

Determination Notice

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

Kuits
Solicitors
DX 14325 Manchester 1

On the 28 July 2008, Warrington Borough Council ("the Council"), being the relevant Licensing Authority, received an application for a review of the Premises Licence from Cheshire Constabulary in respect of premises known as:

McCauley's
87 Bridge Street
Warrington
WA1 2HP

Premises Licence Number:WBC\LP0343

On the 28 July 2008, 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 25 August 2008. During the 28-day representation period, the Council received no representations

On the 10 September 2008, a hearing was held to consider the application. 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 2005-2008; 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

The Sub-Committee determined to:

- (a) modify the conditions of the licence
- (b) Apply New Conditions
- (c) Modify the hours of licensable activities

Therefore, the following conditions will be modified or attached to the licence

Last Entry Policy

There is to be a last entry policy into the premises 1 hour before the terminal hour.

CCTV

CCTV in the premises shall comply with the Cheshire Constabulary Operational Guidelines for CCTV.

CCTV equipment shall be maintained in good working order in accordance with the manufacturer's instructions and shall be operational at all times when a licensable activity takes place on the premises.

A written record shall be kept of images that are recorded by CCTV and shall include details of the recording medium used, the time and date recording commenced and finished. The record shall identify the person responsible for the recording and shall be signed by him/her. Where the recording is on a removable medium (e.g. video tape, compact disc, flash card etc) a secure storage system to store those recording mediums shall be provided.

The images recorded by the CCTV system shall be retained in unedited form for a period of not less than 31 days.

CCTV images shall be made available to the Police or an authorised officer on request for crime prevention/detection purposes. The Premises Licence Holder or Designated Premises Supervisor shall ensure that there are sufficient staff trained on the premises who can download CCTV images at the time of a request to maximise the effectiveness of any police inquiry to detect and prosecute offenders.

Staff Training

All staff including door staff shall be trained or retrained to a standard approved by the licensing authority to include training in the identification of and dealing with drunkenness and violence and conflict management.

Premises Hours

The operating hours are to be amended to 4.00am throughout the week including seasonal variations.

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: 10 September 2008



Signed: _____

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

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.