

## REGULATORY COMMITTEE

*At a meeting of the Regulatory Committee on Thursday, 7 August 2008 in the Council Chamber, Runcorn Town Hall*

Present: Councillors Philbin (Chairman), Wallace (Vice-Chairman), D. Inch, A. Lowe, E. Ratcliffe and Wainwright

Apologies for Absence: Councillors Bryant, Howard and Nelson

Absence declared on Council business: None

Officers present: L. Capper, K. Cleary and J. Tully

Also in attendance: Mr K Barry and Mr I Seville

### ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

*Action*

REG6 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

It was noted that the following report had been placed in Part II of the agenda as it was likely that, in view of the nature of the business, exempt information would be disclosed, being information defined in Section 100(1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

However, Members of the Committee considered the officer recommendation that the item should be placed in Part I of the agenda and

RESOLVED: That the item be discussed in Part 1 of the agenda in the presence of the press and public.

REG7 APPLICATION TO TRANSFER PREMISES LICENCE NEW YORK CAFÉ BAR 2-4 HIGH STREET RUNCORN

The Committee met to consider an application for the transfer of the Premises Licence at the New York Café Bar 2 - 4 High Street Runcorn.

The applicant The Dog House Pub Company Limited was represented by Karl Barry and the objectors Cheshire Constabulary attended and were represented by Ian Seville Police Licensing Officer.

RESOLVED: That the application be rejected for the following reasons:

1. the Council had regard to the Notice of Objection and to representations made on behalf of the Chief Officer of Police and the Applicant and to all other material considerations;
2. at the date of the Application an application for a review of the premises licence at the Premises had been applied for by the Chief Officer of Police which application commenced the Review Process;
3. the Council accepted the first ground stated in the Notice of Objection that the Application was an artifice to try to circumvent the Review Process;
4. the second ground stated in the Notice of Objection was withdrawn by the Chief Officer of Police;
5. the Council upheld the view of the Chief Officer of Police that the grant of the Application would seriously undermine the crime prevention objective and that the Review Process should not be allowed to be circumvented by the Application; and
6. the Council considered it necessary for the promotion of the crime prevention objective that the Application be rejected and consequently was under a duty to reject the application by virtue of section 44(5)(b) of the Act.

*Meeting ended at 7.40 p.m.*