



Special Regulatory Committee

**Tuesday, 22 September 2009 6.30 p.m.
Committee Room 1, Runcorn Town Hall**



Chief Executive

COMMITTEE MEMBERSHIP

Councillor Ged Philbin (Chairman)
Councillor Pamela Wallace (Vice-Chairman)
Councillor Bob Bryant
Councillor Philip Drakeley
Councillor Harry Howard
Councillor Diane Inch
Councillor Alan Lowe
Councillor Peter Murray
Councillor Ernest Ratcliffe
Councillor Kevan Wainwright
Councillor Steff Nelson

*Please contact Gill Ferguson on 0151 471 7394 or e-mail gill.ferguson@halton.gov.uk for further information.
The next meeting of the Committee is on Thursday, 1 October 2009*

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

Part I

Item No.	Page No.
1. MINUTES	
2. DECLARATION OF INTEREST	
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 PREMISES LICENCE – STENHILLS NEWS AND CONVENIENCE STORE 72 – 74 PICTON AVENUE RUNCORN	1 - 3

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 September 2009

REPORTING OFFICER: Chief Executive

SUBJECT: Application for a premises Licence – Stenhills News and Convenience Store 72 – 74 Picton Avenue Runcorn

WARDS: Halton Brook

1. PURPOSE OF REPORT

To hold a hearing to assess relevant representation made in response to an application for a premises licence in respect of Stenhills News and Convenience Store 72 – 74 Picton Avenue Runcorn

2. RECOMMENDATION

That the Committee consider the relevant representations and make a determination on the application.

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** Brian Houlgrave has applied for a premises licence in respect of Stenhills News and Convenience Store 72 – 74 Picton Avenue Runcorn
- 4.2** The application relates to the supply of alcohol off the premises between the hours of **06.00** and **23.00** each day

5 RELEVANT REPRESENTATIONS

5.1 RESPONSIBLE AUTHORITIES

The following responsible authority has made relevant representations

5.1.1 CHESHIRE CONSTABULARY

Cheshire Police have requested two conditions to be attached the premises licence to which Mr Houlgrave has agreed

The conditions are:-

- 1** CCTV

a) An effective CCTV system should be designed and installed in accordance with the Cheshire Constabulary's CCTV guidance document called 'CCTV in Licensed Premises – An Operational Requirement'. It must also include a colour monitor not less than 24" screen size clearly visible to customers showing them as they enter.

b) The Designated Premises Supervisor will need to demonstrate that their CCTV system complies with their Operational requirements. A commissioning test must be carried out with the licensing and CCTV Liaison Officers before hand over of the system and activation of the premises licence. The commissioning test will need to demonstrate the following

- Recordings are fit for their intended purpose.
- Good quality images are presented are presented to the officer in a format that can be relayed on a standard computer.
- The supervisor has an understanding of the equipment / training
- Management records are kept
- Maintenance agreements and records are maintained
- Data protection principles and signage are in place.
- There are enough staff trained to be able to operate and download images when required by a relevant person

2 The sale of spirits shall be by counter service only.

5.2 INTERESTED PARTIES

One person who lives in the vicinity of the premises has made representation. Mr Donald Baines of 124 Stenhills Crescent Runcorn made the following representation:-

1 The area the licence is applied for is a heavily populated residential area.

2 The area is already plagued by groups of youths gathering and drinking alcohol and acting in an anti social manner. I have a particular problem with groups gathering in the driveway of the shop which adjoins my property. It is common practice for my wife and I to find broken alcohol bottles smashed on our driveway and the drive littered with rubbish from these youths. I also have to deal with used condoms hung on my gate or thrown across my drive way.

3 The youths who gather here often behave in an anti social manner. The noise they make can drown out the television, and when my wife or I go outside to ask them to be more considerate we are abused. At the age of 71 I find this unacceptable. We have reported this behaviour to the Police on numerous occasions. The police have attended at least 12 times in the last year to deal with these gangs.

4 Car parking is very limited and cars often park on the double yellow lines right on the corner of the junction. The disability ramp is also blocked by discourteous drivers. I believe this is an accident black spot and it is only a matter of time before somebody is killed or seriously injured.

5 Delivery vehicles also park on the double yellow lines and present a hazard.

6 The quality of life my wife and I enjoy has suffered due to the shop across the road from the premises applying for this licence selling alcohol and we believe the problems we are already encountering will intensify if this shop is also granted a licence.

I would be most grateful if you could consider the points I have made to object to the granting of this licence. I have been a resident here for almost 50

years and would be absolutely devastated if you saw fit to grant this licence and by default increase the anti social behaviour my wife and I suffer

In addition to his letter Mr Baines sent 5 photographs of the area.

6 OPTIONS

6.1 The Committee has the following options under section 17 of the 2003 Act:

6.1.1 It must Grant the application (where properly made) unless it considers that for the promotion of the licensing objectives it considers it necessary to take any of the following steps, namely -

6.1.2 Impose relevant conditions on the licence;

6.1.3 Reject the whole or part of the application.

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 RISK ANALYSIS

N/A

11 EQUALITY AND DIVERSITY ISSUES

N/A

12 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