

Public Document Pack



Regulatory Sub Committee

Tuesday, 29 October 2024 2.00 p.m.
The Board Room - Municipal Building,
Widnes

S. Young

Chief Executive

COMMITTEE MEMBERSHIP

Councillor Pamela Wallace (Chair)

Councillor Colin Hughes

Councillor Kath Loftus

*Please contact Kim Butler on 0151 511 7496 or
kim.butler@halton.gov.uk for further information.*

The next meeting of the Committee is on Thursday, 31 October 2024

**ITEMS TO BE DEALT WITH
IN THE PRESENCE OF THE PRESS AND PUBLIC**

Part I

Item No.	Page No.
1. DECLARATION OF INTEREST (INCLUDING PARTY WHIP DECLARATIONS)	
Members are reminded of their responsibility to declare any Disclosable Pecuniary Interest or Other Disclosable Interest which they have in any item of business on the agenda, no later than when that item is reached or as soon as the interest becomes apparent and, with Disclosable Pecuniary Interests, to leave the meeting during any discussion and voting on the item.	
2. LICENSING ACT 2003 - TEMPORARY EVENT NOTICE	1 - 25

REPORT:	Regulatory Sub Committee
DATE:	29 October 2024
REPORTING OFFICER:	Director – Legal and Democratic Services
PORTFOLIO:	Resources
SUBJECT:	Licensing Act 2003 – Temporary Event Notice
WARDS:	Appleton

1. PURPOSE OF REPORT

To assist Members of the Regulatory Committee in their consideration of an application by Miss Demi-Leigh Murphy for Temporary Event Notice at The Grapes, 38 Widnes Road, Widnes, WA8 6AP.

2. RECOMMENDATION

The committee considers the contents of the report and makes a determination on the application.

3. BACKGROUND

- 3.1. An application has been made under section 100 Licensing Act 2003 for a Temporary Event Notice (TEN) in relation to The Grapes, 38 Widnes Road, Widnes.
- 3.2. The application was received on the 11 October 2024 from Christopher Hodgen (Licensing Agent) on behalf of Demi-Leigh Murphy (applicant).
- 3.3. The application is for several dates through November and December. The premises have undergone some refurbishment and the intention is to apply for new licence in due course.

4. THE APPLICATION

- 4.1. The application has been made under Section 100 of the Licensing Act 2003 (“the Act”).
- 4.2. Attached to this report at **Appendix A** is a copy of the application form dated 10 October and this includes the dates and times requested. In total the request is for 7 weekends that have been applied for on the TENS application form, starting on weekend commencing 15 November

and terminating on 29 December 2024 from 10 am on each Friday until 02.30 am on Sunday, which means that the premises will be open for a period of 40.5 hours in total.

- 4.3. Attached at **Appendix B** of this report is the current premise licence along with the current conditions on the licence.
- 4.4. The licensable activities requested for the application are:
 - The sale of alcohol
 - The provision of regulated entertainment
- 4.5. The applicant has advised that the maximum number of people at the event at any one time shall be 300 persons.

5. REQUIREMENT FOR A HEARING

- 5.1. The application was submitted on 11 October 2024.
- 5.2. During the 3 working days representation period, the Licensing Authority received a relevant objection from Cheshire Police.
- 5.3. Where relevant representations have been made and not withdrawn the Licensing Authority must hold a hearing to consider the objection (unless otherwise agreed by the parties)
- 5.4. The hearing is held in accordance with the Act and the Licensing Act 2003 (Hearing) Regulations 2005. The procedure to be followed has been circulated to all parties and will be repeated at the beginning of the hearing.
- 5.5. The hearing is solely concerned with those aspects of the application, which have been the subject of the relevant representation as defined in the Act. These are the objection from Cheshire Police.

6. THE REPRESENTATIONS

6.1. RESPONSIBLE AUTHORITIES

Cheshire Police

Relevant objections have been received from Cheshire Police on the grounds of the prevention of crime and disorder.

Cheshire Police feel that the extension of hours, particularly in the run up to Christmas will undermine the licensing objectives of prevention of crime and disorder.

- 6.2. A copy of the objection can be found at **Appendix C** of this report.
- 6.3. The Councils Environmental Health Department have made no comments to this application.

7. LEGAL AND POLICY FRAMEWORK

- 7.1 The Sub-Committee must determine the application with a view to promoting the licensing objectives which are:
 - The prevention of crime and disorder;
 - The prevention of public nuisance;
 - Public Safety;
 - The protection of children from harm.
- 7.2. In making its decision, the Sub-Committee must also have regard to the national guidance issued under section 182 of the Licensing Act 2003 ("the Guidance") and the Council's Statement of Licensing Policy ("Policy").

8. OPTIONS

- 8.1. The Committee has the following options under Section 105(2)(a) of the 2003 Act where an objection notice is given in respect of a TEN the licensing authority must hold a hearing to consider the objection notice unless the premises user, and the relevant person who gave the objection notice and the local authority agree the hearing is unnecessary.

The committee has the following options:

- (a) Determine not to issue a counter notice (effectively allowing the temporary event notice to go head);
 - (b) Determine not to issue a counter notice but to impose conditions in accordance with Section 106A of the 2003 Act
 - (c) Issue a counter notice (thus preventing the temporary event from going ahead).
- 8.2. Where the Sub Committee determines to impose conditions, the conditions must be appropriate for the promotion of the Licensing

Objectives and must not be inconsistent with the carrying out of the licensable activities under the TEN.

- 8.3. A counter notice can only be issued if the Committee considers it necessary for the promotion of a licensing objective.

9. POLICY IMPLICATIONS

- 9.1. None

10. FINANCIAL CONSIDERATIONS

- 10.1 There are no special financial considerations to the Authority which need to be highlighted at this stage. However, it should be noted that the decision of the sub-committee is subject to appeal to the Magistrates' Court (within 21 days from when the Decision Notice is issued and at least 5 working days before the date of the next event) and . If an appeal is made, there will be costs associated with this.

11. IMPLICATIONS FOR THE COUNCILS PRIORITIES

- 11.1 Improving Health, Promoting Wellbeing and Supporting Greater Independence

None

- 11.2 Building a Strong, Sustainable Local Economy

None

- 11.3 Supporting Children, Young People and Families

None

- 11.4 Tackling Inequality and Helping Those Who Are Most In Need

None

- 11.5 Working Towards a Greener Future

None

- 11.6 Valuing and Appreciating Halton and Our Community

None

12. RISK ANALYSIS

12.1 The Council is required to hold the hearing in accordance with the Licensing Act 2003. Failure to do so, may mean that the Council is acting in breach of its obligations under that Act

13. EQUALITY AND DIVERSITY ISSUES

13.1. There are no equality or diversity issues to highlight.

14. CLIMATE CHANGE IMPLICATIONS

14.1. There are no climate change implications since the decision will have no effect on the environment.

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

Document	Place of Inspection	Contact Officer
Application Documents/ Objection Notice	Legal Services	Kim Hesketh

Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)			
1. Your name			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input checked="" type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	Murphy		
Forenames	Demi-Leigh		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth		Day	Month
4. Your place of birth			
5. National Insurance Number			
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
Post town		Postcode	
7. Other contact details			
Telephone numbers			
Daytime			
Evening (optional)			
Mobile (optional)			
Fax number (optional)			
E-Mail address (if available)			
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)			

<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>	
Post town [REDACTED]	Postcode [REDACTED]
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	[REDACTED]
Fax number (optional)	
E-Mail address (if available)	[REDACTED]

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
<p>Grapes Inn 38 Widnes Road Widnes Cheshire WA8 6AP</p>	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	LPA0194
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
The Whole of the Premises will be used	
Please describe the nature of the premises below. (Please read note 4)	
Public House, Bar & Restaurant	
Please describe the nature of the event below. (Please read note 5)	

The premises has undergone some refurbishment and it is intended to apply for a new licence in due course.

The applicant would like to apply for several TENs to get them through November & December and then a new licence will be applied for.

The dates of the TENs being applied for are:

Friday 15th November
Saturday 16th November
Sunday 17th November

Friday 22nd November
Saturday 23rd November
Sunday 24th November

Friday 29th November
Saturday 30th November
Sunday 1st December

Friday 6th December
Saturday 7th December
Sunday 8th December

Friday 13th December
Saturday 14th December
Sunday 15th December

Friday 20th December
Saturday 21st December
Sunday 22nd December

Friday 27th December
Saturday 28th December
Sunday 29th December

X7 TEN applications, a total of 21 days used, each TEN to last 36 hours

Friday 10am to 00.00
Saturday 00.01 – 00.00
Sunday 00.01 – 02.30am

We will be licensing for sale of alcohol (on and off sales), recorded music, live music, late night refreshment.

3. The licensable activities	
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)	
The sale by retail of alcohol	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>
The provision of regulated entertainment (Please read note 7)	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input checked="" type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 8)	<input type="checkbox"/>
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)	
<div style="background-color: black; width: 100%; height: 20px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 100%; height: 20px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 100%; height: 20px;"></div>	
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24-hour clock). (Please read note 10)	
Friday 10.00 – 00.00 Saturday 00.01 – 00.00 Sunday 00.01 – 02.30	
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)	300
If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	On the premises only <input type="checkbox"/>
	Off the premises only <input type="checkbox"/>
	Both <input checked="" type="checkbox"/>

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)

NONE

4. Personal licence holders (Please read note 14)			
Do you currently hold a valid personal licence? (Please tick)		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.			
Issuing licensing authority	St Helens BC		
Licence number	PA3525		
Date of issue	Not sure		
Any further relevant details			

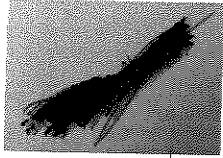
5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year	2	
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?		
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7. Checklist (Please read note 17)	
I have: (Please tick the appropriate boxes, where applicable)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input checked="" type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input checked="" type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input checked="" type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

8. Condition (Please read note 18)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 19)	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence:	
(i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and	
(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.	
Signature	

Date	10.10.24
Name of Person signing	Demi Leigh-Murphy

For completion by the licensing authority

10. Acknowledgement (Please read note 20)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	



Licensing Act 2003

Premises Licence

LPA0194

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Grapes Inn

38 Widnes Road, Widnes, Cheshire, WA8 6AP.

Telephone 0151 420 8491

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an exhibition of a film
- an indoor sporting event
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment facilities for making music
- entertainment facilities for dancing
- provision of late night refreshment
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
B. Exhibition of films (Indoors)	Monday to Thursday	10:00am	11:00pm
	Friday, Saturday and Sunday	10:00am	Midnight
C. Indoor sporting event	Monday to Thursday	10:00am	11:00pm
	Friday, Saturday and Sunday	10:00am	Midnight
E. Performance of live music (Indoors)	Monday to Thursday	10:00am	11:00pm
	Friday, Saturday and Sunday	10:00am	Midnight
F. Playing of recorded music (Indoors)	Monday to Thursday	10:00am	11:00pm
	Friday, Saturday and Sunday	10:00am	Midnight
G. Performance of dance (Indoors)	Monday to Thursday	10:00am	11:00pm
	Friday, Saturday and Sunday	10:00am	Midnight
I. Provision of facilities for making music (Indoors)	Monday to Thursday	10:00am	11:00pm
	Friday, Saturday and Sunday	10:00am	Midnight
J. Provision of facilities for dancing (Indoors)	Monday to Thursday	10:00am	11:00pm
	Friday, Saturday and Sunday	10:00am	Midnight





Licensing Act 2003 LPA0194
Premises Licence

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
L. Late night refreshment (Indoors)	Friday, Saturday and Sunday	11:00pm	Midnight
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Thursday	10:00am	11:00pm
	Friday, Saturday and Sunday	10:00am	Midnight

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Thursday	10:00am	11:30pm
Friday, Saturday and Sunday	10:00am	12:30am

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON and OFF the premises

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Trust Inn Limited
 Blenheim House, Foxhole Road, Ackhurst Park, Chorley, Lancashire, PR7 1NY.
 Telephone 01257 238 800

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Trust Inn Limited 3011034

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

[REDACTED] [REDACTED]

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. [REDACTED] Issued by S [REDACTED]

ANNEXES

Definitions:
 "Act" means the Licensing Act 2003
 "Application" means the Application for this Licence submitted by or on behalf of the Holder
 "Holder" means the Licence Holder named on this Licence
 "Licensing Authority" means Halton Borough Council
 "Operating Schedule" means the Operating Schedule accompanying the Application

THIS LICENCE CONSTITUTES A NEW LICENCE AS DEFINED IN SCHEDULE 8 TO THE ACT AS VARIED





Licensing Act 2003

LPA0194

Premises Licence

ANNEXES continued ...

FOLLOWING AN APPLICATION UNDER PARAGRAPH 7 TO SCHEDULE 8 TO THE ACT

The Holder shall comply with the following conditions:

A Alteration of details relating to this Licence

No details set out on this Licence shall be altered without the consent of the Licensing Authority

B Compliance with the Operating Schedule

The Holder shall comply with the Operating Schedule and the details set out in the Application except as varied or inconsistent with anything set out in this Licence

C Conditions agreed by the Holder during the Licence application process

ENVIRONMENTAL HEALTH

- All doors and windows shall be kept closed when any amplified music or voices are being played within the premises.
- Any live music played at the premises shall be played through a noise limiting device. The activation level of this device must be set and sealed by an officer of the Local authority's Environmental Health Division.
- The use of any outside area shall cease at 23.00 hrs

D Conditions consistent with the Operating Schedule

Controlled Dancing

In this condition "controlled dancing" means lap-dancing, striptease or any similar dancing.

Controlled dancing shall not take place at the licensed premises without the written consent of the Council.

In deciding whether to grant permission for controlled dancing the Council will take into account the suitability of the premises and the location of the premises.

If the Council grants consent for controlled dancing such consent shall be subject to the following standard conditions and to any other special conditions which may be so specified:

No person under the age of 18 shall be at the premises when controlled dancing is taking place.

The licensee shall ensure that controlled dancing shall not comprise or result in any offence arising by statute or at common law.

Performers of controlled dancing shall be provided with changing room facilities at the premises to which the public have no access and which are patrolled by an adequate number of attendants of the same sex as the performers

Otherwise than inside the premises (and from a position which cannot be seen from outside the premises) no photographs or other pictorial representation on posters at the premises or on any other advertisement or promotional material shall be permitted which relate to controlled dancing or the performers of controlled dancing if they can be seen from outside of the premises

Special Effects

The use of special effects involving the use of lasers, strobes, pyrotechnics, bomb tanks, storage of explosives, dry ice effects, smoke machines, firearms and fireworks, or other similar devices, shall not be permitted without the prior written consent of the Council, who may impose additional conditions. Written application for consent must be made to the Council at least 28 days prior to the performance to allow time for consultation with the Fire Officer.

ADDITIONAL CONDITIONS FOR SPECIAL EFFECTS

Where the Council grant consent for the use of special effects, the following conditions shall apply as appropriate.

SMOKING AND NAKED FLAMES

No smoking or naked flames shall be permitted on any part of the stage during any entertainment unless that use has been notified to the Licensing Authority and is provided in accordance any guidance given by the Cheshire Fire Service.

LASERS

INFORMATION

The Licensee shall obtain from the laser manufacturer or operator sufficient information, sketches, calculations, radiometric measurement data etc., to demonstrate that the system can be used safely and without risk to health together with the classification of the proposed system. This information shall be submitted to the Council with the application for consent.

EQUIPMENT

All display laser equipment shall be so designed, constructed and maintained as to be safe for use.



Licensing Act 2003

LPA0194

Premises Licence

ANNEXES continued ...

CONTROL AGAINST UNAUTHORISED USE

All display laser products shall be provided with a key operated ON-OFF switch to secure the laser against unauthorised use.

DEMARCATON OF LASER DISPLAY AREA

Each effect from a display shall take place within a predetermined and defined display area. The emission of laser radiation shall be terminated automatically immediately the laser effect beam leaves the boundaries of this display area.

SITING OF LASER CONTROL CONSOLE

The control console for each display laser product shall be secure and sited in such a position that the operator is able to view the whole of the display area. Where this is not practicable, alternative effective arrangements shall be made whereby the operator is able to assess the situation and be aware of any malfunction etc.

EMERGENCY CUT OFF FOR LASER RADIATION

All display laser products shall be provided with one or more readily accessible controls which will immediately terminate the emission of any laser radiation. In the event that a laser system is not required to be under the continuous supervision or control of an operator, a person at the display shall be designated to be responsible for the immediate termination of the laser radiation in the event of equipment malfunction audience unruliness or other unsafe conditions.

DETERMINATION OF LASER RADIATION EXPOSURE LEVELS

The accessible emission levels of radiation shall be measured and/or calculated by the operator at all positions where the audience, general public, operators or performers may be exposed to the primary beam (s), or to reflections from targets and scattering materials.

MARKING OF AREA BOUNDARIES

Any area where the levels of laser radiation exceed the accessible emission limit for Class 1 laser products shall be clearly identified, appropriate warning notices posted and barriers erected to prevent the entry of unauthorised persons. Entry into these areas shall be undertaken only by authorised persons if necessary and wearing the appropriate protective equipment.

PERMISSIBLE EXPOSURE LEVELS FOR AUDIENCE/MEMBERS OF THE PUBLIC

The level of laser radiation shall not exceed the maximum permissible exposure level at any point where the public is permitted during the display. In addition unless effective means are employed to prevent access to the laser beam(s) the maximum permissible exposure level shall not be exceeded at any point:

Less than 3m above any surface upon which the audience/general public is permitted to stand; or

Less than 2.5m in lateral separation from any position where a person in the audience/general public is permitted during the display.

PERMISSIBLE EXPOSURE LEVELS FOR OPERATORS/PERFORMERS

The accessible exposure level of laser radiation to operators/performers shall not exceed the maximum permissible exposure if such radiation is intended to be viewed by them in order to perform their functions. In the event that such radiation is not intended to be viewed by them then the accessible exposure level shall not exceed the accessible exposure limit specified for Class 3A laser products.

USE OF SCANNING DEVICES

The use of scanning devices, including mirror balls, shall incorporate a means which shall automatically prevent exposure to levels in excess of those specified in the event of scan failure or other failure.

SETTING UP/ALIGNMENT OF LASER SYSTEMS

The following precautions shall be taken:-

The setting up/alignment of laser systems shall only be undertaken by a trained laser operator;

Only those persons required to perform relevant functions shall be present during the alignment/setting up of the system (s);

The accessible emission level of laser radiation shall be reduced to the minimum practicable level and in any event shall not exceed the accessible emission limit for Class 3A laser products;

Where necessary for the protection of those employed, appropriate protective equipment shall be worn during the alignment/setting up of the laser equipment.

FUNCTIONAL CHECKS PRIOR TO EACH PUBLIC OPERATION OF THE LASER DISPLAY

A functional check shall be made before the admittance of the public of all safety devices, interlocks etc., which have been provided to ensure the safety of persons prior to each public use of a display laser product.

SPECIAL CONSIDERATION OUT OF DOORS

Where display laser products are used outdoors, consideration shall be given and adequate safeguards adopted for those persons liable to view the

beam directly within the nominal hazard distance and also those who might view the beam or its reflections using optical aids. In this context special consideration shall be given to the hazards that the use of a display laser product might present to traffic movements including those by air, sea, harbour and road.

STROBES

Strobe lighting shall not be used or installed within the Premises without the prior written consent of the Council.

As the flashing lights can have a disorientating effect and have been known to induce epilepsy the Licensee shall ensure that they are installed by experts and to reduce the hazard strobe lights shall be operated on a fixed rate of not more than 8 flashes per second. Where more than one strobe light is in use the flashes shall be synchronised.

Where strobes are in use in a theatrical production the Licensee shall provide a warning in the foyer and/or programme to this effect.

PYROTECHNICS

Pyrotechnical devices must only be operated by a person competent to handle them, who has been adequately trained to the satisfaction of the Council in the correct method of control and operation by either the manufacturer, importer or their agent.

The operator must have a direct view of all devices, the surrounding and fall out area.



Licensing Act 2003

Premises Licence**LPA0194****ANNEXES continued ...**

The firing device must be fired by the use of a control box, such boxes must be fitted with a key operated isolating switch, the key to be in the possession of the operator at all times.

The control box must not be energised until immediately before use.

The device must not be placed where it will endanger the public, staff, attendants or the Premises. Any proposed locations must be discussed with and approved by the Council.

The device must not be fired until all persons are in a safe position. Should the device fail, it must be replaced with a fresh device and the defective item disposed of in a safe manner.

No devices must be stored or used on the Premises without the prior approval of the Council.

Any devices approved for storage on the Premises must be in an enclosure which is fire resisting to the half hour standard in accordance with current British or other approved standard.

The enclosure must be against an outside wall with direct ventilation to open air. No sources of ignition or other materials must be within the store.

A "NO SMOKING" notice must be displayed on the door and a nine-litre water type extinguisher must be sited adjacent to the enclosure.

Fireworks, maroons and flash powder must be stored separately from percussion caps, safety cartridges, safety fuses and detonators, either in separate stores or if the aggregate weight does not exceed 7 kg, one store subdivided by a fire-resisting compartment.

BOMB TANKS

All bomb tanks must be constructed of metal and should be sited offstage. They must be sited clear of all persons and combustible items.

When bomb tanks are in use warning notices to read "DANGER - EXPLOSIVES - KEEP CLEAR" must be positioned on the tank so that they are visible from all sides. The notice to be in block letters not less than 50mm high.

If the tank is positioned where it can be approached without warning "NO ENTRY" notices must be placed at strategic points to isolate the tank from unsuspecting staff.

The operator must have a direct view of the tank and surrounding area before firing. Before reloading, the firing box must be isolated.

Only the smallest maroon capable of providing the effect must be used.

In any performance when bomb tanks are to be used, the Licensee shall display throughout the areas used by the public and in any associated programme, a warning of their intended use and their effects.

Bomb tanks must only be used and operated by a person competent to handle them, who has been adequately trained to the satisfaction and prior approval of the Council in the correct method of control and operation by either the manufacturer, importer or their agent.

STORAGE OF EXPLOSIVES

Storage of explosives will be of two types, receptacles containing small amounts for use in the performance and storage enclosures for the keeping between performances.

Storage receptacles shall be constructed of substantial construction as required by current legislation, e.g. a japanned or tinned iron or steel box or a wooden box. Any metalwork exposed within the interior shall be either non-ferrous or covered in non-ferrous metal, not readily ignitable or paint of 1mm thickness. A notice in block letters not less than 25mm high stating

"DANGER - NO SMOKING - NO NAKED FLAME" shall be provided on the outside of the lid.

The storage enclosure shall be of fire resisting construction and be positioned against an outside wall. It shall be secure, away from public areas and have ventilation direct to open air. It shall contain no combustible or other substances which are not compatible with explosives. There shall be no sources of ignition within the store. A notice "NO SMOKING" shall be provided on the external face of the door in the dimensions referred to for a receptacle.

DRY ICE SMOKE EFFECTS

The concentration of carbon dioxide must be strictly controlled and monitored.

The machine and the effects must not obstruct exits or exit routes.

Dry Ice must only be handled using suitably insulated gloves.

SMOKE MACHINES

The machine and its effects must be controlled and be within the sight of the operator at all times.

The smoke produced must be non-toxic and non-flammable. Documentary evidence to this effect may be required by the Council.

The machine must not be sited near combustible materials, smoke detectors or exits and shall be in an approved position.

The machine must be operated for the minimum amount of time to achieve the necessary level of density and be switched off. The operating time may be controlled by the Council following a practical demonstration.

The smoke produced must not obscure exits, exit routes, staircases or changes in level. The amount of smoke entering the auditorium must not adversely affect public safety. Fans and ventilation may be required to control the direction and dispersal of the smoke.

D - Display of Licence

D1 The Summary Licence or a certified copy of that summary must be prominently displayed at the premises whenever the premises are being used for one or more licensable activities authorised by the licence.

D2 A notice specifying the position held at the premises by any person nominated for the purposes S 57 (2) of the LA 2003 (which relates to the keeping at the premises of the premises licence or a certified copy of it) must be prominently displayed at the premises whenever the premises are being used for one or more licensable activities

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authorised by the licence.

D3 Whenever the premises are being used for one or more licensable activities authorised by the licence a constable or an authorised officer may require any person referred to in D2 as the person nominated for the purposes of S 57 (2) L A 2003 to produce the premises licence or a certified copy of it.

CD 21 - Trading Hours and Licensed Activities Signs

There shall be displayed at the entrance to the premises a sign, which is clearly visible to members of the public visiting those premises containing details of the trading hours under the premises licence, the licensable activities permitted on those premises and any maximum occupancy level set for the premises.

E Mandatory Conditions

1. No supply of alcohol may be made under the premises licence-

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

2. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities or substantially similar activities carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol) or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise)

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carried a significant risk of undermining a licensing objective.

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carried a significant risk of undermining a licensing objective.

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in, the vicinity of, the premises which can reasonably be considered to condone, encourage, or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner:

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable



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to drink without assistance by reason of disability).

3. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

4. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) the policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request before being served alcohol identification bearing their photograph, date of birth and either-

(a) A holographic mark, or

(b) An ultraviolet feature

5. The responsible person must ensure that-

(a) Where any of the following alcoholic drink is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) is available to customers in the following measure-

(i) Beer or cider, ½ pint

(ii) Gin, rum, vodka or whisky: 25ml or 35ml, and

(iii) Still wine in a glass: 125ml

(b) These measures are displayed in a menu price list or other printed material which is available to customers on the premises, and

(c) Where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

6. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

Note
Article 3 makes provision to the effect that an activity which is not prohibited by paragraph 1(2)(b) of the schedule to the 2010 Order as it was in force immediately before the coming into force of this order, because it related to alcohol consumed at a table meal (as defined in section 159 of the 2003 Act) will continue not to be prohibited provided certain conditions are met: these are that the activity is available only to an individual who holds a ticket or other written invitation in respect of that activity which was purchased by, or given to, that individual on or before 30 September 2014 and the activity takes place on or before 5 April 2015.

Exhibition of Films

The film classification body applicable to this licence is the British Board of Film Classification and admission of persons aged under 18 must be restricted in accordance with any recommendation made by that body provided that where the Council has notified the holder of the licence that section 20(3)(b) Licensing Act 2003 applies to any film admission of persons aged under 18 must be restricted in accordance with any recommendation made by the Council.



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ANNEXES continued ...

And as of the date of issue of the licence only the following classifications shall be applied:-

U - Universal. Suitable for audiences aged four years and over,

PG - Parental Guidance. Some scenes may be unsuitable for young children,

12A - Passed only for viewing by persons aged 12 years or older or persons younger than 12 when accompanied by an adult.

15 - Passed only for viewing by persons aged 15 years and over,

18 - Passed only for viewing by persons aged 18 years and over.

No film exhibition shall be shown at the premises unless it has been classified by the British Board of Film Classification or by the Licensing Authority.

Where any film has not been classified by the film Classification body then such film shall be submitted to the Licensing authority not less than 28 days before it is proposed to show it to enable the Authority to classify it and attach such age restrictions as it considers appropriate.

F Miscellaneous conditions

N/A

G Pre-existing conditions

The conditions attached to and/or relating to the relevant existing Licence(s) and on the use of existing licensable activities under the relevant existing Licence(s) shall continue to apply under this Licence except as varied by this Licence and/or under the provisions of the Act

H Plans

The Plan(s) submitted with the Application form part of this Licence

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Conditions consistent with the Operating Schedule in the application dated 22 July 2005

The prevention of crime and disorder

- Any person exercising a security activity shall be licensed by the Security Industry Authority.
- Such a person will be employed at the premises at the discretion of the DPS / PLH
- No customers apparently carrying open bottles upon entry shall be admitted to the premises at any times the premises are open to the public.
- Where CCTV is installed with recording facilities such recordings shall be retained for a period of 30 days and made available within a reasonable time upon request by the Police.
- Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.

Public Safety

- To comply with the reasonable requirements of the fire officer from time to time.
- To comply with the reasonable requirements of the building control officer.

The prevention of public nuisance

- Where appropriate prominent clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.
- Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.





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Protection of children from harm

- No films or videos of any description shall be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority Certification.
- Children under the age of 16 shall not be permitted to enter the premises after 21.00hrs.

Seasonal and Non Standard Timings

For categories B - Films, C - Indoor Sporting Events, E - Live Music, F - Recorded Music, G - Performance of Dance, I - Making Music, J - Dancing, L - Late Night Refreshment, M - Supply of Alcohol the hours shall be:-

New Years Eve 10.00 to New Years Day - terminal hour



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Premises Licence Summary

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDANCE SURVEY MAP REFERENCE OR DESCRIPTION

Grapes Inn

38 Widnes Road, Widnes, Cheshire, WA8 6AP.

Telephone 0151 420 8491

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an exhibition of a film
- an indoor sporting event
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment facilities for making music
- entertainment facilities for dancing
- provision of late night refreshment
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
B. Exhibition of films (Indoors)	Monday to Thursday	10:00am	11:00pm
	Friday, Saturday and Sunday	10:00am	Midnight
C. Indoor sporting event	Monday to Thursday	10:00am	11:00pm
	Friday, Saturday and Sunday	10:00am	Midnight
E. Performance of live music (Indoors)	Monday to Thursday	10:00am	11:00pm
	Friday, Saturday and Sunday	10:00am	Midnight
F. Playing of recorded music (Indoors)	Monday to Thursday	10:00am	11:00pm
	Friday, Saturday and Sunday	10:00am	Midnight
G. Performance of dance (Indoors)	Monday to Thursday	10:00am	11:00pm
	Friday, Saturday and Sunday	10:00am	Midnight
I. Provision of facilities for making music (Indoors)	Monday to Thursday	10:00am	11:00pm
	Friday, Saturday and Sunday	10:00am	Midnight
J. Provision of facilities for dancing (Indoors)	Monday to Thursday	10:00am	11:00pm
	Friday, Saturday and Sunday	10:00am	Midnight





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Premises Licence Summary

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
L. Late night refreshment (Indoors)	Friday, Saturday and Sunday	11:00pm	Midnight
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Thursday	10:00am	11:00pm
	Friday, Saturday and Sunday	10:00am	Midnight

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Thursday	10:00am	11:30pm
Friday, Saturday and Sunday	10:00am	12:30am

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON and OFF the premises

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Trust Inn Limited
Blenheim House, Foxhole Road, Ackhurst Park, Chorley, Lancashire, PR7 1NY.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Trust Inn Limited
3011034

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Steven William HEWITT

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED


LICENSING ACT 2003
REPRESENTATION FORM

1. Responsible Authority	Cheshire Constabulary
Your Name:	Lesley Halliday
Please indicate which Responsible Authority you are representing:	Cheshire Constabulary <input checked="" type="checkbox"/> Planning <input type="checkbox"/> Cheshire Fire Authority <input type="checkbox"/> Trading Standards <input type="checkbox"/> Children's Services <input type="checkbox"/> Environmental Health (Noise) <input type="checkbox"/> Public Health Authority <input type="checkbox"/> Environmental Health (Health & Safety) <input type="checkbox"/> Licensing Authority <input type="checkbox"/>
Contact Phone:	[REDACTED]
Contact E-mail:	[REDACTED]
Type of Application:	Temporary Events Notice (TEN)
Name & Address of the premises you are making a representation about:	The Grapes, 28 Widnes Road, Widnes, WA8 6AP

Your representation may be in opposition to, or in support of, the application. Your representation must be about the likely effect, if the application is granted (or subject to review), on the promotion of one of more of the four Licensing Objectives (see A to D below) with evidence if you have any available. Use separate sheets if necessary.

(A) The prevention of Crime & Disorder	See below X
(B) Public Safety	
(C) The Prevention of Public Nuisance	
(D) The Protection of Children from Harm	
Suggestions/conditions you would like the Licensing Authority or Licensing Sub-Committee to consider adding to the licence if the application is granted.	

If your representation is accepted, you will be invited to attend a Licensing Sub-Committee hearing (and any subsequent appeal court hearing) in order to amplify your representation should you wish to do so.

**NOTICE OF OBJECTION TO A TEMPORARY EVENT NOTICE
(LICENSING ACT 2003, SECTION 104)**

I am writing on behalf of the Chief Officer of Police at Cheshire Constabulary to object to the Temporary Event Notice application from the premises known as The Grapes, 28 Widnes Road, Widnes, WA8 6AP.

The grounds for the objection are that the police feel that this extension of hours, particularly in the run up to Christmas will undermine the licensing objectives of prevention of crime and disorder.

If this TEN is granted, then it would permit the premises to operate from 10am on Friday through to 02:30am on Sunday morning which would be a total of 36 hours on 7 weekends from 15th November to 29th December 2024.

It is the Constabulary's view that having a premises open and serving alcohol for 36 hours without any closing would be promoting irresponsible drinking and it is the police's experience that the longer patrons have to drink the greater the risk that this will lead to incidents of violence and disorder, which we feel would undermine the licensing objectives.

When incidents have occurred either at the premises or linked to the premises the Constabulary often have issues obtaining CCTV from the management, despite this being a condition of their premises licence. So should these TENs lead to any incidents from our experience any investigation would be hampered by lack of CCTV evidence being provided which adds to the concerns posed by this TEN.

We would therefore ask the licensing committee to refuse this application.