

REPORT: Regulatory Committee

DATE: 30 December 2010

REPORTING OFFICER: Chief Executive

SUBJECT: Application for a premises Licence – 212 Warrington Road Widnes

WARDS: Halton View

1. PURPOSE OF REPORT

To hold a hearing to assess relevant representation made in response to an application for a premises licence in respect of 212 Warrington Road Widnes

2. RECOMMENDATION

That the Committee consider the relevant representations and make 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** Logeswaran Sivasubramaniam has applied for a premises licence in respect of 212 Warrington Road Widnes.
- 4.2** The application relates to the supply of alcohol off the premises between the hours of **06.00** and **23.00** each day

5 RELEVANT REPRESENTATIONS

5.1 RESPONSIBLE AUTHORITIES

The following responsible authority has made relevant representations

5.1.1 CHESHIRE CONSTABULARY

NOTE - The applicant has confirmed acceptance of the following Police conditions including the reduction of hours for the supply of alcohol therefore the Police will not be attending the hearing.

It has been agreed with the applicant that the starting time for the supply of alcohol under Section M shall be amended to be 8.30am on all days

Other issues

1. The Operating Schedule refers to the adoption of the Challenge 25 Proof of Age Scheme without expanding on the operating parameters of the Scheme. This Scheme is welcomed, but, to avoid any ambiguity:-

Condition:

The Licence Holder shall ensure that anyone who appears to be under 25 years of age who is attempting to purchase alcohol will be asked to prove their age. Accepted methods of proof of age are; passports, photo driving licences, military ID and PASS accredited proof of age cards, e.g. Validate, Connexions, Citizen Card Prove it Card. Failure to produce such evidence must be followed by a refusal to serve alcohol to that individual.

2. The Operating Schedule also makes reference to the use of CCTV without giving any details of the system to be employed. In order that this system is fit for purpose:-

Condition:

A full CCTV system shall be used and should be designed and installed in accordance with the Cheshire Constabulary's CCTV guidance document called 'CCTV in Licensed Premises – An Operational Requirement'.

3. Further, to prove such a system is fit for purpose and can be operated satisfactorily,

Condition:

Designated supervisors 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 completion and hand over of the system and activation of the Premises Licence. 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.
4. To ensure the security of high value goods,

Condition:

All spirits are to be stored behind the Counter and not offered for self service

5.2 INTERESTED PARTIES

The following interest parties made representation
Mr K Townsend 212A Warrington Road Widnes
Mr & Mrs T Evans 381 Warrington Road Widnes
Mr T Burns 4 Melville Close Widnes
Mr & Mrs R J Murray 7 Kingham Close Widnes
Mr H Moss 232 Warrington Road Widnes
Petition signed by 50 interested parties

The representations in the main relate to the matters set out below. Not all of these matters can constitute relevant representations since they do not relate to the licensing objectives.

- There are several off licence premises already in the area
- The premises would cause a public nuisance with local youths gathering around during the evening and night.
- When there was previously an off licence within the row of shops there were underage drunks fighting and urinating in the doorways. This is quite apart from the litter and empty cans and damage to cars by youngsters sitting on car bonnets and cars scratched by beer cans.
- There was a lot of trouble in the area the last time there was an off licence.
- There is a pathway leading to St John Fisher school therefore you can imagine when the teenagers buy the drinks where are they going to drink it
- There is a large car park at the shops which would be a magnet for under age drinking.

Copies of the correspondence received from the interested parties have been forwarded to the Regulatory Committee members.

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.

7 POLICY IMPLICATIONS

None.

8 OTHER IMPLICATIONS

None.

9 IMPLICATIONS FOR THE COUNCILS PRIORITIES

9.1 Children and Young People in Halton

None

9.2 Employment Learning and Skills in Halton

N/A

9.3 A healthy Halton

N/A

9.4 A Safer Halton

None

9.5 Halton's Urban Renewal

N/A

10 RISK ANALYSIS

N/A

11 EQUALITY AND DIVERSITY ISSUES

N/A

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