

Determination Notice

Application to summary review a Premises Licence Licensing Act 2003, Section 53a

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On the 11 December 2009, Warrington Borough Council (“the Council”), being the relevant Licensing Authority, received an application for a summary review of the Premises Licence from Cheshire Constabulary in respect of premises known as:

Panama Jacks
100-104 Bridge Street
Warrington
WA2 0GG

Premises Licence Number: WBC/LP0406

On the 11 December 2009 an interim hearing was held to consider the application. A counter notice was received on 11 December 2009 in response to the interim steps taken by the Licensing Sub-Committee. A further hearing was held on 14 December 2009 and convened to allow the Premises Licence holder to make representations against the decision.

The Licensing Sub-Committee has considered carefully:

- (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 in reaching their decision the Sub-Committee has considered the proportionality principle.

In considering all of the above factors the Sub-Committee, balancing the interests of the Licence holder and Cheshire Constabulary has resolved to: reduce the suspension from 28 days to 10 days. The Sub-Committee would request that the Licence holder work with Cheshire Constabulary to resolve the situation in relation to Crime and Disorder and, that the following conditions run in conjunction with the existing conditions on the Premises Licence as offered up by the Licence holder:

- (a) Door Supervisors to be employed at a ratio of 1 per 50

And a further condition as follows:

(b) That the hours in relation to the serving of alcohol be reduced by 1 hour.

Reasons:

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 reason:

- 1) Ineffectiveness of the current Door Staff to reduce the number of incidents that are happening at the premises.

It is to be noted that the Sub-Committee have concerns about the alleyway where customers are being expelled into.

Dated: 14 December 2009

Paula Darlington

Signed: _____

Designation: Head of Service – Environmental Management