

## **Interim Determination Notice**

### **Application to summary review a Premises Licence Licensing Act 2003, Sections 53a**

Mattycoan & Co Ltd  
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Loughborough  
LE11 5RF

On the 12 February 2008, Warrington Borough Council (“the Council”), being the relevant Licensing Authority, received an application for Interim review of the Premises Licence from Superintendent Jed Manley, on behalf of Cheshire Constabulary in respect of premises known as:

Halo  
PO Box 101  
Bridgefoot  
Warrington  
WA1 2SN

**Premises Licence Number:** WBC/LP0419

On the 13 February 2009 an Interim hearing was held to consider the application. The Sub-Committee determined the application with a view to promoting the four licensing objectives. The Licensing Sub-Committee has considered carefully the written and verbal representations submitted by and on behalf of the Licence Holder and Cheshire Constabulary the applicant for the review.

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.

The Committee has also considered the Human Rights Act implications in Article 8 and Article 1 of the First Protocol. These are not absolute rights but qualified ones and in reaching their decision the Committee has considered the proportionality principle.

In considering all of the above factors the Committee, balancing the interests of the Cheshire Police Constabulary and the Licence Holder has resolved to; Impose the following conditions to run in conjunction with the existing conditions on the premises licence.

- 1) All door supervisors to be trained/retrained to a standard approved by the licensing authority to include training in the identification of and dealing with drunkenness, violence and conflict management.
- 2) All door supervisors employed at the premises shall wear yellow/orange conspicuous vests to a standard similar or better

than those currently supplied by the local crime and disorder partnership.

- 3) There shall be employed at the premises not less than 20 door supervisors, each of whom are registered with the Security Industry Authority at ratio of 1 door supervisor per 85. Maximum capacity to be pro-rata to the number of door staff.
- 4) The images recorded by the CCTV system shall be retained in unedited form for a period of not less than 31 days.
- 5) Where it is identified that the CCTV coverage is lacking this should be enhanced.
- 6) All bottled drinks to be decanted at the bar and then placed in a secure bottle bin on the premises.

The sub-committee feel that the above conditions are necessary in order to promote the licensing objectives namely the prevention of Crime and Disorder as they feel they are not being achieved at present for the following reasons:

- 1) Lack of CCTV evidence in relation to a large number of incidents that have and are still occurring.
- 1) Lack of suitable training and visibility of door supervisors.
- 2) The fact that bottles have been used in incidents and the potential for use in future incidents

### **Reasons for reaching its decision**

The Sub-Committee acknowledge that Cheshire Constabulary have acted within the spirit of the Licensing Act 2003 and Guidance by working closely to try and resolve the issues in this matter.

The Sub-Committee thank the parties for their efforts in this regard.

The measures taken are interim measures. The Sub-Committee will hold a full Review Hearing on (date to be confirmed at a later date) at which time the Sub-Committee will again consider the full range of powers available to it ranging from the imposition of conditions to revocation of the licence.

Dated: 16 February 2009

Signed: \_\_\_\_\_

Designation: Acting Head of Service, Solicitor to the Council and Head of Corporate Governance

### **NOTES**

There is a right to serve a counter notice on the Licensing Authority against this interim notice within 48hrs from the date served.