

## REGULATORY COMMITTEE

*At a special meeting of the Regulatory Sub-Committee held on 9<sup>th</sup> September 2005 at the Town Hall, Runcorn.*

Present: Councillors Philbin (Chairman), Cole and Cross.

Apologies for absence: None.

Absence declared on Council business: None.

Officers present: A. Evans and K. Cleary.

### ITEMS DEALT WITH UNDER POWERS AND DUTIES EXERCISABLE BY THE SUB-COMMITTEE

**Note: The jurisdiction of the Regulatory Sub-Committee, when acting as Licensing Committee, under the Licensing Act 2003.**

*Action*

REG28 APPLICATION TO VARY PREMISES LICENCE – THE BALL HOTEL

In view of the fact that the applicant amended its application to the satisfaction of the Environmental Health Services – Environmental Health withdrew its representations. Consequently, there was no determination for the Committee to make.

REG29 APPLICATION TO VARY PREMISES LICENCE – THE WILSONS HOTEL

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

REG30 APPLICATION TO VARY PREMISES LICENCE – THE DOCKSIDE INN

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

REG31 APPLICATION TO VARY PREMISES LICENCE – THE CROFT

The Sub-Committee considered an application which had been made under Section 34 of the Licensing Act 2003 (The 2003 Act) as

applied by Schedule 8 Paragraph 7 for the Variation of Premises Licence in relation to the above property.

The Hearing was held in accordance with the 2003 Act and the Licensing Act 2003 (Hearing) Regulations 2005.

For the avoidance of doubt the applicant advised the Committee of the requirements for non standard timings in categories A B C E F G H I J L & M being to 01.00 on Christmas Eve and Boxing Day only if Christmas Eve and Boxing Day did not fall on a Friday or Saturday. The applicant also confirmed that other Bank Holidays would be as normal timings.

The applicant amended the application at the hearing as follows.

The following conditions were proposed and accepted by the applicant:-

1. All activities categorised in sections B C E G H I J K & L shall cease at 23.00 hrs Sunday – Thursday and 00.00 hrs Friday & Saturday.
2. The use of any outside area shall cease at 23.00 hrs.
3. All doors and windows must be kept closed when any amplified music or voices are being played within the premises.
4. No noise from regulated entertainment be audible at the nearest noise sensitive location after 23.00 hrs.
5. Noise from any regulated entertainment to be monitored by the Manager and a log maintained for inspection by the Council.
6. No speakers shall be used outside the building this will include any beer gardens or outside drinking area or car park.

In view of amendments 1 to 6 above Environmental Health Department withdrew their representations.

The Committee considered the representations made by and on behalf of the applicant and letters received from two local residents.

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

Strategic  
Director  
Corporate  
& Policy

#### **CONDITION NO. 1**

Nature of condition - Standard Hours of opening for categories A - Plays B- Films C - Indoor sporting Events F – Recorded Music G - Performance of Dance H - Anything similar to E F & G - Provision of facilities for making music & J - Provision of facilities for dancing

shall be Sunday – Thursday 08.00 to 23.00 Friday & Saturday 08.00 to 00.00.

Reason for condition – Prevention of crime and disorder and public nuisance.

### **CONDITION NO. 2**

Nature of condition - Outdoor hours of opening for categories A B C F G H I & J shall be Winter to 18.00 – Summer to 22.00.

Reason for condition – Prevention of crime and disorder and public nuisance.

### **CONDITION NO. 3**

Nature of condition - Standard Hours of opening for category E (Live Music) shall be Sunday – Thursday 10.00 – 23.00 Friday & Saturday 10.00 – 00.00.

Reason for condition- Prevention of crime and disorder and public nuisance.

### **CONDITION NO. 4**

Nature of condition - Standard Hours of opening for category L-Late Night Refreshment shall be Monday – Sunday 23.00 to 00.00.

Reason for condition – Prevention of crime and disorder and public nuisance.

### **CONDITION NO. 5**

Nature of condition - Standard Hours of opening for category M – supply of alcohol shall be Monday – Sunday 10.00 to 00.00.

Reason for condition – Prevention of crime and disorder and public nuisance.

### **CONDITION NO. 6**

Nature of condition - Standard Hours of opening to the public category O shall be Monday – Sunday 06.30 – 01.00.

Reason for condition – Prevention of crime and disorder and public nuisance.

## **CONDITION NO. 7**

Nature of condition - Non Standard Hours for categories A B C F G H I & J. If they do not fall on a Friday or a Saturday Christmas Eve and Boxing Day will be 08.00 to 00.00.

Reason for condition – Prevention of crime and disorder and public nuisance.

### **NOTE**

Mandatory conditions and conditions consistent with the applicants operating schedule are not the subject of this determination.

Conditions not consistent with the applicant's operating schedule have been imposed because they are required to meet the licensing objectives.

*Meeting ended at 6.05 pm*