



**Special Regulatory Committee**

**Tuesday, 25 January 2011 6.30 p.m.  
Council Chamber, Runcorn Town Hall**



**Chief Executive**

**COMMITTEE MEMBERSHIP**

<b>Councillor Ged Philbin (Chairman)</b>
<b>Councillor Kath Loftus (Vice-Chairman)</b>
<b>Councillor Bob Bryant</b>
<b>Councillor Mike Fry</b>
<b>Councillor Harry Howard</b>
<b>Councillor Diane Inch</b>
<b>Councillor Alan Lowe</b>
<b>Councillor Tony McDermott</b>
<b>Councillor Peter Murray</b>
<b>Councillor Ernest Ratcliffe</b>
<b>Councillor Pamela Wallace</b>

*Please contact Gill Ferguson on 0151 471 7394 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 Monday, 21 March 2011*

**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 TO VARY A PREMISES LICENCE RING O' BELLS CHESTER ROAD DARESBUY</b>	<b>1 - 4</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:** 25 January 2011

**REPORTING OFFICER:** Chief Executive

**SUBJECT:** Application to vary a Premises Licence  
Ring O' Bells Chester Road Daresbury

**WARDS:** Daresbury

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

To hold a hearing to assess relevant representations made in response to an application to vary a premises licence in respect of the Ring O' Bells Chester Road Daresbury

### **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 34 Licensing Act 2003 ("the 2003 Act") to vary a premises licence.
- 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** Punch Pub Company Limited (Premises Licence Holder) applied on 2 December 2010 to vary the premises licence in respect of the Ring O' Bells Chester Road Daresbury
- 4.2** The variation application is to licence the external marquee situated within the garden of the premises. To permit recorded music, live music, provision of facilities for dancing and the sale of alcohol outdoors Monday to Sunday 12.00 midday until 23.00 (currently no permission) Hours the marquee is open to the public Monday to Sunday 11.00 to 23.30

- 4.3** In addition to the above variation the applicant has requested the following conditions be removed as a consequence of the proposed variation.

“The use of any outside are shall cease at 23.00”

“No external speakers shall be used outside the building: this will include any beer garden or outside drinking area or car park”

- 4.4** The applicant has requested the following condition be replaced  
“Noise from any regulated entertainment Categories E Live Music, F – Recorded Music, H – anything similar to e f or g and J – Provision of facilities for dancing shall be inaudible at the nearest noise sensitive property at any time”

With

“Noise from any regulated entertainment Categories E – Live Music, F – recorded Music, H – Anything similar to e f or g and J – Provision of facilities for dancing shall be inaudible within the nearest noise sensitive property at any time”

- 4.5** The current premises licence allows the following:-  
Categories E – Live Music (Indoors), F – Recorded Music (Indoors), H – Similar to e f or g (Indoors) , J – Dancing (Indoors) and M – Supply of alcohol (On and off the premises)  
Monday to Sunday 10.00 to Midnight

Category L – Late Night Refreshment (Indoors)  
Monday to Sunday 23.00 to 00.30

Category O – Hours the premises open to the public  
Monday to Sunday 09.00 to 00.30

## **5 RELEVANT REPRESENTATIONS**

### **5.1 RESPONSIBLE AUTHORITIES**

Consultations have been carried out and the responses received are summarised below

### **5.2 CHESHIRE POLICE**

Having examined the Operating Schedule I am satisfied that the facilities requested have no relevance to and no impact on the Crime and disorder Licensing Objectives. I therefore make no further representations.

### **ENVIRONMENTAL HEALTH**

No representations received.

### **INTERESTED PARTIES**

The following interested parties made representations  
David Evans on behalf of Daresbury Parish Council

C Longstaff 2 The Square Chester Road Daresbury  
Cllr J Bradshaw and Cllr M Bradshaw Daresbury Ward Councillors  
Mr & Mrs Sheldon 3 The Square Chester Road Daresbury  
Mr & Mrs Harbron Cobblers Cottage Chester Road Daresbury

The relevant representations in the main relate to the matters set out below.

- The marquee is on an elevation behind the public house and is in direct view of the nearest residential premises.
- The speakers within the marquee directly face the nearest properties which causes direct disturbance on each and every occasion the marquee is used for music events.
- A marquee has little or no acoustic qualities and is therefore unable to contain much of the sound generated within thus causing disturbance to local residents.
- The application is vague and unclear as to the removal of the conditions and the substitution of one condition for another.

Issues regarding planning permission for the marquee have also been raised but this is not capable of being a relevant representation. Copies of the correspondence received from the interested parties have been forward to the Regulatory Committee members prior to the hearing.

## **6 OPTIONS**

**6.1** The Committee has the following options under section 34 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**

<b>Document</b>	<b>Place of Inspection</b>	<b>Contact Officer</b>
Application Documents	Legal Services	John Tully/Kay Cleary