

REGULATORY COMMITTEE

At a meeting of the Regulatory Committee on Wednesday, 26 July 2017 in the Council Chamber, Runcorn Town Hall

Present: Councillors K. Loftus (Chair), Wallace (Vice-Chair), Fry, McDermott, Nelson, Parker, G. Stockton, Wainwright and Wall

Apologies for Absence: Councillors P. Hignett and A. McInerney

Absence declared on Council business: None

Officers present: K. Cleary, J. Tully, S. Burrows, S. Jackson and I. Mason

Also in attendance: 2 members of the public

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

REG7 APPLICATION FOR THE REVIEW OF PREMISES LICENCE RELATING TO POP PLANET 98 VICTORIA ROAD WIDNES

Action

The Committee considered an application for the review of Premises Licence relating to Pop Planet, 98 Victoria Road, Widnes. The Premises Licence Holder Michael Keegan attended the hearing and was accompanied by a business partner Paul Johnson. The applicant, Environmental Health, was represented by Isobel Mason Environmental Health Officer who was accompanied by Stephen Burrows Environmental Health Officer and Sean Jackson Environmental Health Technician.

Documents prepared on behalf of Environmental Health including the written witness statements provided by the local residents had been circulated to the Committee Members and all parties prior to the hearing. The Councils legal advisor, John Tully and Licensing Manager, Kay Cleary were also in attendance.

Following a discussion between the parties immediately before the start of the hearing the following was agreed by the parties:-

“The conditions on the premises licence shall be modified so as to be subject to the following special condition:-

1. No licensable activities involving playing of recorded music or entertainment similar to recorded music shall take place at the Premises after midnight on any day unless and until the following requirements have been complied with:

A) All speakers should be either floor mounted OR secured to the structure using specialist speaker mounts with resilient speaker clips.

B) A noise limiter shall be installed and set to the following limits:

(i) the overall noise limit (unweighted) must be 90dB and

(ii) it must be set to limit frequency bands 63 and 125 hertz to 85dB.

2. The above requirements shall not be deemed to have been complied with until the premises licence holder has been provided with a written certificate of compliance by the Council.

3. Should a certificate of compliance be issued by the Council activities involving playing of recorded music or entertainment similar to recorded music may be resumed at the premises during the hours and days permitted prior to 26th July 2017”.

All statutory requirements were complied with and the Council’s legal advisor outlined the history of the matter. The Council’s legal adviser then asked Isobel Mason on behalf of the applicant (Environmental Health) and Michael Keegan (Premises Licence Holder) if they agreed with the summary of the history and the proposed condition. They both agreed.

Having heard this agreement the Committee were asked to formally endorse the proposal.

RESOLVED: That having considered the application in accordance with section 4 Licensing Act 2003 and all other relevant provisions and considerations it was decided that it is appropriate to take the following steps for the promotion of the licensing objectives, namely modify the conditions of the premises licence as follows:-

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Reason for the determination

For the reasons stated above this determination is considered necessary for the promotion of the Licensing Objectives specifically the Prevention of Public Nuisance.

Time that the review decision shall take effect

This determination shall come into effect in accordance with section 52(11) Licensing Act 2003 at the end of the period given for appealing against the decision or if the decision is appealed against as soon as the appeal is disposed of.

Meeting ended at 6.50 p.m.