

REPORT: Regulatory Committee

DATE: 29 June 2012

REPORTING OFFICER: Chief Executive

SUBJECT: Application to vary a premises Licence –
Wellington Prescot Road Widnes

WARDS: Broadheath

1. PURPOSE OF REPORT

To hold a hearing to assess relevant representations made in response to an application to vary a premises licence in respect of the Wellington Prescot Road Widnes.

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 34 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** Punch Taverns PLC has applied to vary a premises licence in respect of the Wellington Prescot Road Widnes
- 4.2** The variation application relates to the following:-
 - Internal alterations to the premises as specified in the application.
 - Vary the hours for all Licensable Activities (Live Music, Recorded Music, Dancing, Similar and Sale of Alcohol) to Monday to Saturday 11.00 to 01.00 the next day and Sunday 11.00 and 00.00.

The current hours for regulated entertainment are Monday to Thursday 11.00 to 23.00, Friday and Saturday 11.00 to 23.30 and Sunday Noon to 23.00

The current hours for the sale of alcohol on and off the premises are Monday to Thursday 11.00 to 23.30, Friday and Saturday 11.00 to Midnight and Sunday Noon to 23.30.

- NOTE there appears to be a discrepancy in the request to vary of the opening hours of the premises

At part 3 of the application in the brief description the request is to “Vary the Opening Hours of the Premises to Monday to Saturday 11.00 to 01.30 the next day and Sunday 11.00 to 00.30”

However at Part O the application is to “Vary the Opening Hours of the Premises to Monday to Saturday 11.00 to 01.00 and Sunday 11.00 to Midnight”

The current hours are Monday to Thursday 11.00 to Midnight, Friday and Saturday 11.00 to 00.30 and Sunday Noon to Midnight

- Remove the following conditions
 - The use of any outside area shall cease at 23.20
 - No further extensions to the hours for regulated entertainment supply of alcohol or opening shall be permitted
- Remove ‘Controlled Dancing’ and ‘Special Effects’ conditions
- Remove all ‘Miscellaneous Conditions’ at ‘F’ in the Premises Licence save for the following
 - ‘New Years Eve/Day hours continue with current exemptions’

Miscellaneous Conditions at “F” as set on Premises Licence

The standard hours for categories E - Live Music F - Recorded Music J - Dancing and K - Similar shall be

Monday - Thursday	11.00 to 23.00
Friday & Saturday	11.00 to 23.30
Sunday	12.00 to 23.00

The standard hours for category M - supply of Alcohol shall be

Monday - Thursday	11.00 to 23.30
Friday & Saturday	11.00 to 00.00
Sunday	12.00 to 23.30

The standard hours for category O - Hours premises are open to the public shall be:

Monday - Thursday	11.00 to 00.00
Friday & Saturday	11.00 to 00.30
Sunday	12.00 to 00.00

The non standard hours for categories E - Live Music F - Recorded Music J - Dancing and K - similar shall be

1. Extended until midnight every Friday, Saturday Sunday and Monday for each May Bank Holiday Spring / Whitsun Bank Holiday and every August Bank Holiday
 2. Extended until midnight every Thursday Friday Saturday Sunday and Monday for the Easter Bank Holiday weekend
 3. Extended until midnight every Christmas Eve and Boxing Day.
 4. New Years Eve/Day hours to continue with current exemptions '
- Remove all 'Pre-Existing Conditions' at 'G' in the Premises Licence Pre Existing conditions at "G" as set out in the Premises Licence The conditions attached to and /or relating to the relevant existing Licence(s) and on the use of existing licensable activities under the relevant existing Licence(s) shall continue to apply under this Licence except as varied by this Licence and / or under the provisions of the Act

5 RELEVANT REPRESENTATIONS

5.1 RESPONSIBLE AUTHORITIES

No responsible authorities have made representations

5.2 ANY OTHER PERSON

4 letters of objection have been received from any other person:-
 J Connor 29 Prescott Road Widnes – together with a letter of support from D Twigg MP for Halton
 A Hayes 27 Prescott Road Widnes
 A Johnson 1 Broadheath Terrace Widnes
 Mr & Mrs Fairhurst 33 Prescott Road Widnes

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 any other person.

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

6.0 OPTIONS

- 6.1** The Committee has the following options under section 34 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 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