

## REGULATORY COMMITTEE

*At a special meeting of the Regulatory Committee held at the Town Hall, Runcorn on 26<sup>th</sup> September 2005.*

Present: Councillors Philbin (Chairman), Cole, Cross, D. Inch, Gilligan, Lowe, Pearsall, Tyrrell and Wainwright.

Apologies for absence: Councillors Drakeley and E. Ratcliffe.

Absence declared on Council business: None.

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

Public present: 7.

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

**NOTE: The jurisdiction of the Regulatory Committee when acting as Licensing Committee under the Licensing Act 2003**

*Action*

REG49 APPLICATION TO VARY PREMISES LICENCE – THE WELLINGTON PUBLIC HOUSE, PRESCOT ROAD, WIDNES

The 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 the 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.

The Committee considered the representations made by and on behalf of the applicant and local residents.

Prior to and at the hearing the applicant agreed to amend the application and agreed the following conditions, which had been recommended by the Environmental Health Department:

1. All regulated entertainment shall be inaudible at the nearest residential property after 23:00 hours.
2. The use of any outside area shall cease at 23:20 hours.
3. No external speakers shall be used outside the building: this will include any beer gardens or outside drinking area or car park.
4. No further extensions to the hours for regulated entertainment, service of alcohol or opening shall be permitted.

In view of the above amendments (1 – 4) the Environmental Health Department withdrew their representation.

RESOLVED: That having considered the application in accordance with section 4 Licensing Act 2003 and all other relevant considerations it is 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
Extent of condition	for categories E Live Music, F Recorded Music J Dancing and K Similar shall be Monday – Thursday 11.00 to 23.00 Friday & Saturday 11.00 to 23.30 Sunday 12.00 – 23.00
Reason for condition –	Prevention of crime and disorder and public nuisance

**CONDITION NO. 2**

Nature of condition	Standard hours of Opening
Extent of condition	For category M supply of Alcohol shall be Monday – Thursday 11.00 to 23.30 Friday & Saturday 11.00 to 00.00 Sunday 12.00 – 23.30
Reason for condition	Prevention of crime and disorder and public nuisance

**CONDITION NO. 3**

Nature of condition	Standard hours of Opening
Extent of condition	for Category 0 - Hours premises are open to the public shall be Monday – Thursday 11.00 - 00.00 Friday & Saturday 11.00 – 00.30 Sunday 12.00 – 00.00
Reason for condition-	Prevention of crime and disorder and public nuisance

**CONDITION NO. 4**

Nature of condition	Non Standard Hours
---------------------	--------------------

Extent of conditions for Category E F J K shall be:

1. Extended until midnight every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday
2. Extended until midnight every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend
3. Extended until midnight every Christmas Eve and Boxing Day
4. New Year's Eve/Day Hours to continue with current exemptions

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.

#### REG50 APPLICATION TO VARY PREMISES LICENCE – THE VICTORIA HOTEL

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

#### REG51 APPLICATION TO VARY PREMISES LICENCE – THE SOUTH BANK PUBLIC HOUSE

In view of the fact that the applicant amended its applications to the satisfaction of the Police and the Environmental Health Services, the Police and the Environmental Health withdrew their representations. Consequently, there was no determination to make.

#### REG52 APPLICATION TO VARY PREMISES LICENCE – THE PRINCE OF WALES, WIDNES

The 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 the 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.

The Committee considered the application and representations made by the Environmental Health Department. The applicant did not attend the hearing.

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

Strategic  
Director  
Corporate &  
Policy

**CONDITION NO. 1**

Nature of condition	External speakers condition
Extent of condition	No external speakers shall be used outside the building; this will include any beer gardens or outside drinking area or car park
Reason for condition	Prevention of public nuisance

**CONDITION NO. 2**

Nature of condition	Inaudibility Condition
Extent of condition	Noise from any regulated entertainment (categories E & F) shall be inaudible at the nearest noise sensitive property between 01:00 and 02:00 Friday and Saturday.
Reason for condition	Prevention of public nuisance

**CONDITION NO. 3**

Nature of condition	Use of outside areas
Extent of condition	The use of any outside area shall cease at 23:20.
Reason for condition	Prevention of 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.

REG53 APPLICATION TO VARY PREMISES LICENCE – THE HALFWAY HOUSE, RUNCORN

In view of the fact that the applicant amended its application to the satisfaction of the Environmental Health Services and local residents – the Environmental Health Services and local residents withdrew their representations.

Consequently, there was no determination to make.

*Meeting ended at 7.40 pm*

