

## AGENDA ITEM NO. 2

**REPORT TO:** Regulatory Committee

**DATE:** 28 September 2005

**REPORTING OFFICER:** Chief Executive

**SUBJECT:** Application to vary premises licence –  
Stockham Lodge Racquet and Health Club  
Stockham Lane Runcorn

**WARDS:** Norton North

### 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 Stockham Lodge Racquet and Health Club Stockham Lane Runcorn

**2.0 RECOMMENDATION: That 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.

### 4.0 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

Retention of Existing Conditions

Conditions of current Justices Licence 1 to 5 refer to areas where intoxicants can and cannot be supplied and to whom they can be supplied. They are unaffected by any extension of hours. They were imposed to promote and protect the nature of the rooms to which they apply. Any application to remove any of these conditions would alter the intrinsic use of the rooms. In this case to remove the 48 hour condition would simply take away the pre booked element thus reducing the function room to just another room.. The police would therefore seek to retain Conditions 1 to 5: Condition 6 would fall automatically.

Environmental Health

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

- Noise from any regulated entertainment (categories A B C E F G & H) shall be inaudible at the nearest noise sensitive property between 23.00 and 00.00 Sunday to Thursday and 23.00 and 01.00 Friday & Saturday
- Noise from any regulated entertainment (categories A BC E F G & H) shall be monitored and a log of the monitoring shall be maintained for inspection by the council.
- The use of any outside area shall cease at 23.00 hrs
- All doors and windows must be kept closed when any amplified music or voices are being played within the premises.
- No external speakers shall be used outside the building this will include any beer gardens or outside drinking area or car park.

#### **4.2 INTERESTED PARTIES**

Mr & Mrs McGrellis 51 Greenhouse Farm Road Runcorn

Mr & Mrs Woods 49 Greenhouse Farm Road Runcorn

Mr & Mrs Hodgkinson 53 Wharfedale Runcorn

Mr & Mrs Garrette 46 Greenhouse Farm Road Runcorn

Mr & Mrs Dutton 51 Wharfedale Runcorn

The relevant representations relate to

- The club management do not currently do enough to keep the noise from functions to an acceptable level
- They regularly allow DJ's to play past the current PEL limit
- They do nothing to control or disperse people when they have left the club, which means large groups of people shouting arguing fighting outside the club whilst waiting for taxis
- If application is allowed that noise and disturbance will continue to 2 or 3 in the morning

- As management cannot currently control the noise etc then the situation would only get worse if the licensing hours were extended.

## **5.0 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**