

## REGULATORY COMMITTEE

*At a special meeting of the Regulatory Committee held at the Town Hall, Runcorn on 18th August 2005.*

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

Apologies for absence: Councillors D. Inch and Cross.

Absence declared on Council business: None.

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

### 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.**

**(NB Councillor Philbin declared a personal and prejudicial interest in the application below)**

#### COUNCILLOR PEARSALL IN THE CHAIR

*Action*

#### REG17 APPLICATION TO VARY PREMISES LICENCE – MILLFIELD PUBLIC HOUSE, WIDNES

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 the Premises Licensed 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 applicant amended his application at the hearing to:

- (i) exclude Categories E, G, H, I and J together with Category L;
- (ii) to reduce the terminal hours for Categories B and C from 00.30 to midnight;
- (iii) to reduce the terminal hours of Category F from 00.30 to midnight; and
- (iv) there shall be no outside drinking in the beer garden after 22.00.

**RESOLVED:** That having considered the application in accordance with Section 4 Licensing Act 2003 and all the relevant

considerations it is decided that the application be granted subject to the conditions set out below:

Chief Executive

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

Conditions not consistent with the applicants operating schedule have been imposed because they are required to meet the licensing objectives set out below.

**CONDITION NO. 1**

Hours of opening on Christmas Eve and Boxing Day for Categories B, C and M shall be extended to 01.00 instead of 02.00

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

**CONDITION NO. 2**

Hours of opening on Fridays and Saturdays of a Bank Holiday weekend shall be extended to 01.00 instead of 2.00.

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

**CONDITION NO. 3**

The hours of opening to the public under Category 0 shall be as requested except that for the avoidance of ambiguity the following words in the application will be deleted for the 60 minute wind down period.

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

**COUNCILLOR PHILBIN IN THE CHAIR**

**REG18 APPLICATION TO VARY PREMISES LICENCE – THE PREMIER, WIDNES**

The Committee considered an application which had been made under Section 34 Licensing Act 2003 (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 (Hearings) Regulations 2005. The applicant amended his application at the hearing to:

- (i) accept the Police representations except for conditions relating to open containers and pub watch; and

(ii) withdraw the proviso to Category 0 stating notwithstanding the usual opening times, the premises, in accordance with the converted right may choose to open to the public at any time for non-licensable activities/purposes.

27 letters of objection from residents together with one letter of objection from a business in the vicinity of the premises and details of the relevant representations were outlined in the report.

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

Chief Executive

(Mandatory conditions and conditions consistent with the applicant's operating schedule are not the subject of this determination)

Conditions not consistent with the applicants operating schedule have been imposed because they are required to meet the licensing objectives set out below.

**CONDITION NO. 1**

In respect of Category L and M the terminal hours shall be

Mondays to Thursday and Sundays – midnight; and

Friday and Saturday 00.30

The reason for conditions – prevention of crime and disorder and public nuisance

**CONDITION NO. 2**

The non-standard hours stated at item 5 on the application in respect of Category M be as follows from 06.00 until 1 hour after normal closing time on no more than 12 occasions per calendar year. These extensions for the supply of alcohol can only take place if at least 7 days notice is provided to the Police and the Council and only if the Police give their consent.

Reason for Condition – prevention of crime and disorder and public nuisance

### **CONDITION NO. 3**

The normal terminal hours for Category 0 shall be 1 hour after the normal terminal hour for Categories L and M.

Reason for Condition – Prevention of Crime and Disorder and Public Nuisance.

### **CONDITION NO.4**

The beer garden shall not be used after 21.00 on any day (without exception)

Reason for Condition – Prevention of Crime and Disorder and Public Nuisance.

### **CONDITION NO. 5**

In addition to the Police representations accepted by the applicant, the following conditions shall apply:

#### **Open Containers**

No drink shall be removed from the premises in an unsealed container

#### **Pub Watch**

The licence holder and/or the designated premises supervisor or a person nominated by them shall be a member of and regularly attend at meetings of the Pub and Club Watch Scheme for the area within the premises listed.

Reason for Condition – Prevention of Crime and Disorder

### **REG19 APPLICATION TO VARY PREMISES LICENCE – NAVIGATION INN, RUNCORN**

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

*Meeting ended at 21.25 pm*