

REPORT: Regulatory Committee

DATE: 25 February 2010

REPORTING OFFICER: Chief Executive

SUBJECT: Application for the review of The Studio 77
High Street Runcorn

WARDS: Mersey

1. PURPOSE OF REPORT

To hold a hearing to consider an application for the review of a premises licence under Section 51 Licensing Act 2003. The Police have applied for the review which relates to the Prevention of Crime and Disorder licensing objective.

2. RECOMMENDATION

That the Committee considers the Section 51 application

3. SUPPORTING INFORMATION

- 3.1** An application has been made under section 51 Licensing Act 2003 ("the 2003 Act") to review the Premises Licence in relation to the above property.
- 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 the Section 51 application.

4 THE APPLICATION

- 4.1** An application for the review of the premises licence was received on 8 January 2010 from Cheshire Constabulary.
- 4.2** The premises licence permits regulated entertainment and the supply of alcohol and the hours the premises are open to the public are Sunday to Thursday 08.00 to 02.35 and Friday and Saturday 08.00 to 04.00
- 4.3** The Premises Licence holder is Padderborn Limited
- 4.4** The Designated Premises Supervisor is Robin Charles McLaughlin
- 4.5** The review was requested by Cheshire Constabulary on the following grounds:-

Please see the attached list of incidents (Appendix A) which have been recorded since August 2008. They indicate that the premises are not being operated safely and managed effectively.

Meetings have been held and Action Plans agreed (Appendix B) with the management in an attempt to address the concerns of the police, however, Mr. McLaughlin has either declined to cooperate with the police or has agreed to do certain things and then subsequently failed to do them.

The police are concerned that many of their concerns involve the poor conduct of the door supervisors employed at the premises and lack of CCTV coverage to the front of the premises where many of the incidents reported have taken place.

It is the view of the police that these premises are not currently being managed in a way that promotes the crime and disorder objective as required by the Licensing Act 2003 and that additional conditions are required to ensure that this condition is promoted at these premises.

5.1 REPRESENTATIONS FROM RESPONSIBLE AUTHORITIES

No representations were made from any other responsible authority in response to the review application

6.1 REPRESENTATIONS RECEIVED FROM INTERESTED PARTIES

No representations were made from interested parties in response to the review application.

7.0 OPTIONS AVAILABLE TO THE COMMITTEE

7.1 Section 52 of the Licensing Act 2003 states that the Council must, having regard to the application and any relevant representations, take such of the following steps (if any) as it considers necessary for the promotion of the Licensing Objectives.

7.2 The steps which are relevant to this type of application

- To modify the conditions of the licence
- To exclude a licensable activity from the scope of the licence
- To remove the Designated Premises Supervisor
- To suspend the licence for a period not exceeding 3 months
- To revoke the licence.

Note that the above reference to modifying conditions includes any alteration, omission or the addition of any new condition.

8.0 POLICY IMPLICATIONS

8.1 None

9.0 OTHER IMPLICATIONS

9.1 None

10.0 IMPLICATIONS FOR THE COUNCILS PRIORITIES

10.1 Children and Young People in Halton

None

10.2 Employment Learning and Skills in Halton

N/A

10.3 A healthy Halton

N/A

10.4 A Safer Halton

None

10.5 Halton's Urban Renewal

N/A

11.0 RISK ANALYSIS

N/A

12.0 EQUALITY AND DIVERSITY ISSUES

N/A

13 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