

AGENDA ITEM NO. 3

REPORT TO: Regulatory Committee

DATE: 13 October 2005

REPORTING OFFICER: Chief Executive

SUBJECT: Application for a premises licence – The Wellington Hotel Egerton Street Runcorn

WARDS: Mersey

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 Wellington Hotel Egerton Street Runcorn.

2.0 RECOMMENDATION: That the Committee considers the relevant representations.

3.0 SUPPORTING INFORMATION

3.1 An application has been made under section 17 Licensing Act 2003 (“the 2003 Act”) for a 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 Removal of the unspecified events application

In relation to the request for extra hours for unspecified times and dates for events, it is Cheshire Constabulary's 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. 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.

Environmental Health

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

- No noise from any regulated entertainment shall be audible at the nearest noise sensitive property after 23.00
- Noise from any regulated entertainment shall be monitored and a log of the monitoring shall be maintained for inspection by the Council.
- All doors and windows must be kept closed when any amplified music or voices are being played within the premises.
- Environmental Health would consider the hours the premises open to the public should be Sunday – Thursday 10.00 to 00.00 and Friday & Saturday 10.00 to 01.00
- All regulated entertainment and the supply of alcohol shall cease a minimum of 30 minutes prior to the closure of the premises.

4.2 INTERESTED PARTIES

- The following interested parties have made relevant representations

N/A

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**