

AGENDA ITEM NO. 2

REPORT TO: Regulatory Committee

DATE: 21 September 2005

REPORTING OFFICER: Chief Executive

SUBJECT: Application to vary premises licence – The
Appleton Arms 25/27 Appleton Village
Widnes

WARDS: Appleton

1.0 PURPOSE OF THE REPORT

1.1 To hold a hearing to assess relevant representations made in response to an application in respect of The Appleton Arms Appleton Village Widnes

2.0 RECOMMENDATION: That

(1) The Committee considers the relevant representations

3.0 SUPPORTING INFORMATION

- 3.1** An application has been made under section 34 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.
- 3.2** This hearing is held in accordance with the 2003 Act and the Licensing Act 2003 (Hearings) Regulations 2005.
- 3.3** The procedure to be followed has been circulated to all parties and will be repeated at the beginning of the hearing.
- 3.4** The hearing is solely concerned with those aspects of the application which have been the subject of relevant representations as defined in the 2003 Act.

4. RELEVANT REPRESENTATIONS

4.1 RESPONSIBLE AUTHORITIES

- The following responsible authorities have made relevant representations
Cheshire Constabulary
Environmental Health

The relevant representations relate to

Cheshire Constabulary

Require conditions relating to Proof of Age / Challenge 21

Conditions

- The licence holder shall ensure that anyone who appears to be under 21 years of age who is consuming alcohol or attempting 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 ejected from the premises forthwith.
- A notice or notices shall be displayed in and at the entrance to the premises where they can be clearly seen and read and shall indicate that it is unlawful for persons under 18 to purchase alcohol or for any person to purchase alcohol on behalf of a person under 18 years of age.

Environmental Health

Environmental Health would not object in principle to the application subject to the following conditions

- All doors and windows must be kept closed when any amplified music or voices are being played within the premises.
- Any live music played at the premises shall be played through a noise limiting device. The activation level of this device must be set and sealed by an officer of the Local authority's Environmental Health Division.
- No external speakers shall be used outside the building: this will include any beer gardens or outside drinking area or car park.
- The use of any outside area will cease at 23.20.
- All activities specified within section E shall be permitted between the hours of 11.00 & 23.00 hrs Sunday – Thursday and 11.00 & 00.00 Friday and Saturday.
- The premises shall be open to the public between the hours of 11.00 & 00.00 Sunday to Thursday and 11.00 & 01.00 Friday and Saturday.
- An hours extension to all licensed activities shall be permitted for the Saints days as specified the Thursday of the Easter Bank Holiday Christmas Eve and Boxing Day

4.2 INTERESTED PARTIES

- The following interested parties have made relevant representations
27 letters of objection were received from residents in the vicinity of the premises (see appendix 1)

The relevant representations relate to

- If increased hours are allowed there will be increased noise and nuisance
- Unruly and drunken hooligans in Regent Road shouting and cursing at the tops of their voices after drinking themselves into a stupid state
- Cars parked in the road are constantly being damaged wing mirrors being broken people climbing on top of cars.
- Patrons of premises urinating and vomiting in paths and gardens of homes in the area
- Patrons of premises banging on house windows scaring people half to death
- Excessive loud music from live bands
- Fireworks displays at odd times
- Glasses left on wall around pub and Victoria Park
- Large groups at the front of the pub at all hours
- Emptying of bottle skips late at night
- Damage to property garden walls fences drain pipes etc
- Extending the hours will not improve the situation

5. OPTIONS

5.1 The Committee has the following options:

- Grant subject to conditions
- Reject the application.

6.0 POLICY IMPLICATIONS

None

7.0 OTHER IMPLICATIONS

None

8.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

**Document
Application
Documents**

**Place of Inspection
Legal Services**

**Contact Officer
John Tully/Kay Cleary**

Name of Board: REGULATORY COMMITTEE

Date of Meeting: 21 SEPTEMBER 2005

Report Title: LICENSING ACT 2003

Author: JOHN TULLY / KAY CLEARY

STANDARD SECTIONS – CHECKLIST		
All reports must be submitted together with the following checklist fully completed		
	Yes	No
<p>Resource Implications</p> <p>The financial, manpower and land (buying or selling) considerations should be clearly detailed including any corporate implications of following the recommended course of action.</p> <p>Social Inclusion Implications</p> <p>Any implications relating to social inclusion/anti poverty should be highlighted</p> <p>Sustainability Checklist</p> <p>Any implications that affect the sustainability themes of economy society and the community and the environment should be included,</p> <p>Best Value</p> <p>Any Best Value implications should be included.</p> <p>Legal Implications</p> <p>Any Legal implications should be included.</p> <p>Crime and Disorder Issues</p> <p>Any crime and disorder implications should be included.</p>		
<p><i>Please review these potential effects, within the context set out overleaf, to compose your summary assessment</i></p>		

Summary assessment of Implications: *This wording will appear in the Board report.*