

Determination Notice

**Grant of an application for a Premises Licence
Licensing Act 2003, Sections 181**

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Widnes
WA8 9PD

On the 1 October 2008, Warrington Borough Council (“the Council”), being the relevant Licensing Authority, received an application for a premises licence from you in respect of premises known as:

Golden Fish Bar
57 Bridge Street
Warrington

During the 28-day representation period, which expired on 29 October 2008, the Council received representations from:

(a) Cheshire Police Authority

On the 27 November 2008 at 16.30 pm a hearing was held to consider the representations. 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 2008-2011; and
- (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 principle.

In considering all of the above factors the Sub-Committee, balancing the interests of the applicant and Cheshire Constabulary resolved to refuse the application.

Within the 21 day appeal period the applicant lodged an appeal with Warrington Magistrates. On the 24 July 2009 the Warrington Magistrates, after considering an agreement made between the applicant and Cheshire Constabulary, remitted the application back to the Licensing Authority with the recommendation to grant with conditions.

The Licensing Authority have determined to grant the licence for the licensable activities listed below:

Provision of Late Night Refreshment (Indoors) Mon – Sun 23.00 until 04.00

Hours premises are open to the Public:- Mon – Sun 23.00 until 04.00

In addition the following conditions are to be endorsed on the licence:

- (a) the mandatory conditions, under section 19, 20 or 21 of the Licensing Act 2003, which must be included on the licence;
- (b) such conditions that are consistent with the operating schedule accompanying the application unless superseded by any agreement reached with the responsible authorities.

Furthermore, the Licensing Authority deemed it necessary to add the following agreed conditions, in order to promote the licensing objectives, to address the issues raised by the responsible authority:

The Prevention of Crime & Disorder

CCTV

The installation of two CCTV cameras operating internally and one externally and

- (a) the images recorded by the CCTV system shall be retained in unedited for not less than 21 days
- (b) the recording equipment and recorded footage will be kept in a secure environment under the control of the Premises Licence holder or other responsible individual
- (c) footage will be provided to the Police upon request.

Door Security

The Premises Licence holder will ensure that at least one SIA registered member of Golden Fish Bar staff will be on duty on Friday and Saturday nights from 23.00 until close.

Reasons

The Licensing Authority is satisfied that by granting this application on the above terms, the licensing objectives can be met.

The Premises Licence takes effect from the date of this Notice.

Dated: 24 July 2009

T. D. D. D.

Signed: _____

Designation: Solicitor to the Council and Head of Corporate Governance