

REGULATORY COMMITTEE

At a meeting of the Regulatory Committee on Tuesday, 28 June 2011 in the Council Chamber, Town Hall, Runcorn

Present: Councillors Philbin (Chairman), Browne, Fry, A. Lowe, M. Ratcliffe and Wainwright

Apologies for Absence: Councillors K. Loftus, Fraser, Howard, McDermott and Wallace

Absence declared on Council business: None

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

Also in attendance: 11 Members of the public and Councillor Swain.

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

REG21 KPT FOOD AND WINE, 36A LANGDALE ROAD,
RUNCORN

Action

The Committee met to consider an application which had been made under Section 17 Licensing Act 2003, for a premises licence.

The hearing was held in accordance with the 2003 Act and the Licensing Act 2003 (Hearings) Regulations 2005.

Representation had been made in response to an application made by Gowshaliya Jeyanathan for a premises licence in respect of KPT Food & Wine, 36a Langdale Road Runcorn. The application relates to the supply of alcohol off the premises between the hours of 0800 and 2300 hours each day,

The chairman introduced the members of the Committee and the Council's officers who were present.

The Council's legal adviser, John Tully, summarised the procedure to be followed and outlined the nature of the application.

At the hearing, the Committee were addressed by the applicant's representative Mr R Jordan who was accompanied by the applicant Gowshaliya Jeyanathan. As part of his representation Mr Jordan volunteered the following conditions on behalf of his client:

- The Premises Licence Holder shall ensure that there are a minimum of 2 members of staff on duty at the premises between the hours of 7.00 p.m. and 11.00 p.m. each day
- The Premises Licence Holder shall make reasonable endeavours to keep the side gates adjacent to the premises closed between the hours of 7.00 p.m. and 11.00 p.m. each day

The Committee were addressed by Mr Kennedy, Mrs Bell, Mrs Carter, Mrs Ward and Mr Dhillon as interested parties who had made representations. Cllr John Swain the Ward Councillor also addressed the Committee on behalf of the local residents who had made representations.

The Committee members asked a number of questions of the applicant and the interested parties.

The main thrust of the objections from local residents was that they feared a repetition of public nuisance and crime and disorder which they stated had been associated with the premises when under the previous premises licence holder. The Committee explained that the rules under which the Committee operated did not enable them to take the previous history into account. However, should problems arise in the future the premises licence could be reviewed.

The Committee 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 decided that the application be granted as requested subject to the conditions requested by (and previously agreed by the applicant with) Cheshire Constabulary and the two conditions volunteered by the applicant set out above.

The applicant was also advised that the mandatory conditions would also be imposed.

The reason for the determination was that the Committee felt that the application was consistent with the Licensing Objectives.

Meeting ended at 8.17 p.m.