



Regulatory Committee

**Monday, 22 May 2006 6.00 p.m.
Town Hall, Runcorn**

Chief Executive

COMMITTEE MEMBERSHIP

Councillor Ged Philbin	Labour
Councillor Stephen Pearsall (Vice-Chairman)	Labour
Councillor Arthur Cole	Labour
Councillor Carl Cross	Conservative
Councillor Philip Drakeley	Conservative
Councillor Robert Gilligan	Labour
Councillor Diane Inch	Liberal Democrat
Councillor Alan Lowe	Labour
Councillor Ernest Ratcliffe	Liberal Democrat
Councillor Kevan Wainwright	Labour

Please contact Gill Ferguson on gill.ferguson@halton.gov.uk or 0151 424 2061 ext 1024 for further information.

The next meeting of the Committee is on Monday, 5 June 2006

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

Part I

Item No.	Page No.
1. MINUTES	
2. DECLARATION OF INTERESTS	
Members are reminded of their responsibility to declare any personal or personal and prejudicial interest which they have in any item of business on the agenda, no later than when that item is reached and (subject to certain exceptions in the Code of Conduct for Members) to leave the meeting prior to discussion and voting on the item.	
3. APPLICATION FOR A PREMIER LICENCE AT JJS GENERAL STORE 87 FREDERICK STREET, WIDNES	1 - 12
4. APPLICATION TO VARY DESIGNATED PREMISES SUPERVISOR (DPS) AT THE RED ADMIRAL PUBLIC HOUSE, RUNCORN	13 - 16

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.

REPORT: Regulatory Committee

DATE: 22 May 2006

REPORTING OFFICER: Chief Executive

SUBJECT: Application for a premises Licence at JJS
General Store 87 Frederick Street Widnes

WARDS: Kingsway

1. PURPOSE OF REPORT

To hold a hearing to assess relevant representations made in response to an application in respect of JJS General Store 87 Frederick Street Widnes

2. RECOMMENDATION

That the Committee considers the relevant representations.

3. SUPPORTING INFORMATION

- 3.1** An application has been made under section 17 Licensing Act 2003 (“the 2003 Act”)
- 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 THE APPLICATION

- 4.1** J Sangaranarayanapillai has applied for a premises licence in respect of 87 Frederick Street Widnes.
- 4.2** The application is for the supply of alcohol off the premises between the hours of 06.00 to 22.30 each day.
- 4.3** In addition the applicant has advised the hours the premises are open to the public are 06.00 to 22.30 each day.

- 4.4 The premises are described as a corner ground floor shop in a Victorian terrace being a standard general shop.

5 RELEVANT REPRESENTATIONS

5.1 RESPONSIBLE AUTHORITIES

CHESHIRE CONSTABULARY

The Police have requested the following conditions be attached to the premises licence.

Proof of Age / Challenge 21

The licence holder shall ensure that anyone who appears to be under 21 years of age and who attempts to purchase alcohol will be asked to prove their age. Accepted methods of proof of age are: passports, photo driving licences and PASS accredited proof of age cards e.g. Validate, Connexions, Citizen Card, Prove It Card. If any such person fails to satisfy the licence holder by means of such proof of age that they are 18 years old or older that person shall be refused the sale of alcohol

Staffing Levels

To afford a level of protection and security for staff there must never be less than two members of staff on duty at any given time.

Storage / Display

- All spirits must be displayed behind the counter where they can only be accessed by staff, and not offered for self-service
- In the event of any curtailment of hours for the sale of alcohol (imposed by Committee as a result of public objections) any displays of alcohol that are placed in the front of the venue for self-service must be capable of being covered or screened over outside such hours to prevent selection by the public

ENVIRONMENTAL HEALTH

Environmental Health have advised that having considered the potential impact with regard to Public Nuisance they have no objection to the application for the supply of alcohol from the premises.

5.2 INTERESTED PARTIES

- The following interested parties have made relevant representations

There have been 150 letters of objection to the application from interested parties in the vicinity of the premises (see appendix A)

The representations relate to the following, which will be expanded on at the hearing: -

- The premises are situated adjacent to old age pensioner bungalows, which have, in the past been targeted by intoxicated youths. If the licence were granted it would bring upheaval in the pensioners lives.
- Simms Cross school playing fields are used for underage drinking another off licence within the close proximity would only add to the chaotic ongoing situation.
- An off licence was previously situated on Dickson Street and became a nucleus of youth activity causing problems in the area.
- Other off licences in the area are already causing a lot of concern regarding gangs of youths surrounding the premises.
- It is felt that the community is well and truly covered regarding licensed premises.

6.0 OPTIONS

6.1 The Committee has the following options:

- Grant the application
- Grant subject to conditions
- Reject the application.

7.0 POLICY IMPLICATIONS

None.

8.0 OTHER IMPLICATIONS

None.

9.0 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

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**APPENDIX 1
OBJECTION LETTER ADDRESSES**

DEAN CLOSE + CAREY STREET		
Jean Morley 16 Carey Street WIDNES		E. Morris 1 Dean Close WIDNES
E. E. Oldfield 7 Dean Close WIDNES	J. Oldfield 7 Dean Close WIDNES	The Occupier 9 Dean Close WIDNES

DEAN STREET

M. Meaden 15 Dean Street WIDNES	Mrs. K. McPartland 21 Dean Street WIDNES	Janette Stringman 22 Dean Street WIDNES
Mrs. & Mrs. T. Fahey 25 Dean Street WIDNES	Mr. F. Devaney 26 Dean Street WIDNES	

DEIRDRE AVENUE

F. W. Eyres 1 Deirdre Avenue WIDNES	Mrs. M. Eyres 1 Deirdre Avenue WIDNES	Christopher Kelly 8 Deirdre Avenue WIDNES
Stuart Price 2 Deirdre Avenue WIDNES	B. Price 2 Deirdre Avenue WIDNES	L. Price 2 Deirdre Avenue WIDNES
T. A. Price 2 Deirdre Avenue WIDNES	Jane Kelly 8 Deirdre Avenue WIDNES	Ray Mason 11 Deirdre Avenue WIDNES
June Mason 11 Deirdre Avenue WIDNES		

DICKSON CLOSE

Jean Hollins 1 Dickson Close WIDNES	Catherine Grimes 3 Dickson Close WIDNES	S. Sutton 4 Dickson Close WIDNES
Mrs. J. Hewitt 5 Dickson Close WIDNES	B. J. Crompton 7 Dickson Close WIDNES	Shaun McWhirter 9 Dickson Close WIDNES
Mr. A. Neill 10 Dickson Close WIDNES	T. Muldoon 11 Dickson Close WIDNES	Mr. S. Waller 11 Dickson Close WIDNES

Mrs. Sadler 18 Dickson Close WIDNES	Mrs. E. Ayers 20 Dickson Close WIDNES	L. Booth 23 Dickson Close WIDNES
H. Hall 24 Dickson Close WIDNES	P. O'Neill 26 Dickson Close WIDNES	P. Reid 27 Dickson Close WIDNES

DICKSON CLOSE

Mrs. Cook 30 Dickson Close WIDNES	Mrs. Glynn 30 Dickson Close WIDNES	Joanne Dyer 31 Dickson Close WIDNES
Mr. R. Hamilton 32 Dickson Close WIDNES	S. Dwyer 33 Dickson Close WIDNES	

DICKSON STREET

Mrs. S. Mottershead 14 Dickson Street WIDNES	Mr. C. Prescott 31 Dickson Street WIDNES	E. Whitfield 33 Dickson Street WIDNES
Mr. B. Whitfield 33 Dickson Street WIDNES	Mr. W. Kenrick 35 Dickson Street WIDNES	Mrs. V. Kenrick 35 Dickson Street WIDNES
B. A. Price 37 Dickson Street WIDNES	Mr. W. Callaghan 39 Dickson Street WIDNES	M. Callaghan 39 Dickson Street WIDNES
Mrs. J. Matthews 41 Dickson Street WIDNES	Mrs. H. Prescott 43 Dickson Street WIDNES	Josephine Hughes 45 Dickson Street WIDNES
Ramona Evans 47 Dickson Street WIDNES	William Evans 47 Dickson Street WIDNES	Anne Jerram 49A Dickson Street WIDNES
E. Kelleher 120 Dickson Street WIDNES	V. Kelleher 120 Dickson Street WIDNES	

FREDERICK STREET

W. Smith 5A Frederick Street WIDNES	Mrs. Hall 6 Frederick Street WIDNES	E. Hall 6 Frederick Street WIDNES
Mr. B. P. Karalius 7 Frederick Street WIDNES	Mrs. J. Karalius 7 Frederick Street WIDNES	Simms Cross Comm. Ass. C/o 7 Frederick Street WIDNES
W. Lynch 9 Frederick Street WIDNES	J. Capener 10 Frederick Street WIDNES	S. Plumpton 11 Frederick Street WIDNES
Brian Whitfield 12 Frederick Street WIDNES	Mr. J. Whitfield 12 Frederick Street WIDNES	C. Burge 14 Frederick Street WIDNES

FREDERICK STREET

Mr. J. Burge 14 Frederick Street WIDNES	S. A. Smith 15 Frederick Street WIDNES	Mrs. M. McMullin 16 Frederick Street WIDNES
F. McMullin 16 Frederick Street WIDNES	Mr. B. Thompson 17 Frederick Street WIDNES	Mrs. C. Thompson 17 Frederick Street WIDNES
C. Rogers 18 Frederick Street WIDNES	D. Rogers 18 Frederick Street WIDNES	N. Sinnott 20 Frederick Street WIDNES
F. Sinnott 20 Frederick Street WIDNES	Sally Austin 22 Frederick Street WIDNES	Daniel Austin 22 Frederick Street WIDNES
Lynne Lightfoot 24 Frederick Street WIDNES	Peter Williams 26 Frederick Street WIDNES	Nicky Worth 29 Frederick Street WIDNES
Mrs. T. Farrell 32 Frederick Street WIDNES	Mr. T. Farrell 32 Frederick Street WIDNES	Joe Birch 41 Frederick Street WIDNES
Rachel Hughes 42 Frederick Street WIDNES	Mark Roberts 42 Frederick Street WIDNES	N. Proffitt 43A Frederick Street WIDNES
J. Farrell 60 Frederick Street WIDNES	D. Constantine 66 Frederick Street WIDNES	Mrs. M. Constantine 66 Frederick Street WIDNES
Mr. M. Constantine 66 Frederick Street WIDNES	B. Lacey 77 Frederick Street WIDNES	The Occupier 83 Frederick Street WIDNES

FREDERICK STREET

The Occupier 83 Frederick Street WIDNES	The Occupier 83 Frederick Street WIDNES	The Occupier 89 Frederick Street WIDNES
Mr. & Mrs. Campbell 90 Frederick Street WIDNES	Mrs. E. Rathbone 91 Frederick Street WIDNES	Mrs. H. Webster 93 Frederick Street WIDNES
K. Maloney 95 Frederick Street WIDNES	Mr. & Mrs. J. Gerrard 97 Frederick Street WIDNES	J. T. Fenney 99 Frederick Street WIDNES
William Wright 100 Frederick Street WIDNES	W. Krenz 101 Frederick Street WIDNES	P. McPartland 102 Frederick Street WIDNES
Mr. & Mrs. Hughes 103 Frederick Street WIDNES	J. J. McKeown 104 Frederick Street WIDNES	The Occupier 105 Frederick Street WIDNES

FREDERICK STREET

A. G. Brown 108 Frederick Street WIDNES	Mr. J. & B. Shaw 109 Frederick Street WIDNES	F. J. Wilkinson 115 Frederick Street WIDNES
Mr. R. & Mrs. W. Wood 117 Frederick Street WIDNES	Mr. & Mrs. Lynch 121 Frederick Street WIDNES	

PRINCES STREET

T. Moran 29 Princes Street WIDNES	Mr. W. Dearden 30 Princes Street WIDNES	J. Lawless 31 Princes Street WIDNES
A.G. Cunningham 36 Princes Street WIDNES	Mr. L. Cunningham 36 Princes Street WIDNES	Tanya Clarke 38 Princes Street WIDNES
D. Lynch 39 Princes Street WIDNES	M. Lynch 39 Princes Street WIDNES	A. Hughes 44 Princes Street WIDNES
The Occupier 50 Princes Street WIDNES	Mr. V. Forshaw 51 Princes Street WIDNES	Mr. E. Glover 52 Princes Street WIDNES
W. Leyshon 54 Princes Street WIDNES	G. Crosby 58 Princes Street WIDNES	J. Murphy 62 Princes Street WIDNES
C. Murphy 62 Princes Street WIDNES	C. Evans 65 Princes Street WIDNES	Mrs. Krenz 67 Princes Street WIDNES
Mr. P. Glover 77 Princes Street WIDNES		

SALISBURY STREET + SHARP STREET
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Mr. J. Hornby 3 Salisbury Street WIDNES	The Occupier 5 Salisbury Street WIDNES	D. Harper 5 Salisbury Street WIDNES
David Roberts 5 Salisbury Street WIDNES	Mandy Roberts 5 Salisbury Street WIDNES	F. Griffin 1 Sharp Street WIDNES

SHEILAGH AVENUE

James Bebbington 1 Sheilagh Avenue WIDNES	Mary Bebbington 1 Sheilagh Avenue WIDNES	
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WALLACE STREET

Mr. J. Black 8 Wallace Street WIDNES	Mrs. A. Black 8 Wallace Street WIDNES	The Occupier 14 Wallace Street WIDNES
Mr. T. Bebbington 16 Wallace Street WIDNES	Mr. Bibby 18 Wallace Street WIDNES	Mrs. Quinn 24 Wallace Street WIDNES

Chair of Governors
Simms Cross School
Kingsway
Widnes

REPORT: Regulatory Committee

DATE: 22 May 2006

REPORTING OFFICER: Chief Executive

SUBJECT: Application to vary Designated Premises Supervisor (DPS) at The Red Admiral Public House Runcorn.

WARDS: Halton Brook

1. PURPOSE OF REPORT

To hold a hearing to consider a notice from the Police under Section 37 (5) Licensing Act 2003 made in response to an application to vary the Designated Premises Supervisor ("DPS") at the Red Admiral Public House Boston Avenue Runcorn.

2. RECOMMENDATION

That the Committee considers the Section 37 (5) notice

3. SUPPORTING INFORMATION

- 3.1** An application has been made under section 37 Licensing Act 2003 ("the 2003 Act") for the variation of the DPS 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 the Section 37 (5) notice.

4 THE APPLICATION

- 4.1** An application was been received on 21 April 2006 from the Spirit Group Limited to specify an individual as the DPS
- 4.2** The application was to vary the DPS with immediate effect. Details of the proposed DPS and the notice from the Police will be provided at the hearing

5 REPRESENTATIONS

- 5.1** In accordance with the Act the Police are the only responsible body who can object to the application. The Police have objected because they

have reason to believe that the proposed DPS has made false declaration in obtaining her Personal Licence from Halton Borough Council and that this constitutes exceptional circumstances whereby the granting of the application would undermine the crime prevention objective.

- 5.2** By virtue of Section 39 (3) of the Act where a Section 37 (5) notice is given the licensing authority must hold a hearing (since the applicant and the police have not agreed that a hearing is unnecessary) and “having regard to the notice, reject the application if it considers it necessary for the promotion of the crime prevention objective to do so “

6 OPTIONS

- 6.1** The Committee has the option implied by paragraph 5. 2 ie

- Accept the application for a change of DPS or
- Reject the application.

7. POLICY IMPLICATIONS

None.

8. OTHER IMPLICATIONS

None.

9. 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