

## AGENDA ITEM NO. 3

**REPORT TO:** Regulatory Committee

**DATE:** 31 October 2005

**REPORTING OFFICER:** Chief Executive

**SUBJECT:** Application for a premises licence -  
The Church View

**WARDS:** Farnworth

### 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 Church View 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") for variation of 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:

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Cheshire Constabulary  
Environmental Health

The relevant representations relate to

## **Cheshire Constabulary**

See Appendix 1

### **Environmental Health**

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

- The use of any outside area shall cease at 23:00 hours.
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- No external speakers shall be used outside the building; this will include any beer gardens or outside drinking area or car park.
- I would consider that the hours the premises should be open to the public should be: Sunday to Thursday 10:00 & 00:00 hours; and Friday and Saturday 08:00 & 01:00 hours.
- All regulated activity will cease a minimum of 30 minutes prior to the closure of the premises.
- Noise from any regulated entertainment (categories E, F, H & J) shall be inaudible at the nearest noise sensitive property at any time.
- An extension to the above hours shall be permitted on the Sunday of any bank holiday weekend, the Thursday of the Easter weekend and Christmas Eve in line with the application.

## **4.2 INTERESTED PARTIES**

- The following interested parties have made relevant representations
  - Mr & Mrs Oliver 32 Lunts Heath Road Widnes
  - Mr & Mrs Collins 46 Lunts Heath Road Widnes
  - Mr A Taylor 48b Lunts Heath Road Widnes

The relevant representations relate to

- Noise and traffic
- Noise from the public house in particular the kitchen area
- Intoxicated patrons leaving the premises causing damage to garden pots, fencing, hedges, vehicles being keyed and urinating in gardens

- Noise from taxis outside the premises sounding their car horns as many as 10/15 times to gain attention.
- If hours of opening are extended it is felt that this may change the impact on who would frequent the premises in particular younger age groups that would further impact on the above issues.
- Noise nuisance from the bottle bank located near to the premises
- If the extension of hours is granted it is felt that it would be to the detriment of the surrounding residents

## **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	Place of Inspection	Contact Officer
Application Documents	Legal Services	John Tully - Kay Cleary