

**COUNTER NOTICE (TEMPORARY EVENT NOTICE)**

Warrington Borough Council, New Town House,  
Buttermarket Street, Warrington, WA1 2NH

Counter Notice (Temporary Event Notice) – Permitted Temporary Activities

**On 13<sup>th</sup> October 2016 the Licensing Authority received from you Mr David Raymond Eric Whittle a temporary event notice (“the notice”) in respect of proposed temporary licensable activities due to take place on 29<sup>th</sup> October to 20<sup>th</sup> October 2016 at Voodoo Lounge, 10 Friars Gate, Warrington, WA1 2RW The Licensing Authority has received an objection notice under section 104(2) of the Licensing Act 2003 (“the Act”).**

During the 3 working day objection period, which expired on 18<sup>th</sup> October 2106, the licensing authority received an objection notice from:

<b>Objection Notice</b>	<b>Insert “X” as applicable</b>
<b>A chief officer of police for any police area in which the premises are situated is satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective.</b>	<b>X</b>
<b>A local authority exercising environmental health functions for the area in which the premises are situated is satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective.</b>	

The objection notice was received on the 18<sup>th</sup> October 2016 and was not withdrawn.

On the 25<sup>th</sup> October 2016 at 10am a hearing was held to consider the objection notice. The Sub-Committee determined the objection notice with a view to promoting the Licensing objectives.

Members of the Licensing Sub-Committee have considered all of the written and verbal representations submitted by and on behalf of the applicant, Cheshire Constabulary and the Licensing Authority acting as a Responsible Authority.

The Committee is aware of its obligations under the Licensing Act 2003 and in particular the guidance issued under Section 182 of the Act, together with the Council’s Statement of Licensing Policy.

Having regard to the Objection Notice as submitted by Cheshire Constabulary, members of the Licensing Sub-Committee have resolved:

To issue a Counter Notice under Section 105 (2) of the Act, as they considered it appropriate to do so for the promotion of the Licensing Objectives, for the Prevention of Crime & Disorder for the following reasons:

Members listened to the evidence presented by the Police and in particular their concerns in relation to the increase of incidents of crime & disorder later into the evening.

Members were impressed by the measures that had been put in place by the premises however, members were aware that the Police were still objecting even with those measures in place. Members were not satisfied that the measures in place would alleviate the anticipated incidents within the town centre.

Members took into account the reduction in crime and disorder in the town centre since the hours have been reduced at a number of venues in the CIP area. Members also took into account the graph within the Licensing Policy which reflected increases in crime and disorder later in the evening.

The Licensing Act 2003 Schedule 5 grants the right of appeal, which maybe brought no later than 5 working days before the date the event begins.

Under section 136 of the Licensing Act 2003, a person commits an offence if he carries on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation; or if he knowingly allows a licensable activity to be so carried on. A person convicted of such an offence is liable to imprisonment for a term not exceeding six months or to an unlimited fine or to both.

<b>SIGNATURE</b>	 On behalf of the licensing authority	<b>DATE</b>	25.10.16
<b>Name of Officer signing</b>	Mr David Watson Regulatory Services Manager		