

## **Determination Notice**

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

Mr Anthony Horne  
Licensing Legal



On the 9<sup>th</sup> February 2016, Warrington Borough Council (“the Council”), being the relevant Licensing Authority, received an application for a summary review of a Premises Licence from Cheshire Constabulary in respect of premises known as:

Showbar & Secrets  
15-17 Friars Gate  
Warrington  
WA1 2RR

#### **Premises Licence Number: WBC/LP0308**

An application for a Summary Review in response to a certificate served on the Licensing Authority by Cheshire Constabulary under Section 53a (1) (b) of the Licensing Act 2003. The certificate was served as it was the opinion of Cheshire Constabulary that the premises known as Showbar & Secrets situated at 15-17 Friars Gate, Warrington was associated with serious crime & disorder.

The matter was previously before the Licensing Sub-Committee on the 11<sup>th</sup> February 2016 to determine what, if any interim steps were required. On consideration of the application on the 11<sup>th</sup> February 2016 members determined that interim steps were necessary and imposed a suspension to remain in place until today, 3<sup>rd</sup> March 2016, when the full review hearing would take place.

During the 10 working day representation period, which expired on the 23<sup>rd</sup> February 2016, the Council received representations from:

- Dianne Shaughnessy – Alcohol Harm Reduction Officer (on behalf of Warrington Borough Council Trading Standards)
- Kim Blondon – Licensing Officer (on behalf of Warrington Borough Council Licensing Authority)

On the 3<sup>rd</sup> March 2016 at 10am a full hearing was held to consider the application and 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; and
- (3) the relevant parts of the Guidance issued under Section 182 of the Licensing Act 2003 by the Home Office.

Members have considered carefully all of the written and verbal representations submitted by and on behalf of Cheshire Constabulary, the Premise Licence Holder, Alcohol Harm Reduction Officer and the Licensing Officer.

In considering all of the representations and balancing the interests of all parties Members have resolved to:

- Remove the current suspension off the licence; and
- Reduce the hours in which the premises operates and those which the licence currently authorises.

For the sake of clarity all licensable activities shall cease at the terminal hour of 2am. The premises opening hours to cease at 3am.

The reasons for the Sub-Committees decision are as follows:

Members of the Licensing Sub-Committee did not consider that modification of the conditions would resolve the problems currently existing within the premises. Members had serious concerns in relation to the operation of the premises and the breach of their current condition regarding the glassware in existence at the premises. Member's found the incident to be of a very serious nature and found that the management were failing in their duty to uphold the licensing objectives of Crime & Disorder and Public Safety.

Members further found that on balance to impose additional conditions would have no effect on how the premises were run.

Dated: 4 March 2016

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

Designation: Assistant Direct – 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.