

Determination Notice

Review of a Premises Licence following closure order Licensing Act 2003, Section 167

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On the 22 December 2008, Warrington Borough Council ("the Council"), being the relevant Licensing Authority, received from Cheshire Magistrates' Court a determination notice under Section 165(4) of the Licensing Act 2003 following a closure order in respect of premises known as:

Hop Pole
49 Horsemarket Street
Warrington
WA1 1TS

Premises Licence Number: WBC/LP0214

On the 15 January 2008, a hearing was held to consider the application and any relevant representations. The Sub-Committee determined the application with a view to promoting the four licensing objectives.

The Sub-Committee, balancing the interests of the Premises Licence holder and Cheshire Police Constabulary had resolved to: allow the premises to re-open and impose further conditions to run in conjunction with the current conditions on the licence.

The Premises Licence holder within the 21 days appeal period duly lodged an appeal. The Premises Licence holder on the 23 March 2009 withdrew this appeal after lodging a Consent Order with Warrington Magistrates, which details the following agreed conditions:

1. A written policy for seizure of false / altered / forged I.D shall be drafted and implemented at site in consultation with Cheshire Constabulary. Incidents concerning false / altered / forged I.D. shall be recorded in a hard backed register, such records to be retained for a minimum of 2 years.
2. There shall be a CCTV system in operation. The system shall comply in accordance with Cheshire Constabulary operating system guidelines, as attached.

3. Key staff shall be trained in its operation (CCTV system) and to be able to download images as required.
4. A hard backed register of incidents when staff refuses the sale of alcohol shall be kept at the premises. Such records shall be retained for a period of 2 years.
5. The Designated Premises Supervisor will ensure that staff members are trained to ensure the prompt removal of empty bottles and / or glasses from public areas.
6. Until the 15th July 2009 any candidate proposed by the premises licence holder to become DPS for these premises shall be interviewed and approved by the police prior to the premises opening under the authority of the new DPS, such approval not to be unreasonably delayed.
7. The Premises Licence holder will supply a contact telephone number to the Licensing Authority for the DPS.
8. Management shall train members of staff in order to promote the licensing objectives. Training shall include underage sales and sales to persons who are drunk. A written record of training shall be maintained at site for a period of 2 years.
9. In the absence of the DPS a responsible person, nominated by the DPS, shall be appointed to supervise the premises, in the DPS's absence, at all times while open for the purpose of conducting licensable activities.
10. No irresponsible drinks promotions shall be conducted at the premises.

Dated: 25 March 2009



Signed _____

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