

REPORT: Regulatory Committee

DATE: 22 June 2016

REPORTING OFFICER: Strategic Director Policy & Resources

PORTFOLIO: Resources

SUBJECT: Application for a Premises Licence –
Runcorn Masonic Hall York Street Runcorn

WARD: Mersey

1. PURPOSE OF REPORT

To hold a hearing to assess relevant representations made in response to an application for a premises licence in respect of Runcorn Masonic Hall York Street Runcorn.

2. RECOMMENDATION: That the Committee considers the relevant representations and makes a determination on the application.

3. SUPPORTING INFORMATION

- 3.1** An application has been made under section 17 Licensing Act 2003 (“the 2003 Act”)
- 3.2** This hearing is held in accordance with the 2003 Act and the Licensing Act 2003 (Hearings) Regulations 2005.
- 3.3** The procedure to be followed has been circulated to all parties and will be repeated at the beginning of the hearing.
- 3.4** The hearing is solely concerned with those aspects of the application, which have been the subject of relevant representations as defined in the 2003 Act.

4 THE APPLICATION

- 4.1** An application for a premises licence has been received in respect of Runcorn Masonic Hall York Street Runcorn
- 4.2** The application requests:-
 - Exhibition of Films, Live Music, Recorded Music, Performance of Dance, Anything Similar and the Supply of Alcohol between the hours of 11.00 to 01.00 each day
 - Late Night Refreshment between the hours of 23.00 and 01.30 each day

- The Hours the premises are open to the public are 09.00 to 01.30 each day.

The Premises Licence application was initially submitted to the Licensing Authority on 1 April 2016 however as the application was not advertised in a local newspaper as required under the 2003 Act the application was resubmitted on 3 May 2016.

5 BACKGROUND INFORMATION

- 5.1** Runcorn Masonic Hall has held a Club Premises Certificate since 2005 and we are advised that the Club Premises Certificate will be surrendered on the grant of the Premises Licence. The application for a Premises Licence is to permit the premises to be used for functions for non-members such as weddings at which licensable activities will be provided.
- 5.2** The Licensable activities authorised by the Club Premises Certificate are Live Music, Recorded Music, Performance of Dance between the hours of 19.30 to 01.00 Monday to Saturday and 19.30 hours to 23.30 Sunday. The Supply of alcohol between the hours of 11.00 to 01.00 Monday to Saturday and Noon to 23.00 Sunday

6 RELEVANT REPRESENTATIONS

6.1 RESPONSIBLE AUTHORITIES

CHESHIRE POLICE

Cheshire Police have advised

‘Having previously negotiated a number of issues with the applicant prior to the submission of the application they are satisfied that the measures now offered within the Operating Schedule are robust enough to satisfy the four Licensing Objectives. Therefore there are no further representations.’

HALTON BOROUGH COUNCIL ENVIRONMENTAL HEALTH

No representations were made by Halton Borough Councils Environmental Health department.

HALTON BOROUGH COUNCIL TRADING STANDARDS

The following conditions have been requested by Trading Standards and have been agreed by the applicant.

- A notice shall be displayed at the entrance to the premises and to the function room(s) where it can be clearly seen, indicating that there is a “Challenge 25” policy in place at the premises.
- The only forms of ID that shall be accepted as proof of age are a valid passport, a valid photographic driving licence, a PASS approved proof

of age card, Armed Forces ID cards or other reliable photo ID that has been approved for acceptance by the Police or other responsible authority.

- The Designated Premises Supervisor or Premises Licence Holder shall operate and maintain an up-to-date Register of Refusals of Sale of Alcohol to a person suspected of being under the age of 18, indicating the date, time and reason for refusal which shall be made available for inspection by Local Authority officers and the Police. This may be in electronic form.
- The Premises Licence Holder or Club Premises Certificate Holder will ensure that staff are made aware of the existence and content of the Challenge 25 policy.

6.2 ANY OTHER PERSON

2 letters containing representations has been received from Teresa Allen and Paul Gavin 104 York Street Runcorn and Umejei Elaine Charlene Cottle and Philip Edward Cottle 112 York Street Runcorn.

The representations have been placed on the application file and copies have been forwarded to the applicant and to the members of the Committee.

Not all representations are relevant representations. Only relevant representations will be taken into account by the Committee. The Committee will determine what constitutes a relevant representation from other persons.

6.3 OPERATING SCHEDULE

As part of the application process the applicant is required to describe the steps they intend to take to promote the four licensing objectives. The following information was contained in the application:-

Prevention of Crime and Disorder

1. All hirers shall complete a booking form which shall be retained on the premises and made available for inspection by the police or an authorised officer.
2. All functions taking place at the premises shall be pre-booked no less than 48 hours in advance of the function taking place.

Public Safety

1. A suitable and sufficient fire risk assessment shall be in place for the premises.
2. An adequate and appropriate supply of first aid equipment and materials shall be available at the premises.

The prevention of public nuisance

1. All external doors and windows shall be kept closed when regulated entertainment is being provided except in the event of an emergency or for access and egress from the premises.
2. Noise from regulated entertainment shall not be audible measured at the nearest residential property.
3. There shall be placed at all exits from the premises in a place where they can be seen and easily read, notices requiring customers to leave the premises and the area quietly and to refrain from unnecessary revving of engines or sounding horns.
4. Glass bottles shall not be disposed of from the premises between the hours of 23.00 and 07.00 on any day to prevent disturbance to residents in the vicinity.
5. Refuse shall not be collected from the premises by a trade waste contractor between the hours of 23.00 and 07.00 on any day.
6. No light from the premises and any other light under the control of the premises shall be provided where that light causes a nuisance to any nearby premises.

The Protection of children from harm

1. Children shall only be admitted to the premises when accompanied by an appropriate adult and when attending a function approved by the committee.
2. There shall be in place for the premises a 'Challenge 25' proof of age scheme to prevent the sale or supply of alcohol to persons under 18 years of age. The policy shall require a person who appears to be under the age of 25 years to produce a recognised proof of age card, accredited under the Proof of Age Standards (PASS), or, if a proof of age card is available a photo driving licence, passport or military ID card, to prove they are over the age of 18 years.

In addition to the above following receipt of the letter of objection from 104 York Street Runcorn the applicants legal representative contacted the objector on behalf of their client and offered the following further conditions to address their concerns;-

1. Relocating the smoking area to the rear of the premises
2. A dispersal policy when the premises hold a function. (The policy would include ensuring patrons leave the area quietly. The policy would also have to include a link to local taxi providers and where patrons are collected from the premises).
3. Residents having access to the premises telephone number in order that they can contact a responsible person if there are any issues outside when a function is held.

6.4 EVIDENCE

In accordance with normal procedure it is noted that the relevant representations do not amount to evidence. The objector has been requested to supply the evidence they intend to rely on not later than 5 working days prior to the hearing. When received this will be forwarded to the Applicant and members of the Committee.

7 OPTIONS

7.1 The Committee has the following options under section 17 of the 2003 Act:

7.1.1 It must Grant the application (where properly made) unless it considers that for the promotion of the licensing objectives it considers it appropriate to take any of the following steps, namely -

7.1.2 Impose relevant conditions on the licence;

7.1.3 Reject the whole or part of the application.

7.2 The Committee must act with a view to promoting the licensing objectives, namely:

- (a) the prevention of crime and disorder;
- (b) public safety;
- (c) the prevention of public nuisance; and
- (d) the protection of children from harm.

The Committee must also have regard to-

- (a) the Council's Statement of Licensing Policy, and
- (b) the Statutory Guidance issued by the Secretary of State

8 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Application Documents And Representations	Legal Services	John Tully/Kay Cleary