

REGULATORY COMMITTEE

At a special meeting of the Regulatory Committee on Wednesday, 15 May 2013 in the Council Chamber, Runcorn Town Hall.

Present: Councillors K. Loftus (Chairman), Wallace (Vice-Chairman), Fraser, Fry, P. Hignett, McDermott, Nelson and G. Stockton

Apologies for Absence: Councillors Howard and Lea

Absence declared on Council business: Councillor Alan Lowe

Officers present: K. Cleary and J. Tully

Also in attendance: 2 members of the Public and 2 Ward Councillors

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

REG16 APPLICATION FOR A PREMISES LICENCE - PANDI'S 10 LOWER APPLETON ROAD WIDNES

Action

The Committee met to consider an application which had been made under Section 17 of the Licensing Act 2003 for the grant of a premises licence. The hearing was held in accordance with the Licensing Act 2003 and the Licensing Act 2003 (Hearings) Regulations 2005.

The meeting was held as a hearing relating to an application for a premises licence made by Pandiyarajah Sellathurai in respect of premises at 10 Lower Appleton Road Widnes.

The applicant requested the following licensable activities:-

- the supply of alcohol off the premises between the hours of 08.00 to 22.00 each day; and
- the hours the premises are open to the public 06.00 to 22.15 each day.

The Chairman 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 and outlined the nature of the application.

Prior to outlining the application Mr Tully advised the Committee of the documents which had been received

- 10 letters containing representations were received during the representation period. (20 March 2013 to 17 April 2013). One of these 10 letters was then withdrawn. One further letter was received but as the points raised in the letter were not relevant under the Licensing Act 2003 the representations could not be considered.
- 7 May 2013 – further information received from Mrs Sheridan 77 Foster Street Widnes – accepted as additional information
- 8 May 2013 Petition against the application signed by approx. 79 people – not received within the period of representation therefore not relevant.
- 8 May 2013 Photographs received showing the front of the shop and the internal layout – accepted as information and circulated at the hearing.
- 10 May 2013 – 38 letters from the applicant in support of the application – not received within the period for representations therefore not relevant

At the hearing, the Committee were addressed by the applicant's Licensing Representative Ian Rushton who was accompanied by Pandiyarajah Sellathurai the applicant.

Mrs A M Sheridan accompanied by Mrs B Thompson had both submitted representations and addressed the members as "other persons". The members also took into consideration the relevant written representations submitted by other persons who did not attend the hearing. In addition Councillor Philbin, Ward Councillor, addressed the Committee on behalf of the residents who made representation.

The Committee asked a number of questions of the parties and retired to consider the matter.

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

Strategic Director
Policy and
Resources

the application be granted as requested.

The reason for the determination was that the Committee felt that the application was consistent with the Licensing Objectives.

Time that the licence shall take effect: Immediately

Following the announcement of the Committee decision the Chairman of the Committee advised the local residents who attended the hearing of the review process which is part of the Licensing Act 2003 and is evidence based. Residents could, if circumstances justified it in the future, request a review of the premises licence however any evidence must be specific to the premises and demonstrate that the use of the premises for licensable activities undermines one or more of the four licensing objectives.

Meeting ended at 8.00 p.m.