

Determination Notice

Grant of an application to vary a licence to specify an individual as premises supervisor Licensing Act 2003, Section 39

Simpson Properties Ltd
2 Houghton Street
Southport
PR9 0TF

On the 5th November 2013 Warrington Borough Council (“the Council”), being the relevant Licensing Authority, received an application to vary the Premises Licence to specify Kevin Highcock as the Designated Premise Supervisor (DPS), from you in respect of premises known as:

Shenanigans
116 Bridge Street
Warrington
WA1 2RU

Premises Licence Number: WBC/LP0611

On the 19th November 2013, the Licensing Authority received a notice of objection from the Superintendent for Cheshire Constabulary under section 37(5) of the Licensing Act 2003.

On the 16th December 2013 at 10.00 a hearing was held to consider the objection notice. The Sub-Committee determined the application with a view to promoting the prevention of crime and disorder licensing objective. 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;
- (3) The relevant parts of the Guidance issued under Section 182 of the Licensing Act 2003 by the Home Office and;
- (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 principle.

After hearing representations from both parties, the Sub-Committee suggested that both parties meet. The hearing was adjourned for a short period to allow Mr Highcock to be interviewed by the Force Licensing Officer, representing Cheshire Constabulary. After the interview had taken place, the Force Licensing Officer advised the Sub-Committee that Cheshire Constabulary no longer objected to the application and therefore the objection notice could be withdrawn.

The hearing was reconvened to allow the Sub-Committee to reach its decision.

Having taken into account all factors mentioned in the report before the hearing, and after hearing all the representations along with taking note of the fact that Cheshire Constabulary no longer objected to the application, the Sub-Committee considered it reasonable, balanced, appropriate and proportionate to grant the application with immediate effect.

Reasons

The Sub-Committee is satisfied that by granting this application on the above terms, the licensing objective of the prevention of crime and disorder can be met.

The Variation to the licence takes immediate effect from the 16th December 2013.

Dated: 16 December 2013

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the bottom.

Signed: _____

Designation: Assistant Director-Public Protection Services

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.