

## AGENDA ITEM NO. 3

**REPORT TO:** Regulatory Committee

**DATE:** 20 December 2005

**REPORTING OFFICER:** Chief Executive

**SUBJECT:** Application to vary premises licence – New York Bar 2-4 High 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 New York Bar High 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 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 Fire Authority
- Environmental Health

The relevant representations relate to  
**Cheshire Fire Authority**

There is inadequate information to make an informed decision in relation to addressing public safety when the premise is used for an additional purpose in accordance with the variation requested.

### **Environmental Health**

- The use of any outside area shall cease at 23:00 hours.
- Noise from any regulated entertainment (B Films C Indoor Sporting Events E Live Music Recorded Music G Performance of Dance H Anything Similar to e f or g I Making Music J Facilities for Dancing & L Late Night Refreshment ) shall be inaudible at the nearest noise sensitive property at any time.
- The premises shall be open to the public between 08:00 and 01:00 Sunday to Thursday; and 08:00 and 02:30 Friday and Saturday.
- All licensed entertainment shall cease a minimum of 30 minutes prior to the closure of the premises.
- Extensions to the opening hours shall be permitted until 2:30 on Christmas Eve and Boxing Day on whichever day they fall.
- No external speakers shall be used outside the building; this will include any beer gardens or outside drinking area or car park.

## **4.2 INTERESTED PARTIES**

N/A.

## **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.

**11.0 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**