



Special Regulatory Committee

**Wednesday, 7 December 2011 6.30 p.m.
Council Chamber, Runcorn Town Hall**



Chief Executive

COMMITTEE MEMBERSHIP

Councillor Ged Philbin (Chairman)
Councillor Kath Loftus (Vice-Chairman)
Councillor Peter Browne
Councillor Frank Fraser
Councillor Mike Fry
Councillor Harry Howard
Councillor Alan Lowe
Councillor Tony McDermott
Councillor Margaret Ratcliffe
Councillor Kevan Wainwright
Councillor Pamela Wallace

*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 Monday, 16 January 2012*

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

Part I

Item No.	Page No.
1. 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.	
2. APPLICATION FOR A PREMISES LICENCE - LONDIS 35 HIGH STREET HALE VILLAGE LIVERPOOL	1 - 4

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: 7 December 2011

REPORTING OFFICER: Chief Executive

SUBJECT: Application for a premises Licence – Londis 35 High Street Hale Village Liverpool

WARDS: Hale

1. PURPOSE OF REPORT

To hold a hearing to assess relevant representations made in response to an application for a premises licence in respect of Londis 35 High Street Hale Village Liverpool

2. RECOMMENDATION: That the Committee considers the relevant representations and makes 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** Khalid Nagi has applied for a premises licence in respect of Londis 35 High Street Hale Village Liverpool.
- 4.2** The application relates to the supply of alcohol off the premises between the hours of **07.30** and **23.00** each day. The hours the premises are open to the public are **07.30** to **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 constabulary has requested the following conditions be attached to the premises licence and the applicant has confirmed acceptance of the conditions.

1 The operating Schedule states that a CCTV system is to operate in the premises. To ensure that this system is fit for purpose:-

Condition:-

An effective CCTV system shall be designed and installed in accordance with the Cheshire Constabulary's CCTV guidance document called 'CCTV in Licensed Premises – An Operational Requirement'. (provided)

2 To ensure that staff are aware of how to operate this system at all times and ensure that cameras covering outside areas are compliant with other legislation:-

Condition:

Premises Licence holders 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. 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.

3 To ensure the safeguarding of all high-value alcohol (if sold):-

Condition:-

All spirits shall be displayed behind the counter area only and not offered for self-service.

5.2 INTERESTED PARTIES

13 letters of objection have been received from the following interested parties:-

L E Jones 7 St Mary's Close Hale Village Liverpool L24 4AL

Mrs A Morgan 3 Crabtree Close Hale Village Liverpool L24 4BU
Mr & Mrs P Garrick 31 Cocklade Lane Hale Village Liverpool L24 4BD
Mrs L Ross 7 Ireland Road Hale Village Liverpool L24 4BE
M Frulio 21 Cocklade Lane Hale Village Liverpool L24 4BD
A C Owen 7 Cocklade Lane Hale Village Liverpool L24 4BD
Mr & Mrs Ryder 4 Peachtree Close Hale Village Liverpool L24 4BT
Mrs N Ormesher 33 Cocklade Lane Hale Village Liverpool L24 4BD
Mrs I Jackson 1 Clamley Gardens Hale Village Liverpool L24 4BJ
Mr & Mrs G Barlow 3 Ennis Close Hale Village Liverpool L24 5RT
L M Clarkson 22 Wexford Avenue Hale Village Liverpool L24 5RY
Mr G S Wright 3 Wellington Gate Hale Village Liverpool L24 4AR
M & D Ambrose 30 High Street Hale Village Liverpool L24 4AF

In addition to the above one letter in support of the application has been received from Mr & Mrs P Sutton 20 High Street Hale Village Liverpool L24 4AF

The applicant Mr Nagi has submitted a 123 name petition in support of the application

The representations and petition have been placed on the application file and copies have been forwarded to the applicant and to the members of the Committee.

Not all representations are relevant representations. Only relevant representations will be taken into account by the Committee. The Committee will determine what constitutes a relevant representation from an interested party.

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.

6.2 The Committee must act with a view to promoting the licensing objectives, namely:

(a) the prevention of crime and disorder;

(b) public safety;

(c) the prevention of public nuisance; and

(d) the protection of children from harm.

The Committee must also have regard to-

(a) the Council's Statement of Licensing Policy, and

(b) the Statutory Guidance issued by the Secretary of State

7 POLICY IMPLICATIONS

See note below

8 OTHER IMPLICATIONS

See note below

9 IMPLICATIONS FOR THE COUNCILS PRIORITIES

9.1 Children and Young People in Halton

9.2 Employment Learning and Skills in Halton

9.3 A healthy Halton

9.4 A Safer Halton

9.5 Halton's Urban Renewal

See note below

10 RISK ANALYSIS

See note below

11 EQUALITY AND DIVERSITY ISSUES

See note below

NOTE - The Councils Policies and Priorities are of course very important considerations in decision making and must always be taken into account as far as possible. However, in the case of Regulatory Committee matters, they can only be considered so far as is consistent with one or more of the four Licensing Objectives which are set out at 6.2 above

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