

REGULATORY COMMITTEE

At a meeting of the Regulatory Committee on Wednesday, 19 February 2020 in the Council Chamber - Town Hall, Runcorn

Present: Councillors Wallace (Chair), Abbott (Vice-Chair), Dourley, Fry, P. Hignett, K. Loftus, A. McInerney and Nelson

Apologies for Absence: Councillors McDermott, G. Stockton and Wainwright

Absence declared on Council business: None

Officers present: K. Cleary, J. Tully, Wheeler and L. Wilson-Lagan

Also in attendance: Cllr Andrea Wall, 1 Member of the Press and 1 member of the public

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

		<i>Action</i>
REG8	MINUTES	
	<p>The Minutes of the meeting held on 27th November 2019 having been circulated were signed as a correct record.</p>	
REG9	APPLICATION FOR A PREMISES LICENCE - SPIKE ISLAND EVENT WIDNES	
	<p>The Committee was advised as follows by the Legal Officer.</p> <p>Earlier that afternoon the Licensing Authority was informed that the applicant and Cheshire Constabulary had reached agreement as to the conditions to be attached to the Operating Schedule which formed part of the application. The representations made by Cheshire Constabulary were withdrawn subject to the imposition of these conditions. The Council's Environmental Section consequently withdrew its representations. The concerns of the Cheshire Fire and Rescue Authority and the Council's Trading Standards had been resolved earlier and those representations were also withdrawn.</p>	

The applicant and the statutory bodies had therefore requested not to attend the hearing and had been informed that there was no need for them to attend.

A hearing could have been dispensed with if all persons who made representations have given notice to the Licensing Authority that they have agreed that the hearing is unnecessary. However, the withdrawal of representations within 24 hours of a hearing may only be given verbally at the hearing.

Because the applicant took so long to agree the conditions, the hearing had to be formally to be opened.

However, since all representations had been withdrawn the Regulatory Committee was asked to formally approve the application without evidence being called.

It was regrettable that the Members had to go through a large amount of background material which had proved to be unnecessary.

It was also explained that proposed event would take place on Council land. Consequently, in addition to requiring a premises licence under the Licensing Act 2003 the applicant would require a separate licence from the Council as landowner. That second licence would be far more detailed and far ranging than a premises licence. That second licence would be subject to detailed negotiation and scrutiny before it was issued. This was outside of the scope of the powers of the regulatory Committee.

RESOLVED: That the application be approved as amended.

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 Board during consideration of the following item 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 outweighed that 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 Section 100A (4) of the Local Government Act 1972 because it was likely that, in view of the nature of the business, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

REG11 TAXI MATTER

Case No. 724

RESOLVED: The Committee considered this matter to be extremely serious but in view of the matters disclosed at the meeting, decided not to revoke the licence. The decision was that the licence be suspended for a period of one week.

Meeting ended at 7.50 p.m.