

REPORT: Regulatory Committee

DATE: 18 February 2009

REPORTING OFFICER: Chief Executive

SUBJECT: Application to vary the Designated Premises Supervisor (DPS) at The Dockside Inn 27 South Road Runcorn

WARDS: Heath

1.0 PURPOSE OF REPORT

To hold a hearing to consider a notice from the Police under Section 37(5) Licensing Act 2003 made in response to an application to vary the Designated Premises Supervisor ("DPS") at the Dockside Inn 27 South Road Weston Point Runcorn.

2. RECOMMENDATION: That the Committee considers the section 37 (5) notice.

3.0 SUPPORTING INFORMATION

- 3.1** An application has been made under section 37 Licensing Act 2003 ("the 2003 Act") for the variation of 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 37 (5) notice.

4.0 THE APPLICATION

- 4.1** An application was received on 12 January 2009 from the Dockside Inn Premises Licence holder Angela Yee Love YU to specify an individual as the DPS.
- 4.2** The application was to vary the DPS from Penny Houghton to Alison Watson with immediate effect.
- 4.3** The Police have objected to the application and the objection is attached at Appendix A. Associated documentation relating to the objection will be presented to Members prior to the hearing.

5.0 REPRESENTATIONS

5.1 In accordance with the 2003 Act the Police are the only responsible body who can object to the application. The Police are satisfied that the exceptional circumstances of the case are such that if granted the variation would undermine the crime prevention objective.

5.2 By virtue of Section 39 (3) of the 2003 Act where a Section 37 (5) notice is given the licensing authority must hold a hearing (since the applicant and the Police have not agreed that a hearing is unnecessary).

6 OPTIONS

6.1 The committee has the following options

- Accept the application for the change of DPS or
- Reject 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