

Determination Notice

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

Mr J A Coleman

On the 6th June 2014, 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:

Shenanigans
116 Bridge Street
Warrington
WA1 2RU

Premises Licence Number: WBC\LP0611

On the 7th June 2014, 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 4th July 2014. During the 28-day representation period, the Council received a relevant representation from:

(a) Mr J A Coleman on the 4th July 2014.

On the 28th July 2014 a hearing was held to consider the application.

The Licensing Sub-Committee has considered carefully the written and verbal representations submitted by the Licence Holder and Cheshire Constabulary, the applicant for the review.

The Committee is aware of its obligations under the Licensing Act 2003 the guidance issued under Section 182 of the Act, together with the Council’s statement of licensing policy.

The Committee are mindful that it has to achieve a balanced approach to those difficult issues it has heard throughout the Review.

The Committee took into account the representations from Mr Coleman and acknowledged that he had put various steps into action to try and resolve the concerns the subject of this review.

The Committee took into account their duty under Section 17 of the Crime and Disorder Act to have due regard to the need to prevent Crime and Disorder.

Having examined the evidence and having had the opportunity of hearing the respective parties the Committee considered the merits of the case and in accordance with their duties described above and advised by the legal officer have decided as follows:

That the current licensee had taken the review seriously and responded to it well. Cheshire Constabulary were satisfied with the conditions as set out and handed into the committee at the hearing. However, members of the committee were minded to reword condition 4 in relation to door supervisors. In its modified form committee members agreed that they addressed the concerns raised, and would not pose any risk to the licensing objectives.

The Committee noted the information put forward by Cheshire Constabulary regarding incidents that had taken place prior to the current licensee taking over these premises, however, have decided not to take these incidents into account in reaching their decision, as the premises licence holder who was in place during the time those incidents took place is no longer there.

The Committee took into account that the current licensee was working closely with Cheshire Constabulary and the Responsible Authorities to ensure that the licensing objectives are complied with. The Committee noted that incidents had now been reduced by 70% since the current licensee had taken over the premises.

The Committee accept the proposals as put forward including the amended condition as set out below for clarification and these will now form part of the licence.

The Committee determined that the terminal hour remain at its current time. It was also agreed that the condition contained in Annex 2 of the licence pertaining to drinking water being available to diners on request be removed as this was now covered under the mandatory conditions.

Additional conditions as agreed by all parties are as follows:

- 1) To amend the start time for the door supervisors to commence at 8pm on a Friday and Saturday until the premises close to the public.
- 2) All bar staff to be trained to level 1 BII certificate or equivalent standard.
- 3) The training to be refreshed at not more than 3 monthly intervals.
- 4) Door supervisors to be trained to an appropriate recognised standard as required for door supervisors.
- 5) A personal licence holder to be on duty at all times the premises supplies alcohol.
- 6) Training records to be kept for a minimum of 12 months and to be made available to a police officer or licensing authority officer on request.

Dated: 28 July 2014

Signed: _____

Peter Astley MBE
Assistant Director – Regulation & Protection

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.