

AGENDA ITEM NO. 5.

REPORT: Regulatory Committee

DATE: 7 September 2005

REPORTING OFFICER: Chief Executive

SUBJECT: Application to vary premises licence –
The Horse & Jockey Public House

WARDS: Farnworth

1. PURPOSE OF REPORT

To hold a hearing to assess relevant representations made in response to an application in respect of the Horse & Jockey Birchfield Road Widnes.

2. RECOMMENDATION: That the Committee considers the relevant representations.

3. 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
Environmental Health
- The relevant representations relate to
Environmental Health

The premises are located 20 metres from the nearest residential property however this property is gable end on the pub. The nearest residential property to the front is across a main road and there are no residential properties to the rear. Based on these facts I would not object to the application in principle 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 23.00
- No further extension of hours shall be permitted on Friday, Saturday and Monday of any bank holiday (except New Years Eve Boxing Day Christmas Eve the Thursday and Sunday of the Bank Holidays where extensions will be permitted in line with the hours requested within the application).
- No further extensions shall be permitted on the Friday, Saturday and Monday of a bank holiday weekend (except New Years Day Boxing Day Christmas Eve and the Thursday of the Easter weekend.)

4.2 INTERESTED PARTIES

- The following interested parties have made relevant representations
N/A

5. OPTIONS

5.1 The Committee has the following options:

- Grant subject to conditions
- Reject the application.

6. POLICY IMPLICATIONS

None.

7. OTHER IMPLICATIONS

None.

8. 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