

## REGULATORY COMMITTEE

*At a meeting of the Regulatory Committee held at the Town Hall, Runcorn on 14th November 2005.*

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

Apologies for absence: Councillor Drakeley.

Absence declared on Council business: Councillor Wainwright.

Officers present: J. Tully, K. Cleary and G. Ferguson.

Members of the Public: 4.

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

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

*Action*

#### REG66 LICENSING CODE OF PRACTICE

The Committee was advised that the Council had previously adopted a Planning Code of Practice for use in development control matters. On 12th January 2005 the Standards Committee requested that the Regulatory Committee be asked for its views on the adoption of an equivalent code for licensing matters. The Licensing Code of Practice document had been previously circulated to Members.

In addition advice had been received from LACORS and this had also been circulated. Although the advice from LACORS applied specifically to the functions of the Committee under the Licensing Act 2003 the principles could be applied to the whole of the jurisdiction of the Committee.

RESOLVED: The Standards Board be recommended that both codes be adopted.

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#### REG67 APPLICATION FOR A PREMISES LICENCE – CO-OP LATE SHOP, UPTON ROCKS DISTRICT CENTRE, WIDNES

In view of a dispute as to the appropriateness of the application, the item was deferred.

REG68 APPLICATION FOR A PREMISES LICENCE – THE MANHATTAN LOUNGE, WIDNES

The application was withdrawn by the applicant.

**(N.B Councillor Philbin declared an interest of bias in the item below.)**

**COUNCILLOR PEARSALL IN THE CHAIR**

REG69 APPLICATION FOR A VARIATION OF PREMISES LICENCE – MURCO COSTCUTTER, 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 to include the following:

1. 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.

2. Minimum Staff Levels

A minimum of two members of staff shall be on duty at all times when the supply of alcohol is permitted under the licence.

3. Staff Training

At least two people shall be employed at the premises who have passed the NCPLH course and at least one such person (so qualified) shall be on duty between 17.00 and the end of the hours when the supply of alcohol is permitted under this licence.

In view of amendments 1 – 3 above Cheshire Constabulary withdrew its representations.

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.

*NOTE The effect of the application as granted is to lower the commencement hours for categories M –Supply of alcohol and O - Hours premises are open to the public to 06.00 Monday – Saturday and 07.00 Sundays on all days of the year.*

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

*Meeting ended at 7.10 pm*

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