

AGENDA ITEM NO. 3

REPORT TO: Regulatory Committee

DATE: 28 September 2005

REPORTING OFFICER: Chief Executive

SUBJECT: Application to vary premises licence –
The Cock & Trumpet Inn Halebank Road
Widnes

WARDS: Ditton

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 Cock & Trumpet Halebank Road Widnes

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

The relevant representations relate to
Removal of unspecified events application.

In relation to the request for extra hours for unspecified times and dates for events it is our opinion that this is a device to circumvent the TENS procedure and is not within the spirit of the Act. We believe that if this were granted then there would be a real risk of undermining all four licensing objectives of the Licensing Act 2003. This is because there is insufficient information to be able to make an informed decision and there would be no ability to object or refuse the event.

The TENS procedure clearly demonstrates that the Act was intended to continue to regulate the hours for which regulated entertainment and the supply of alcohol is provided. Special occasions and National Events are specifically mentioned in the Act and can be granted by the Secretary of State.

4.2 INTERESTED PARTIES

Representations have been received from the following residents in the vicinity.

M Blennerhassett / W McGrath 9 and 11 Kenview Close Widnes
R Meredith 12 Kenview Close Widnes

The relevant representations relate to:

- Local residents currently struggle to cope with loud music being played at unsocial hours and loud abusive users of the premises some incidents required police intervention.
- Stolen cars being driven round and round the premises car park
- 99% of the residents on the bungalow estate are pensioners

5.0 OPTIONS

5.1 The Committee has the following options:

- Grant subject to conditions
- Reject the application.

6.0 POLICY IMPLICATIONS

6.1 None

7.0 OTHER IMPLICATIONS

7.1 None

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

| Document | Place of Inspection | Contact Officer |
|------------------------------|----------------------------|------------------------------|
| Application Documents | Legal Services | John Tully/Kay Cleary |