

## AGENDA ITEM NO. 6

**REPORT:** Regulatory Committee

**DATE:** 31 August 2005

**REPORTING OFFICER:** Chief Executive

**SUBJECT:** Application to vary premises licence – The Queens Arms Moor Lane Widnes

**WARDS:** Kingsway

### 1. PURPOSE OF REPORT

To hold a hearing to assess relevant representations made in response to an application in respect of the Queens Arms Moor Lane Widnes

### 2. RECOMMENDED: 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

Cheshire Constabulary  
Cheshire Fire Brigade  
Environmental Health

- The relevant representations relate to

### **Cheshire Constabulary**

Reduction of times applied for on New Years Eve. The application form on P17 requests an extension for New Years Eve. The times quoted are from 10.00 hrs on 31/12 to 02.30 hrs on 2/1. The 2 January is not a Bank Holiday it is more than 24 hours removed from the actual event on 31/12 and therefore the standard period of deregulation should be adhered to, ie scheduled closing time on 2/1.

### **Cheshire Fire Brigade**

The Public Safety objective of the Licensing Act 2003 has not been adequately addressed

### **Environmental Health**

The likely impact of the variation application has been assessed and Environmental health Services are satisfied that it is likely to lead to nuisance to local residents.

The premises is located very close to residential property in Rose Street who may be subject to noise nuisance from activities taking place within the premises and from disturbance when patrons are leaving the premises at the times requested in the application.

In addition the additional steps described in part Q of the application will not be sufficient to prevent the nuisance occurring

## **4.2 INTERESTED PARTIES**

- The following interested parties have made relevant representations
  - 4 Letters of objection received from Local Residents namely
    - Mrs J Renwick 15 Rose Street Widnes
    - Mr C Neild 11 Rose Street Widnes – plus a 17 signature petition
    - Mr & Mrs Yasities 33 Rose Street Widnes
    - Mr & Mrs Orr 26 Rose Street Widnes together with correspondence from the Moor Lane Cornerstone Forum
- The relevant representations relate to
  - Ongoing problems with late night drinking at the premises
  - If allowed to stay open later will cause disturbance to local residents, which local police never respond to.
  - Residents do not believe that it would serve the community to have a pub with legal longer opening hours
  - Current problems with premises would be aggravated by proposed increase in hours – people outside the public house in the early hours, litter including food cartons bottles glasses, taxis and private cars tooting horns at late hours.
  - Rose Street is a residential area and the premises are very close to privately owned dwellings

- Local residents must keep windows closed to keep out the current noise from the premises, which can be unbearable in hot weather.

## **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**

<b>Document</b>	<b>Place of Inspection</b>	<b>Contact Officer</b>
Application Documents	Legal Services	John Tully/Kay Cleary