



Determination Notice

Application to review a Premises Licence Licensing Act 2003, Sections 52

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On the 20 June 2007, Warrington Borough Council ("the Council"), being the relevant Licensing Authority, received an application for a review of the Premises Licence from Cheshire Police Constabulary in respect of premises known as:

Club Casi
216 Mersey Street
Warrington
WA1 2BP

Premises Licence Number: WBC/LP0526

On the 20 June 2007 the Council advertised the application on the above premises and at the Council Offices and on its website for a period of 28 days, which ended on 18 July 2007. During the 28-day representation period the Council received further representations from Cheshire Police Constabulary.

On the 6 August 2007 at 09.00 a hearing was held to consider the application. The Sub-Committee determined the application with a view to promoting the four licensing objectives. In reaching its determination the Sub-Committee had regard to the following matters:

- (1) the relevant parts of the written and oral evidence before them;
- (2) the relevant parts of the Licensing Authority's Statement of Licensing Policy 2005-2008;
- (3) the relevant parts of the Guidance issued under Section 182 of the Licensing Act 2003 by the Secretary of State for Culture, Media and Sport;
- (4) the Human Rights Act implications in Article 8 and Article 1 of the First Protocol. These are not absolute rights but qualified ones and consideration was given to the proportionality principal.

In considering all of the above factors the Sub-Committee, balancing the interests of Cheshire Police Constabulary and the applicant, has resolved to:

Refuse the application subject to the following conditions:-

1. The current CCTV system shall be brought up to an appropriate standard as agreed with Cheshire Police Constabulary and the Licensing Authority, within one calendar month from the date of this hearing.
2. At all times when the premises is open for licensable activities a female door supervisor must be present.
3. The premises must operate a Challenge 25 system of entry.
4. All members of staff must be trained on a regular basis by an approved training company that meets the appropriate accreditation as detailed at the review hearing.
5. Documentary evidence of all training must be supplied to the Licensing Authority within one week of the training being completed.
6. The Premises Licence holder shall keep refusal logs for the door entry and bars.
7. The Premises Licence holder shall ensure that appropriate measures including forms of ID are employed at the premises to verify the ages of customers obtaining alcohol. Any measures that are used shall be approved by Cheshire Police Constabulary and the Licensing Authority.
8. The website relating to the premises shall be brought up to a standard approved by Cheshire Police Constabulary and the Licensing Authority.
9. A Personal Licence holder shall be present on the premises at all times when the premises are open for licensable activities.

Reasons

To enable the Premises Licence holder, together with measures that have already been implemented, to meet the licensing objectives for:-

1. Prevention of crime & disorder
2. Protection of children from harm.

The determination does not have effect:

- (a) until the end of the period given for appealing the decisions, or

(b) If the decisions are appealed against, until the appeal is disposed of.

Dated: 8 August 2007

Signed: _____

Designation: Solicitor to the Council and Head of Corporate Governance

Right of Appeal

There is a right of appeal against this decision to Warrington Magistrates' Court. An appeal must be commenced within 21-days beginning with the day on which you receive notification of the decision.