

REGULATORY COMMITTEE

At a special meeting of the Regulatory Committee on Monday, 30 July 2007 in the Council Chamber, Runcorn Town Hall

Present: Councillors Philbin (Chairman), Wallace (Vice-Chairman), Bryant, Cross, Howard, A. Lowe, D Inch, Nelson, E. Ratcliffe and Wainwright

Apologies for Absence: Councillors Drakeley

Absence declared on Council business: None

Officers present: S. Baxter, L. Capper, K. Cleary, J. Findlow and J. Tully

Also in attendance: From Warrington Borough Council: Cllrs Jim Regan, Colin Oliver and Ted Finnegan. Solicitor Rose Brown

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

REG8 APPLICATION FOR A PREMISES LICENCE BARRACUDA
BAR 71B ALBERT ROAD WIDNES

Action

The Committee heard representations in person on behalf of:

- 1 the applicant,
- 2 Halton Borough Councils Environmental Health (as responsible authority)
- 3 Although there were representations from interested parties no members of the public attended the hearing

At the hearing the applicant's Legal Representative confirmed acceptance of the Police conditions and also confirmed acceptance of 5 of the 7 conditions requested by Environmental Health namely;

- The use of the outside area for the consumption of alcohol, food or refreshments shall cease at 23.00
- The rear emergency exit door shall be kept closed at all times (except in case of emergency) and shall be alarmed.
- Noise from any regulated activity shall be inaudible at

- any noise sensitive property at any time.
- Any use of the bin store shall be limited to between the hours of 10.00 and 22.00.
- Windows and doors shall be kept closed when any amplified music or voices are being played within the premises.

The applicant made reference to the information contained in the binders distributed to members and also to a Noise Assessment Report prepared for The Barracuda Group

At the conclusion of the hearing the Committee retired to consider the application

RESOLVED: That having considered the application in accordance with section 4 Licensing Act 2003 and all other relevant considerations the committee decided that the application be granted subject to the conditions set out below:

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

Condition No 1

Extent of condition

The licence holder shall ensure that anyone who appears to be under 21 years of age who is consuming alcohol or attempting to purchase alcohol will be asked to prove their age. Accepted methods of proof of age are: passports, photo driving licences and PASS accredited proof of age cards e.g. Validate, Connexions, Citizen Card, Prove It Card. If any such person fails to satisfy the licence holder by means of such proof of age that they are 18 years old or older that person shall be ejected from the premises forthwith
 A notice or notices shall be displayed in and at the entrance to the premises where they can be clearly seen and read and shall indicate that it is unlawful for persons under 18 to purchase

alcohol or for any person to purchase alcohol on behalf of a person under 18 years of age

Reason for condition

The protection of children from harm

Condition No 2

Extent of condition

An effective CCTV system should be designed and installed in accordance with the Cheshire Constabulary CCTV guidance document called 'CCTV in Licensed Premises – An Operational Requirement'. It is advisable that the constabulary Divisional Licensing Officer, CCTV Liaison Officer and Crime Reduction Advisor are contacted and consulted at the earliest opportunity

Designated supervisors will need to demonstrate that their CCTV system complies with their Operational requirements. A commissioning test must be carried out with the licensing and CCTV Liaison Officers before completion and hand over of the system. The commissioning test will need to demonstrate the following:-

- 1 recordings are fit for their intended purpose
- 2 good quality images are presented to the officer in a format that can be relayed on a standard computer
- 3 the supervisor has an understanding of the equipment/training
- 4 management records are kept
- 5 maintenance agreements and records are maintained
- 6 Data protection principles and signage are in place

Reason for condition The Prevention of Crime & Disorder

Condition No 3

Extent of condition Thursdays to Saturdays
Supply of Alcohol (category M) and all regulated entertainment applied for (categories B – Films, E – Live Music, F- Recorded Music, I- Making Music, J – Dancing) shall cease at 01.30
Late night refreshment (category L) shall cease at 02.00
Hours that the premises are open to the public (category O) shall cease at 02.00

Reason for condition The prevention of public nuisance

Condition No 4

Extent of condition The use of the outside area for the consumption of alcohol, food or refreshments shall cease at 23.00

Reason for condition The prevention of public nuisance

Condition No 5

Extent of condition The rear emergency exit door shall be kept closed at all times (except in case of emergency) and shall be alarmed

Reason for condition The prevention of public nuisance

Condition No 6

(a) Extent of condition Noise from any regulated activity shall be inaudible at any noise

sensitive property at any time.

Reason for condition Prevention of public nuisance

Condition No 7

Extent of condition Any use of the bin store shall be limited to between the hours of 10.00 and 22.00

Reason for condition Prevention of public nuisance

Condition No 8

Extent of condition Windows and doors shall be kept closed when any amplified music or voices are being played within the premises.

Reason for condition Prevention of public nuisance

NOTE Subject to the above conditions the application is granted in accordance with the application.

REG9 APPLICATION TO VARY A PREMISES LICENCE
BRADLEY 38 ALBERT ROAD WIDNES

In view of the fact that the applicant amended its application to the satisfaction of Cheshire Constabulary and Environmental Health Services - Cheshire Constabulary and Environmental Health withdrew their representations. Consequently there was no determination for the Committee to make.

REG10 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Committee considered:

- (1) whether Members of the press and public should be excluded from the meeting of the Committee during consideration of the following items of business in accordance with Sub-Section 4 of Section 100A of

the Local Government Act 1972 because it was likely that, in view of the nature of the business to be considered, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972; and

- (2) whether the disclosure of information was in the public interest, whether any relevant exemptions were applicable and whether, when applying the public interest test and exemptions, the public interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following items of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it is likely that, in view of the nature of the business, exempt information will be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

REG11 TAXI MATTERS

The Committee were asked to determine one referral case, details of which had been circulated to Members of the Committee only.

The applicant attended the Committee in support of the application.

Case No. 669

RESOLVED: That

1 Be granted a 12 months probationary Single Status Drivers licence subject to the condition that a valid certificate of insurance be produced to the Council on a monthly basis.

2 Should any contraventions occur during the probationary period the applicant be referred back to the Regulatory Committee so that appropriate action could be taken.

3 Subject to satisfactory completion of the probationary

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period standard Single Status Drivers renewal conditions
would apply.

Meeting ended at 9.10 p.m.