

REPORT: Regulatory Committee

DATE: 30 July 2007

REPORTING OFFICER: Chief Executive

SUBJECT: Application for a premises Licence Barracuda Bar 71b Albert Road Widnes

WARDS: Appleton

1. PURPOSE OF REPORT

To hold a hearing to assess relevant representations made in response to an application in respect of the Barracuda Bar 71b Albert Road Widnes

2. RECOMMENDATION

That the Committee consider the relevant representations and make 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** Barracuda Pubs and Bars Limited has applied for a premises licence in respect of 71b Albert Road Widnes
- 4.2** The application is for
Films, Live Music, Recorded Music, Making Music, Dancing and Supply of Alcohol, between the hours of 10.00 to 01.00 Sunday to Wednesday and 10.00 to 02.00 Thursday to Saturday. Late Night Refreshment 23.00 to 01.30 Sunday – Wednesday and 23.00 to 02.30 Thursday to Saturday.
- 4.3** In addition the applicant has advised the hours the premises are open to the public are 10.00 to 01.30 Sunday to Wednesday and 10.00 to 02.30 Thursday to Saturday.

- 4.4** The premises are described as a bar with a subtle South African influence providing quality food together with the provision of extensive sports facilities serving a wide age range bringing a day to night bar experience.
- 4.5** The application is for the ground floor only.

5 RELEVANT REPRESENTATIONS

5.1 RESPONSIBLE AUTHORITIES

CHESHIRE CONSTABULARY

The Police have requested the following conditions be attached to the premises licence.

Proof of Age / Challenge 21

The licence holder shall ensure that anyone who appears to be under 21 years of age and who attempts 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 refused the sale of alcohol

REASON - The prevention of harm to children

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 - The protection of children from harm

CCTV

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 - Prevention of crime and disorder

ENVIRONMENTAL HEALTH – NOISE

Environmental Health – Noise have requested the following conditions shall be attached to the premises licence.

- Standard Hours premises are open to the public Category O shall be:
 - Sunday to Wednesday 10:00 to 00:30
 - Thursday to Saturday 10:00 to 01:30
- The use of the outside area for the consumption of alcohol and food shall cease at 23:00.
- Use of outside area for any activity shall cease after:
 - 00:00 Sunday to Wednesday
 - 01:00 Thursday to Sunday
- The rear emergency exit door shall be kept closed at all times (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

REASON – Prevention of Public Nuisance

5.2 INTERESTED PARTIES

The following interested parties made representations
P Tobin and M Tobin 7 Regent Road Widnes
Mrs E Fairhurst 9 Regent Road Widnes
Mrs S Connor 13 Regent Road Widnes

The relevant representations relate to: -

- Damage caused to property and cars in the area when people are on their way home from licensed premises.
- Another drinking establishment in the area would only add to the major problems that the area already experiences.
- Regent Road / Cooper Street appears to be the thoroughfare for all late night bars and clubs in the town.
- Granting a licence to yet another drinking premises in the area would be totally irresponsible.
- Plagued with drunken hooligans using the roads often en route to another drinking venue.

6 OPTIONS

6.1 The Committee has the following options:

- Grant the application
- Grant subject to conditions
- Reject the application.

7 POLICY IMPLICATIONS

None.

8 OTHER IMPLICATIONS

None.

9 IMPLICATIONS FOR THE COUNCILS PRIORITIES

9.1 Children and Young People in Halton

None

9.2 Employment Learning and Skills in Halton

N/A

9.3 A healthy Halton

N/A

9.4 A Safer Halton

None

9.5 Halton's Urban Renewal

N/A

10 RISK ANALYSIS

N/A

11 EQUALITY AND DIVERSITY ISSUES

N/A

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

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