

REPORT: Regulatory Committee

DATE: 24 August 2009

REPORTING OFFICER: Chief Executive

SUBJECT: Application for the review of a Premises Licence under Section 53A of the Licensing Act 2003
The Goldmine Bar and Grill 419 Hale Road
Halebank Widnes.

WARDS: Ditton

1. PURPOSE OF REPORT

To hold a hearing to consider an application for the full review of a premises licence under Section 53A of the Licensing Act 2003. The Police applied for a summary review of the premises licence as the premises are associated with serious crime or disorder

2. RECOMMENDATION

That the Committee considers the Section 53A application

3. SUPPORTING INFORMATION

- 3.1** An application has been made under section 53A Licensing Act 2003 (“the 2003 Act”) to carry out a summary 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 53A application.

4 THE APPLICATION

- 4.1** An application for the Summary Review of the premises licence was received by the Licensing Section on Tuesday 28 July 2009 from Cheshire Constabulary.
- 4.2** The Summary Review was requested by the Police because of an incident which occurred at the premises on Sunday 26 July 2009 (See Section 53A application attached at Appendix 1)
- 4.3** In accordance with the Act an interim hearing was held on Wednesday 29 July 2009 before a Sub Committee of the Regulatory Committee.
- 4.4** At the interim hearing the Sub Committee resolved that the following interim conditions be imposed with immediate effect (20.00 hrs on 29 July 2009) unless otherwise stated

1 The removal of the DPS Michael James Harrison
Reason – The Prevention of Crime and Disorder

2 CCTV system to be reviewed to establish effectiveness. Sufficient staff should be trained in its use so that they can download relevant images at the time of request by the police for crime investigation purposes.

Reason – The prevention of Crime and Disorder

3 Only polycarbonate or toughened glasses to be used. - With effect from 09.00 on 30 July 2009

Reason – The prevention of Crime and Disorder

4 All glass bottles to be decanted into polycarbonate or toughened glasses – with effect from 09.00 on 30 July 2009

Reason – The prevention of Crime and Disorder

5 Bottles to be placed in bottle bins where public have no access.

Reason – The prevention of Crime and Disorder

6 (i) Pool table cues and the white ball to be placed behind the bar of the premises. A “signing out/in“ book to be provided by the Premises Licence holder showing the times and names of customers using the pool table equipment.

(ii) Pool table equipment to be removed from customers by 22.30 each day and placed in a secure position behind the bar.

Reason – The prevention of Crime & Disorder

4.5 Following an interim hearing Under Section 53A of the Licensing Act 2003 a full review hearing in accordance with section 53C must be held within 28 days from the date of application

5.0 REPRESENTATIONS FROM RESPONSIBLE AUTHORITIES

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

6.0 REPRESENTATIONS RECEIVED FROM INTERESTED PARTIES

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

7.0 OPTIONS AVAILABLE TO THE COMMITTEE

7.1 Section 53C(1) of the Licensing Act 2003 states that the Council must, having regard to the application and any relevant representations, take such of the steps (if any) listed in section 53C(3) as it considers necessary for the promotion of the Licensing Objectives. There is also a requirement to secure that any interim steps having effect pending the determination cease to have effect (except so far as they are comprised in steps referred to above)..

7.2 The steps referred to above which are relevant to this type of application are:

- 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