

Determination Notice

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

Jack Critchley
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Warrington
WA4 5FR

On the 14 October 2011, Warrington Borough Council (“the Council”), being the relevant Licensing Authority, received an application for a review of the Premises Licence from the Council’s Community Safety and Enforcement Team in respect of premises known as:

Funky Box
122-126 Bridge Street
Warrington

Premises Licence Number: WBC/LP0475

On the 14 October 2011, the Council advertised the application on the above premises and at the Council’s Office and on its website for a period of 28 consecutive days, which ended on 11 November 2011. During the 28-day representation period, the Council received no representations:

On the 8 December 2011, a hearing was held to consider the application. In determining the application the Licensing Sub-Committee considered all the relevant evidence and information presented to it, both written and oral and took account of all the matters it is bound to take into account, in particular;

- (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 2011- 2014;
- (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; 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.

The Sub-Committee considered whether, in the light of the evidence presented in the review, it was necessary and proportionate to impose or remove any conditions on the licence or restrictions on the licensable activities and licensing hours permitted under the existing premises licence.

In considering the evidence of the Responsible Authority, the applicant and Cheshire Constabulary, the Licensing Sub-Committee found it necessary and

proportionate for the promotion of the licensing objectives to modify the licence's operating schedule as follows:

Annex 1 - to remain unchanged given that these are mandatory.

Annex 2 - The current condition in relation to door supervisors to remain unchanged. All other conditions to remain subject to the amendments put forward by the applicant.

Annex 3 – Conditions 1 to 6 to remain unchanged.
Conditions 7 to 10 to be removed.

Reasons

The Licensing Sub-Committee found that the above decision was necessary for the promotions of the following licensing objectives:

Prevention of Crime and Disorder
Public Safety

The determination does not have effect:

- (a) until the end of the period given for appealing against the decision, or
- (b) if the decision is appealed against, until the appeal is disposed of.

Dated: 12 December 2011



Signed: _____

Designation: Assistant Director – Development & 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.