

REGULATORY COMMITTEE

At a special meeting of the Regulatory Committee held at the Town Hall, Runcorn on 31st October 2005.

Present: Councillors Philbin (Chairman), Cole, Drakeley, D. Inch, Lowe, Pearsall and E. Ratcliffe.

Apologies for absence: Councillors Cross, Gilligan, Tyrrell and Wainwright.

Absence declared on Council business: None.

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

Public present: 1

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

REG64 APPLICATION TO VARY PREMISES LICENCE – THE CHURCH VIEW

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 to 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.

The Committee considered the statements made by and on behalf of the applicant, the Environmental Health Department and local residents.

The applicant amended his application prior to and at the hearing as follows:

- 1 To remove the reference in the application to extending trading hours on occasions of local national or international significance or charitable events.
- 2 No unsealed containers shall be allowed in or out of the premises (except into any outside drinking area).
- 3 Toughened glass to be used in all outside areas.
- 4 A challenge 21 policy shall be adopted at the premises.

- 5 The licence holder/DPS or a person nominated by them shall be a member and regularly attend meetings of the Pub and Club Watch
- 6 The use of any outside area shall cease at 23.00 hours.
- 7 No external speakers shall be used outside the building: this will include any beer garden or outside drinking area or car park.
- 8 All regulated entertainment shall cease a minimum of 30 minutes prior to the closure of the premises.
- 9 The standard Hours were amended in respect of categories E – Live Music F – Recorded Music H – Anything similar to E, F & G J – Provision of facilities for dancing and M Supply of alcohol to
10.00 to 00.00 Monday – Thursday
08.00 to 01.00 Friday and Saturday
09.00 – 00.00 Sunday
- 10 The standard hours were amended in respect of category L – Late Night Refreshment to
23.00 – 00.30 Sunday – Thursday
23.00 – 01.30 Friday and Saturday
- 11 The Standard Hours were amended in respect of category O – Hours premises are open to the public to
09.00 – 00.30 Monday – Thursday
07.00 – 01.30 Friday and Saturday
08.00 – 00.30 Sunday .
- 12 The applicant volunteered the following condition regarding bottle banks:
“Refuse including bottles shall not be removed from the premises for disposal between the hours of 22.00 and 08.00 in the bottle bank belonging to the premises.”

In view of the amendments at 1 to 5 above the Police withdrew their representations.

In view of the amendments at 5 and 11 above the Environmental Health Department withdrew all of its representations other than those relating to inaudibility

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 following condition:

CONDITION NO. 1

Nature of condition	Noise from any regulated entertainment (categories E – Live Music F – Recorded Music H – Anything similar to E, F & G and J – Provision of facilities for dancing shall be inaudible at the nearest noise sensitive property at any time
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Reason for condition – Prevention of public nuisance

Mandatory conditions and conditions consistent with the applicant's 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.

However all other volunteered amendments will be included within the premises licence.

REG65 APPLICATION TO VARY PREMISES LICENCE – THE RING O'BELLS, DARESBURY

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 to 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.

The Committee considered the statements made by and on behalf of the applicant, the Environmental Health Department and a local resident.

The applicant amended his application prior to and at the hearing as follows:

1. To remove the reference in the application to extending trading hours on occasions of local national or international significance or charitable events.
2. Toughened glass to be used in all outside areas.
3. A challenge 21 policy shall be adopted at the premises.
4. The licence holder/DPS or a person nominated by them shall be a member and regularly attend meetings of the Pub and Club Watch
5. The use of any outside area shall cease at 23.00 hours.
6. No external speakers shall be used outside the building: this will include any beer garden or outside drinking area or car park.
7. All regulated entertainment shall cease a minimum of 30 minutes prior to the closure of the premises.
8. The Standard Hours were amended in respect of categories E – Live Music F – Recorded Music H – Anything similar to E, F & G J – Provision of facilities for dancing and M Supply of alcohol to 10.00 to 00.00 each day.
9. The standard hours were amended in respect of category L – Late Night Refreshment to 23.00 – 00.30 each day.

10. The Standard Hours were amended in respect of category O – Hours premises are open to the public to 09.00 – 00.30 each day.
11. The applicant volunteered the following condition regarding inaudibility:

“Before 23.00 hours – noise emanating from the premises will not be clearly distinguished above other noise, and after 23.00 hours – noise emanating from the premises will not be clearly distinguishable above background noise levels”

In view of the amendments at 1 to 4 above the Police withdrew their representations.

In view of the amendments at 5 to 11 above the Environmental Health Department withdrew its representations except in relation to item 11.

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 following condition.

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CONDITION NO. 1

Nature of condition Noise from any regulated entertainment (categories E – Live Music F – Recorded Music H – Anything similar to E, F & G and J – Provision of facilities for dancing shall be inaudible at the nearest noise sensitive property at any time.

Reason for condition – Prevention of public nuisance.

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.

However all other volunteered amendments will be included within the premises licence except item 11 above.

Meeting ended at 7.35 pm