

## REGULATORY COMMITTEE

*At a meeting of the Regulatory Committee on Monday, 18 January 2010 in the Council Chamber, Runcorn Town Hall*

Present: Councillors Philbin (Chairman), Bryant, Drakeley, Howard, D. Inch, A. Lowe, E. Ratcliffe and Nelson

Apologies for Absence: Councillors Wallace, Murray and Wainwright

Absence declared on Council business: None

Officers present: G. Ferguson, S. Baxter, L. Capper, K. Cleary, Y. Sung, J. Tully and K Pope

Also in attendance: Councillors Dennett, J. Lowe and Swain, Inspector Pearce, P Ramsden (Warrington Borough Council) and 10 Members of the public

### ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

*Action*

#### REG15 MINUTES

The minutes of the meetings held on 23<sup>rd</sup> November 2009 were taken as read and signed as a correct record.

(To avoid any allegation of bias, Councillor A Lowe declared an interest in the following item and left the room during its consideration as his wife Councillor J Lowe was attending the meeting in support of the objectors to the application.)

#### REG16 APPLICATION FOR A PREMISES LICENCE – LANGDALE NEWS 52 LANGDALE ROAD RUNCORN

The Committee considered an application which had been made under Section 17 of the Licensing Act 2003 for a premises licence in relation to the above property.

The hearing was held in accordance with the provisions of Section 18 Licensing Act 2003 and the Licensing act 2003 (Hearings) Regulations 2005.

At the beginning of the hearing it was confirmed that the applicant had accepted the conditions proposed by the

Police in their representations (as set out in the Committee item) and consequently the Police had not attended the hearing.

At the hearing, the Committee were addressed by the applicant Baljinder Singh Dhillon and his representative Robert Jordan. Mr Silcock together with Mrs Foster and Councillor John Swain who spoke on behalf of Mrs Foster also addressed the Committee. The representations received from Mr & Mrs Brown of 77 Oxford Road, Runcorn were not accepted as relevant representations on the basis that the address was not within the vicinity of the premises and no justification had been provided to demonstrate that the address was in the vicinity.

In addition when addressing the Committee the applicant Mr Dhillon voluntarily agreed to reduce the hours for the supply of alcohol from the premises from 08.00 to 22.00 to 08.00 to 21.00 each day.

Following the hearing the Committee retired to consider the application and all the relevant representations.

**RESOLVED:** That having considered the application in accordance with section 4 Licensing Act 2003 and all other relevant considerations it is decided that the application be granted subject to the voluntary condition of the hours the premises shall be opened for the supply of alcohol shall be 08.00 to 21.00.

### **Reason**

It is considered that the application is consistent with the licensing objectives.

For the avoidance of doubt it is now recorded that the applicant agreed to the following conditions with the Cheshire Constabulary, which shall be deemed to be added to the operating schedule and be conditions of the licence:

#### **1 CCTV**

a) An effective CCTV system should be designed and installed in accordance with the Cheshire Constabulary's CCTV guidance document called 'CCTV in Licensed Premises – An Operational Requirement'. It must also include a colour monitor not less than 24" screen size clearly visible to customers showing them as they enter.

b) The Designated Premises Supervisor 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 and activation of the premises licence. The commissioning test will need to demonstrate the following:

- Recordings are fit for their intended purpose.
- Good quality images are presented are presented to the officer in a format that can be relayed on a standard computer.
- The supervisor has an understanding of the equipment / training
- Management records are kept
- Maintenance agreements and records are maintained
- Data protection principles and signage are in place.
- There are enough staff trained to be able to operate and download images when required by a relevant person

**2** The sale of spirits shall be by counter service only.

Following the announcement of the Committee decision the Chairman of the Committee advised the local residents that the Committee had sympathy with them regarding the problems they have encountered in the immediate locality of the premises but that they did not provide any evidence that the grant of the premises licence would undermine any of the four licensing objectives. However the local residents were advised of the review process which is part of the Licensing Act 2003. The residents were further advised that the review process was evidence based and that any evidence must be specific to the premises and demonstrate that the use of the premises for a licensable activity undermines one or more of the four licensing objectives.

## REG17 CREAMFIELDS EVENT 2009

The Committee began by expressing their thanks for the years of work put in by Stuart Baxter since this was the last meeting that he would be attending before retiring.

The Committee considered a report from the responsible authorities on issues arising from carrying out the Creamfields Event 2009.

The Committee was advised that the Creamfields Events had taken place in August 2006, 2007 and 2008 and

feedback on the events was presented to Members of the Regulatory Committee.

Members were advised that the purpose of the report was to present the facts from the viewpoint of the responsible authorities who had now had the opportunity of dealing with the four events.

It was noted that reports on the event had been received from Cheshire Police, Halton Borough Council Environmental Health – Noise Control Department, Halton Borough Council Environmental Health – Health and Safety Department and Warrington Borough Council Environmental Health Department.

The reports from the responsible authorities were set out in Appendix A to the report and the responsible authorities had been invited to attend the Committee.

Inspector Pierce of Cheshire Police attended the meeting and summarised the views of Cheshire Constabulary in providing the planning and operation of the Creamfields 2009 Music Festival.

Mr. S. Baxter of Halton Borough Council's Environmental Health Department gave an update on the Environmental Health aspects of the festival including noise, health and safety, food safety and standards.

Mr. P. Ramsden of Warrington Borough Council's Environmental Health Department also attended the meeting to give an update on the operation of the festival from Warrington Borough Council's viewpoint.

RESOLVED: That the reports from the responsible authorities be noted.

*Meeting ended at 9.22 p.m.*