

## **Determination Notice**

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

Park Property (World) Ltd  
12 Selbourne Grove  
Bradford  
Yorkshire

On the 15 June 2009, Warrington Borough Council (“the Council”), being the relevant Licensing Authority, received an application for a review of the Premises Licence from Cheshire Police Constabulary in respect of premises known as:

Penketh Convenience Store  
56 Warrington Road  
Penketh  
Warrington

#### **Premises Licence Number: WBC/LP0608**

On the 15 June 2009 the Council advertised the application on the above premises and at the Council Offices and on its website for a period of 28 days, which ended on 13 July 2009. During the 28-day representation period the Council received one relevant representation from:

Warrington Borough Council’s Trading Standards Department

On the 11 August 2009 at 9.30 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. 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 is of the view that steps are necessary in this instance to promote the licensing objectives and in particular the protection of children from harm.

In view of the serious nature of the issues surrounding the review the Sub-Committee has determined that this licence should be and is revoked.

**Reasons:**

The Sub-Committee considers that the above actions are necessary in order to comply with the licensing objectives namely:

Protection of Children from Harm.

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: 11 August 2009



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

Designation: Head of Service-Environmental Management

**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.