

REGULATORY COMMITTEE

At a meeting of the Regulatory Committee on Thursday, 30 December 2010 in the Council Chamber, Runcorn Town Hall

Present: Councillors Philbin (Chairman), Loftus (Vice-Chairman), Bryant, Fry, Inch, McDermott, Murray and E. Ratcliffe

Apologies for Absence: Councillors Howard, A. Lowe and Wallace

Absence declared on Council business: None

Officers present: K. Cleary and J. Tully

Also in attendance: None

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

REG12 APPLICATION FOR A PREMISES LICENCE - 212
WARRINGTON ROAD, WIDNES

Action

The Committee met to consider an application which had been made under Section 17 of the Licensing Act 2003 to vary the above premises licence. The hearing was held in accordance with the Licensing Act 2003 and the Licensing Act 2003 (Hearings) Regulations 2005.

The meeting was held as a hearing relating to an application made in respect of 212 Warrington Road Widnes for a premises licence.

Neither the Applicant nor his Licensing Agent attended the hearing however the agent emailed information regarding the application on the day of the hearing which was given to the Committee members at the hearing. The Applicant's Licensing Agent requested that the hearing take place in his absence.

The members agreed to continue with the hearing.

No interested parties attended the hearing but as advised in the Committee item copies of the correspondence received from the interested parties were forwarded to the

Regulatory Committee members prior to the hearing.

Details of the application

The application requested the supply of alcohol off the premises between the hours of 06.00 and 23.00 each day.

Responsible authorities representation

Cheshire Constabulary requested a number of conditions and one amendment to the application (as set out in the printed agenda) which the Applicant had accepted prior to the hearing.

Interested parties representations

Members were advised as to which representations were capable of being relevant representations and which should not be taken into account.

The members asked questions of the Councils Legal advisor and then retired to consider the matter.

RESOLVED: That

Having considered the application in accordance with Section 4 Licensing Act 2003 and all other relevant considerations the Committee made the following determination:-

The Committee noted that no evidence had been produced by interested parties to substantiate the issues raised in their representations.

The Committee accepted the amended starting time for the supply of alcohol and considered that the agreed conditions were necessary (subject to improved wording on the security of high value goods condition and subject to an amended commencement requirement of the second of the CCTV conditions).

Cheshire Constabulary had requested that the second CCTV condition be complied with prior to the first use of the premises licence. However, the Committee were aware from past experience that delays in compliance could be due to the inability of Cheshire Constabulary to arrange commissioning tests promptly. The amended commencement requirement on the second CCTV condition was therefore imposed in the interests of fairness to the Applicant.

Starting time for supply of alcohol

The starting time for the supply of alcohol under Section M shall be amended to be 8.30am on all days

Challenge 25 Condition

The Licence Holder shall ensure that anyone who appears to be under 25 years of age who is attempting to purchase alcohol will be asked to prove their age. Accepted methods of proof of age are; passports, photo driving licences, military ID and PASS accredited proof of age cards, e.g. Validate, Connexions, Citizen Card Prove it Card. Failure to produce such evidence must be followed by a refusal to serve alcohol to that individual.

Reason: in the interests of the prevention of crime and disorder.

CCTV Conditions

1. A full CCTV system shall be used and should be designed and installed in accordance with the Cheshire Constabulary's CCTV guidance document called 'CCTV in Licensed Premises – An Operational Requirement'.

Reason: in the interests of the prevention of crime and disorder.

2. Designated supervisors will need to demonstrate within a time-scale agreed with Cheshire Constabulary that their CCTV system complies with their Operational requirements. A commissioning test must be carried out with the licensing and CCTV Liaison Officers. The commissioning test will need to demonstrate the following:-

- 1) recordings are fit for their intended purpose,
- 2) good quality images are presented to the officer in a format that can be
replayed on a standard computer,
- 3) the supervisor has an understanding of the equipment/training,
- 4) management records are kept,
- 5) maintenance agreements and records are maintained,
- 6) Data Protection principles and signage are in place.

Reason: in the interests of the prevention of crime and

disorder.

Security of high value goods condition

All spirits shall be stored behind the Counter and not offered for self service

Reason: in the interests of the prevention of crime and disorder.

The Committee felt that the application was consistent with the Licensing Objectives provided that the above conditions were included.

(a) Time that the licence shall take effect

Immediately

NOTE: All conditions must be complied with when any licensable activity is being undertaken. However, the second CCTV condition need not be complied with prior to the first use of the premises licence. This condition must be complied with as soon as a commissioning test is undertaken.

Meeting ended at 2.35 p.m.