



Regulatory Committee

Monday, 14 November 2005 6.00 p.m.  
Runcorn Town Hall, Runcorn

Chief Executive

**ITEMS TO BE DEALT WITH  
IN THE PRESENCE OF THE PRESS AND PUBLIC**

**PART 1**

Item	Page No
1. MINUTES	
2. DECLARATION OF INTEREST	
3. LICENSING CODE OF PRACTICE	1 - 2
4. APPLICATION FOR A PREMISES LICENCE - CO OP	3 - 4
5. APPLICATION FOR A PREMISES LICENCE - MANHATTEN LOUNGE	5 - 8
6. APPLICATION FOR A PREMISES LICENCE - MURCO	9 - 12

*Please contact Gill Ferguson on [gill.ferguson@halton.gov.uk](mailto:gill.ferguson@halton.gov.uk) or 0151 424 2061 ext 1024 for further information.*

*The next meeting of the Committee is on Date Not Specified*

***In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.***

**AGENDA ITEM NO. 3**

<b>REPORT TO:</b>	Regulatory Committee
<b>DATE:</b>	14 <sup>th</sup> November 2005
<b>REPORTING OFFICER:</b>	Council Solicitor
<b>SUBJECT:</b>	Licensing Code of Practice
<b>WARDS:</b>	Boroughwide

**1. PURPOSE OF REPORT**

1.1 To consider the adoption of a Licensing Code of Practice.

**2. RECOMMENDED: That the Committee determine which code or codes of those available should be approved for further consultation among Members.**

**3.0 SUPPORTING INFORMATION**

The Council has adopted a Planning Code of Practice for use in development control matters. On 12<sup>th</sup> January 2005 the Standards Committee requested that the Regulatory Committee be asked for their views on the adoption of an equivalent Code for licensing matters. The document proposed by the Standards Committee is set out at [Appendix 1](#).

3.1 No advice or directive from central government has been received on this matter. However, advice has been received from LACORS and this is set out at [Appendix 2](#).

3.2 Although Appendix 2 applies specifically to the functions of the Committee under the Licensing Act 2003 the principles can be applied to the whole of the jurisdiction of the Committee.

3.3 The Committee is asked to consider documents and select one or both (or a combination of each) for further consultation and consideration.

3.4 It would be appropriate to aim to achieve an adopted code by the end of 2005 which would roughly coincide with the full implementation of the Licensing Act 2003.

**4. POLICY IMPLICATIONS**

4.1 There are no other policy considerations.

**5. OTHER IMPLICATIONS**

5.1 There are no other implications arising out of this report.

**6. LIST OF BACKGROUND PAPERS UNDER SECTION 100D LOCAL GOVERNMENT ACT 1972**

- 6.1 This report is based on the Licensing Act 2003 and statutory registers held by the Council. In addition the DCMS and LACORS web-sites have provided background information.

**AGENDA ITEM NO. 4**

**REPORT TO:** Regulatory Committee

**DATE:** 14 November 2005

**REPORTING OFFICER:** Chief Executive

**SUBJECT:** Application for a premises licence - Co-op  
Late Shop Upton Rocks District Centre  
Queensbury Way Widnes

**WARDS:** Birchfield

**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 Co-op Late Shop Queensbury Way Widnes

**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. RELEVANT REPRESENTATIONS****4.1 RESPONSIBLE AUTHORITIES**

- The following responsible authorities have made relevant representations  
Cheshire Constabulary  
The relevant representations relate to  
Security Issues

1. Minimum staffing level of 3 persons to be maintained at all times when open to public.
2. All spirits put out on display to be kept behind the tills.
3. When only one till is in operation, this is the one on the right of the plan in order that a direct line of sight for supervision is maintained.
4. The gate giving access to the till area to be capable of being locked and to be locked when tills are in operation. This will provide security for staff and together with point 3 above will prevent snatch thefts from the spirit/high risk shelves.
5. Stocks are replenished on a 'just in time' basis to avoid holding a large value stock of alcohol.

#### **4.2 INTERESTED PARTIES**

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**

**AGENDA ITEM NO. 5**

**REPORT TO:** Regulatory Committee

**DATE:** 14 November 2005

**REPORTING OFFICER:** Chief Executive

**SUBJECT:** Application for a premises licence – The  
Manhattan Lounge 24 – 28A Widnes Road  
Widnes

**WARDS:** Appleton

**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 Manhattan Lounge 24 – 28 Widnes Road Widnes

**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  
Cheshire Fire Authority  
Environmental Health

The relevant representations relate to  
**Cheshire Constabulary**  
See appendix A

**Cheshire Fire Authority**

**1 Inadequate means of escape**

- The external staircase to be inspected by a competent engineer to ensure that it is a safe structural condition. Any recommendations following the inspection must be put into effect immediately.
- All doors affording a means of escape in case of fire to be only fastened in such a manner as to be easily and immediately openable from the inside when premises are occupied (without the use of a key)

**2 Inadequate means of giving warning**

- During the inspection it was noted that the servicing/testing arrangements detailed by BS 5839 Part 1: 2002 had not been carried out. The system should be serviced by a competent person and new test records commenced

**3 Inadequate emergency lighting**

- During the inspection it was noted that the servicing/testing arrangements detailed by BS 5266 Part 1: 1999 had not been carried out. The system should be serviced by a competent person and new test records commenced.

**4 Inadequate management controls, training or procedures.**

- A fire risk assessment is required to be carried out as discussed during the inspection.
- All members of the staff should be made familiar with the method of giving the warning of fire, and with escape routes available from each part of the premises. They should be trained to direct members of the public or those in their charge towards the exits before making their own way to safety.

**Environmental**

1. Guarding should be fixed to ledge and over bulkhead at side of stairs
2. There is no disabled access or facilities
3. Windows below 800mm should be guarded or safety glass fixed
4. No ventilation to W.C (ladies & gents)
5. Escape doors should be easily opened during opening hours (i.e. Any locks removed)



6. The means of escape from the managers office is not acceptable, it is an inner, inner, inner room
7. A structural engineers survey should be carried out and copy supplied for fire escape stairs, internal stairs and floors for loading (entertainment loading)
8. Rear final escape door/gate should be easily opened during licensing hours
9. External fire escape is compromised by the flat roof and windows at ground and first floor level that are fire risks
10. Certificates are required for fire alarms and emergency lights including outside bulk heads
11. Fire protection to all floors and internal stair should be 1 hour. Please confirm this including kebab shop at ground floor
12. All risers should be uniform (landing at head is not) on internal stair
13. All stairs and steps should comply with Part K (They appear to be greater than the pitch for public buildings)
14. The outside escape stair is only 770mm wide; the approved document B requires a minimum width of 800mm. However, the yellow guide would allow 100 people at first floor and 60 and second floor. Since numbers are difficult to control, consideration should be given to wider external stairs and fire exits.
15. The drawing submitted with the license application should show the true layout as existing
16. The above points should be rectified to the relevant standards of building regulations approved documents

#### **4.2 INTERESTED PARTIES**

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**

**AGENDA ITEM NO. 6**

**REPORT TO:** Regulatory Committee

**DATE:** 14 November 2005

**REPORTING OFFICER:** Chief Executive

**SUBJECT:** Application for a variation of premises licence – Murco Costcutter Warrington Road Widnes

**WARDS:** Halton View

**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 Murco Costcutter Warrington Road 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 a 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  
Cheshire Constabulary  
The relevant representations relate to

### **Proof of Age/ Challenge 21**

1. This venue was first licensed on 1/6/2005 and failed a Trading Standards Test Purchase within three months, on 16/9/2005. This is despite the fact that the venue already purports to operate the Challenge 21 Scheme. To compound this with such an increase in the hours in which alcohol is available will lead to this venue becoming a problem with underage drinkers. The only other way to address this issue is to increase the level of training within the venue. I would require, therefore, that one extra person pass the NCPLH course and for one of the so qualified members of staff to be on duty between the hours of 5pm and closing.

### **Minimum Staff Levels**

2. There is an existing Undertaking that there will be a minimum of two members of staff on duty during permitted hours. I would seek for this to become a Condition that such staff levels would be maintained at all times when alcohol is offered for sale.

### **4.2 INTERESTED PARTIES**

The following interested parties have made representation  
Mr & Mrs Derbyshire 228 Warrington Road Widnes  
D Timperley 222 Warrington Road Widnes  
The Rev J Leffler St Ambrose Vicarage 45 Hargreaves Court Widnes  
Mr & Mrs Oldfield 218 Warrington Road Widnes  
Mrs S O'Connor 236 Warrington Road Widnes  
Mrs S M Kelly 7 Bilton Close Widnes  
J Redmond 23 snowberry Close Widnes on behalf of Halton View  
Action Group

The relevant representations relate to the following, which will be expanded upon at the hearing  
Worries that drunks etc will be sitting on the wall outside the premises drinking.

Current licensing hours sufficient if longer hours are granted it will encourage more noise and a danger to the area encouraging people from the town and drunk drivers.

There are a number of off licences in the immediate area.

Considerable public nuisance and litter caused by illegal underage drinkers in the area.

Increased trading hours will affect health and well-being

Murco want to attract alcohol sales at a time when most people are still in bed the increased trading hours will attract more unsavoury members of the public and would not greatly increase their profits

The proprietors of Murco have been known to sell alcohol to underage teenagers on one occasion.

**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  
Application  
Documents**

**Place of Inspection  
Legal Services**

**Contact Officer  
John Tully/Kay Cleary**

This page is intentionally left blank