HALL YORK STREET RUNCORN

Action

The Committee met to consider an application which had been made under section 17 of the Licensing Act 2003 for a premises licence in relation to the above premises.

The hearing was held in accordance with the provisions of Section 18 Licensing Act 2003 and the Licensing Act (Hearings) Regulations 2005.

The Chair introduced the members of the Committee and the Council's officers who were present.

The Council's legal adviser, John Tully, summarised the procedure to be followed.

Mr. Tully referred to the additional documents which had been circulated: in particular a schedule of events which had been submitted by the applicant and two special conditions. The special conditions were designed to ensure that the activities authorised by existing club premises

certificate could not continue to be allowed at the same time as the activities authorised by the premises licence, should it be granted.

At the hearing, the Committee were addressed by the applicant's representative, Guy Morris, Consultant Jolliffes Solicitors, who was accompanied by Stephanie King, Trainee Solicitor Jolliffes Solicitors, Malcolm Floyd Chairman Runcorn Masonic Hall and Graham Clayton. Two members of the public were also present.

None of the objectors attended the hearing however the information supplied in the letters of objection were taken into consideration by the Members.

Mr. Morris presented the case on behalf of the applicant. He confirmed that the applicant had agreed conditions as set out in the agenda and had amended the Operating Schedule to take into account a number of the concerns raised by objectors. He argued that the schedule of events demonstrated the majority of activities were related to Lodge Meetings and the rest were community related. Mr. Morris objected to the imposition of the special conditions and raised 6 points in favour of his argument. However, the applicant confirmed they intended to surrender the club premises certificate in any event.

The Committee asked a number of questions of the applicant's representative and Mr. Floyd and Mr. Clayton.

The applicant responded to questions on the type of activities being undertaken, why their club premises certificate was insufficient to carry out their activities, the control measures in place for keeping order and whether the applicant proposed an 'open door' policy in future or restrict entry to pre-booked functions.

In the course of questioning on the subject of the hours being requested on Sundays the applicant volunteered a reduction in hours to those set out in the application. Specifically:

ACTIVITY	HOURS
Films [B]	Mondays to Saturdays 11.00 to 01.00 Sundays 11.00 to 23.00
Live Music [E]	Mondays to Saturdays 11.00 to 01.00 Sundays 11.00 to

	23.00
Recorded music [F]	Mondays to Saturdays 11.00 to 01.00 Sundays 11.00 to 23.00
Performance of dance [G]	Mondays to Saturdays 11.00 to 01.00 Sundays 11.00 to 23.00
Anything similar to E, F or G [H]	Mondays to Saturdays 11.00 to 01.00 Sundays 11.00 to 23.00
Late night refreshment [I]	Mondays to Saturdays 23.00 to 01.30 Sundays 23.00 to 23.30
Supply of alcohol [J]	Mondays to Saturdays 11.00 to 01.00 Sundays 11.00 to 23.00
Hours open to the public [L]	Mondays to Saturdays 09.00 to 01.00 Sundays 09.00 to 23.30

Mr. Tully emphasised that this concession was entirely voluntary and the applicant confirmed this.

The Committee then retired to consider the matter.

Findings

1. Those representations submitted to the licensing authority which did not constitute relevant representations (as explained by Mr. Tully during the hearing) were not taken into consideration.
2. None of the representations which were capable of being relevant representations were supported by evidence which the Committee could consider.
3. The application was consistent with the Licensing Objectives.
4. The special conditions were considered to be necessary to be imposed (albeit that they would cease to have effect as soon as the club premises certificate was surrendered).

RESOLVED: That having considered the application in accordance with Section 4 Licensing Act 2003 and all other relevant considerations it is decided that the

application be granted subject to:

1. The conditions volunteered as part of the operating schedule together with the additional conditions offered when negotiating with 'another person';
2. The conditions agreed with Trading Standards;
3. The relevant mandatory conditions; and
4. The two special conditions as follows-
 - (i) The premises shall not be used for any licensable activity at any time that a club premises certificate is in force in respect of the premises but this condition shall cease to be in force when the current club premises certificate lapses under section 81(3) of the Licensing Act 2003; and
 - (ii) The premises shall not be used for any activity relating to gambling as it relates to premises licences at any time that a club premises certificate is in force in respect of the premises but this condition shall cease to be in force when the current club premises certificate lapses under section 81(3) of the Licensing Act 2003.

Time that the application shall take effect

Forthwith.

Meeting ended at 7.45 p.m.