



**Regulatory Committee**

**Friday, 14 March 2008 5.30 p.m.  
Council Chamber, Runcorn Town Hall**



**Chief Executive**

**COMMITTEE MEMBERSHIP**

<b>Councillor Ged Philbin (Chairman)</b>
<b>Councillor Pamela Wallace (Vice-Chairman)</b>
<b>Councillor Bob Bryant</b>
<b>Councillor Carl Cross</b>
<b>Councillor Philip Drakeley</b>
<b>Councillor Harry Howard</b>
<b>Councillor Alan Lowe</b>
<b>Councillor Diane Inch</b>
<b>Councillor Steff Nelson</b>
<b>Councillor Ernest Ratcliffe</b>
<b>Councillor Kevan Wainwright</b>

*Please contact Gill Ferguson on 0151 471 7395 or e-mail [gill.ferguson@halton.gov.uk](mailto:gill.ferguson@halton.gov.uk) for further information.  
The next meeting of the Committee is on Wednesday, 2 April 2008*

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

**Part I**

<b>Item No.</b>	<b>Page No.</b>
<b>1. DECLARATION OF INTEREST</b>	
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.	
<b>2. APPLICATION FOR A TEMPORARY EVENT NOTICE AT THE NEW YORK CAFÉ BAR 2-4 HIGH STREET RUNCORN</b>	<b>1 - 3</b>

***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:** 14 March 2008

**REPORTING OFFICER:** Chief Executive

**SUBJECT:** Application for a Temporary Event Notice at the New York Café Bar 2-4 High Street Runcorn.

**WARDS:** Mersey

#### **1. PURPOSE OF REPORT**

To hold a hearing to consider a notice from the Police under Section 104 (2) Licensing Act 2003 made in response to an application for a Temporary Event Notice for New York Café Bar 2-4 High Street Runcorn

#### **2. RECOMMENDATION**

**That the Committee considers the Section 104 (2) notice**

#### **3. SUPPORTING INFORMATION**

- 3.1** An application has been made under section 100 Licensing Act 2003 ("the 2003 Act") for a Temporary Event Notice (TEN) 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 104 (2) notice.

#### **4 THE APPLICATION**

- 4.1** An application has been received on 6 March 2008 from the Keith Alan Hesketh for a TEN
- 4.2** The application was a Rock Discotheque Live Music and Entertainment from 18.00 on Friday 21 March 2008 to 06.00 Tuesday 25 March 2008.

#### **5 REPRESENTATIONS**

- 5.1** In accordance with the Act the Police are the only responsible body who can object to the application. The Police objections are set out at Appendix A to this item. Additional background information will be presented to the members at the hearing.
- 5.2** By virtue of Section 105 (2) (a) where a notice is given in respect of a Temporary Event Notice the licensing authority must hold a hearing to consider the objection notice unless the premises user the chief officer of

Police who gave the objection notice and the local authority agree that a hearing is unnecessary

**6 OPTIONS**

**6.1** The Committee has the following options

- Grant the Temporary Event
- Refuse the Temporary Event

**7 POLICY IMPLICATIONS**

None.

**8 OTHER IMPLICATIONS**

None.

**9 IMPLICATIONS FOR THE COUNCILS PRIORITIES**

**9.1 Children and Young People in Halton**

None

**9.2 Employment Learning and Skills in Halton**

N/A

**9.3 A healthy Halton**

N/A

**9.4 A Safer Halton**

None

**9.5 Halton's Urban Renewal**

N/A

**10 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

## **APPENDIX A**

### **NOTICE OF OBJECTION TO A TEMPORARY EVENT NOTICE (LICENSING ACT 2003, SECTION 104)**

To: Ms Kay Cleary, Licensing Officer, Halton Borough Council.  
(The Relevant Licensing Authority)

Mr. Keith Hesketh, c/o Karl Barry, Security Ergonomics Ltd., 85-89, Duke Street, Liverpool, L1 5AP

I Chief Officer of Police Gary Finchett, of Cheshire Police HEREBY GIVE NOTICE that I object to the granting of a “permitted temporary activity” in a notice submitted by Mr Keith Hesketh of 19-20, Anne Street West, Widnes, in respect of an event to be held at The New York Bar, High Street, Runcorn between the times and dates of 1800hrs on the 21<sup>st</sup> March 2008 and 0600hrs on the 25<sup>th</sup> March 2008.

The grounds on which I shall object are as follows:-

The application covers an 84 hour period of uninterrupted service of alcohol over a Bank Holiday weekend. This amounts to an endorsement of binge drinking over too protracted a period of time and it is believed it will bring about increased levels of disorder and thus severely undermine the Crime and Disorder objectives of the Licensing Act 2003.

Further,

It is proposed to hold this event at a venue that has recently been subject of a warrant being executed under The Misuse of Drugs Act and active drug use and sale was found there. Furthermore, there is a history of offences of violence recorded here. This venue has a history of such activities, such that it is presently subject of Review, and this event may serve to procreate such unlawful activities and undermine the Review process.

Further,

Following a recent incident at another of the applicant’s premises, and directed against the applicant, his response and behaviour was such that it caused concern for the safety of the customers there. It is believed that this event may attract similar attention and thus further undermine the Crime and Disorder Licensing Objective.

Should this Temporary Event Notice be granted I believe that it will undermine the Crime and Disorder objective of the Licensing Act 2003.

Dated : 7<sup>th</sup> March 2008.

Signed on behalf of Ch. Supt. Gary Finchett :

Ian Seville, Licensing Officer