



Licensing Act 2003 Sub-Committee

Date:	Wednesday, 23 September 2009
Time:	10.00 am
Venue:	Committee Room 2 - Wallasey Town Hall

Contact Officer: Anne Beauchamp
Tel: 0151 691 8608
e-mail: annebeauchamp@wirral.gov.uk
Website: <http://www.wirral.gov.uk>

AGENDA

1. **APPOINTMENT OF CHAIR**
2. **DECLARATIONS OF INTEREST**

Members are asked to consider whether they have personal or prejudicial interests in connection with any item(s) on this agenda, and, if so, to declare them and state what they are.

3. **RAVENS CROFT, THE MOUNT, HESWALL (Pages 1 - 24)**
4. **TAURUS SERVICE STATION, ORRYSDALE ROAD, WEST KIRBY (Pages 25 - 68)**

LUNCH

5. **RED CAT, GREASBY ROAD, GREASBY (Pages 69 - 104)**
6. **ANY OTHER URGENT BUSINESS ACCEPTED BY THE CHAIR**

To consider matters which the Chair accepts as being urgent.

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WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE

LICENSING ACT 2003 SUB-COMMITTEE – 23 SEPTEMBER 2009

REPORT OF THE DIRECTOR OF REGENERATION

NAME OF PREMISES: RAVENSCROFT, THE MOUNT, HESWALL

NAME OF APPLICANT: BARRACUDA PUBS & BAR COMPANY LIMITED

1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is to consider an application to vary a Premises Licence under the provisions of the Licensing Act 2003.

2.0 RELEVANT BACKGROUND

2.1 These premises currently have a premises licence with the following hours:

Supply of Alcohol

Sunday to Saturday 10:00 to 23:30

Hours Open to the Public

Sunday to Saturday 10:00 to 00:00

Regulated Entertainment (Live Music, Recorded Music and Performance of Dance)

Sunday to Saturday 10:00 to 23:30

Regulated Entertainment (Exhibition of Films and Indoor Sporting Events)

Sunday to Saturday 10:00 to 23:30

Entertainment Facilities (Facilities for Making Music and Dancing)

Sunday to Saturday 10:00 to 23:30

Late Night Refreshment

Sunday to Saturday 23:30 to 23:30

Non-Standard Timings

All of the above Licensable Activities:

10:00 on New Years Eve to 23:30 on New Years Day (The Premises shall close 30 minutes after the end of the non-standards timing).

3.0 APPLICATION

- 3.1 The application to vary the Premises Licence is to extend the Licensed area to include the external area for the Sale of Alcohol and Late Night Refreshment for the same permitted hours as stated above.

The applicant has also requested that the following condition be removed from the Premises Licence:

‘There shall be no drinking outside the curtilage of the building at any time.’

4.0 PROMOTION OF LICENSING OBJECTIVES

- 4.1 Applicants are required to submit as part of their application an operating schedule that sets out how they will conduct/manage their business in accordance with the four Licensing Objectives. A copy of the full application detailing the steps proposed by the applicant is available.
- 4.2 Members of the Licensing Act 2003 Sub-Committee are advised that the proposals set out in the operating schedule would become conditions of licence should the licence be granted.

5.0 RELEVANT REPRESENTATIONS

- 5.1 The following Representation has been received in respect of the above application.

Interested Party

In respect of this application a representation has been received from Heswall Congregation of Jehovah’s Witnesses who are located to the rear of the premises. The representation relates to public nuisance to the congregation being caused by customers of the premises if the outside area were to be used for the consumption of alcohol and food. A copy of the representation is available.

- 5.2 There have been no other representations received from the following Responsible Authorities:

Wirral Area Child Protection Committee
Trading Standards
Environmental Health
Planning Authority
Fire Authority
Merseyside Police

6.0 FINANCIAL AND STAFFING IMPLICATIONS

- 6.1 A statutory fee has been paid in respect of the application, which goes towards administrative and enforcement costs.

7.0 EQUAL OPPORTUNITIES IMPLICATIONS

- 7.1 There are none arising from this report.

8.0 LOCAL AGENDA 21 IMPLICATIONS

8.1 There are none arising directly from this report.

9.0 LOCAL MEMBER SUPPORT IMPLICATIONS

9.1 The premises are located in the Heswall ward.

10.0 HUMAN RIGHTS IMPLICATIONS

10.1 Article 6, of the First Protocol, concerned with the right to a fair hearing, may be applicable.

11.0 COMMUNITY SAFETY IMPLICATIONS

11.1 Effective control of Licensing Legislation can assist in raising standards and improve the perception of community safety.

12.0 PLANNING IMPLICATIONS

12.1 There are no planning implications in respect of this application.

13.0 BACKGROUND PAPERS

13.1 Application form applying to vary a Premises Licence – Operating Schedule.

13.2 Representation received from Heswall Congregation of Jehovah's Witnesses.

14.0 RECOMMENDATIONS

14.1 The Licensing Act 2003 Sub-Committee are asked to consider the application to vary a Premises Licence in respect of the above premises.

Alan Stennard

Director of Regeneration

This report was prepared by Richard Leyland who can be contacted on 691 8478

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Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

We Barracuda Pubs & Bars Company Ltd, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below.

Premises Licence Number

LN/207000054

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Ravenscroft, 1- 5 The Mount, Heswall	
Post town Wirral	Post code CH60 4RE

Telephone number of premises (if any)

0151 342 9886

Non-domestic rateable value of premises

£86500

Part 2 – Applicant Details

Daytime contact telephone number

0151 342 9886

Email address
(optional)

Current postal
address if
different from
premises address

Barracuda Pubs & Bars Company Ltd, 1st Floor, Lunar House, Globe Park, Fieldhouse Lane,

Post Town

Marlow

Postcode

SL7 1LW

Part 3 – Variation

Do you want the proposed variation to have effect as soon as possible?

Please tick ✓ yes

If not do you want the variation to take effect from

Day Month Year

--	--	--	--	--	--	--	--

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

Please describe briefly the nature of the proposed variation (please read guidance note 1)

The variation sought is to include the external area as identified on the plan deposited with the Licensing Authority (464/9.1) within the licensed area for the purposes of sale by retail of alcohol and late night refreshment only (as particularised in this application).

No other variation is sought and this application has been completed appropriately.

On 19th June 2009 Wirral Council granted Planning Permission to allow the creation of an outside seating area to the rear of the premises on the basis that the same would not cause significant nuisance to neighbouring uses or lead to a loss of amenities as a result of noise and disturbance.

The present Premises Licence is subject to a condition that there shall be no drinking outside the curtilage of the building at any time.

As indicated above, this application seeks to include that rear external area within the ambit of the Licence for the purpose of the sale of alcohol by retail for late night refreshment only and the removal of the condition as appears in annexe 3 to the Premises Licence.

As a consequence of the incorporation of the external area, provision is made for an acoustic lobby resulting in the minor adoption of the bar servery which is reflected on the deposited plans.

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Please tick ✓ yes

Provision of regulated entertainment

- a) Plays (if ticking yes, fill in box A)
- b) Films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities for:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed					
Thur			State any seasonal variations for performing plays (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed					
Thur			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

J

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon				Both	
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed					
Thur			State any seasonal variations for the performance of live music (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed					
Thur			State any seasonal variations for playing recorded music (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick {Y}</u> (please read guidance note 2).	Indoors
Day	Start	Finish		Outdoors
Mon			Please give further details here (please read guidance note 3)	Both
Tue				
Wed				
Thur			State any seasonal variations for the performance of dance (please read guidance note 4)	
Fri				
Sat			Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun				

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>	
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick {Y}</u> (please read guidance note 2).	Indoors
Mon				Please give further details here (please read guidance note 3)
Tue			Both	
Wed				
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)	
Fri				
Sat			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun				

I

Provision of facilities for making music. Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing		
			Will the facilities for making music be indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
				Outdoors	
			Both		
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)		
			Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick {Y} (see guidance note 2).		
			Indoors		
			Outdoors		
			Both		
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun			Please give further details here (please read guidance note 3)		
			State any seasonal variations for providing dancing facilities (please read guidance note 4)		
			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing	
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoor
Mon				Outdoor
Tue				Both
Wed			Please give further details here (please read guidance note 3)	
Thur			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4)	
Fri				
Sat			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun				

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon	23:00	23:30		Both	✓
Tue	23:00	23:30	Please give further details here (please read guidance note 3)		
Wed	23:00	23:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	23:00	23:30			
Fri	23:00	23:30	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat	23:00	23:30			
Sun	23:00	23:30			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	
Day	Start	Finish		Off the premises	
Mon	10:00	23:30	State any seasonal variations for the supply of alcohol (please read guidance note 4)	Both	✓
Tue	10:00	23:30			
Wed	10:00	23:30			
Thur	10:00	23:30			
Fri	10:00	23:30			
Sat	10:00	23:30			
Sun	10:00	23:30			
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
			As per existing Premises Licence		

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

None

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	
Mon	10:00	00:00	Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) The premises will close for service to the public 30 minutes after the end of non standard timings identified in box M above.
Tue	10:00	00:00	
Wed	10:00	00:00	
Thur	10:00	00:00	
Fri	10:00	00:00	
Sat	10:00	00:00	
Sun	10:00	00:00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

The condition which states "there shall be no drinking outside the curtilage of the building at any time" is to be removed

Please tick ✓ yes

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

P

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

I have undertaken my own risk assessment to take the following proposed steps.

The existing conditions applicable to the Premises Licence shall continue to apply unamended (save for the removal and restriction on drinking outside the curtilage of the building.

In that the premises currently operate without apparent difficulty, it is not anticipated that the proposed changes will adversely affect the four licensing objectives save as below.

b) The prevention of crime and disorder

No further risks have been identified which need to be addressed.

c) Public safety

No further risks have been identified which need to be addressed.

d) The prevention of public nuisance

No further risks have been identified which need to be addressed.

e) The protection of children from harm

The restrictions set out in the Licensing Act 2003 will apply. No unusual or additional risks of harm to children have been identified.

I have made or enclosed payment of the fee

- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected



IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent. (Please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature: John Gaunt & Partners 

Date: 1 July 2009.....

Capacity: Solicitors.....

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent. (Please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

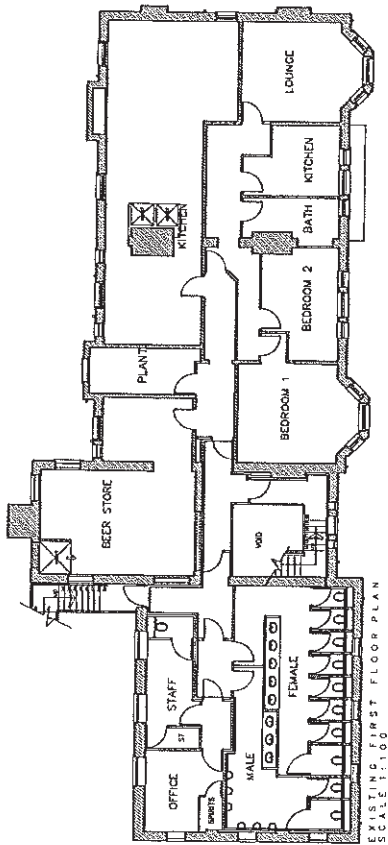
Signature: John Gaunt & Partners

Date:

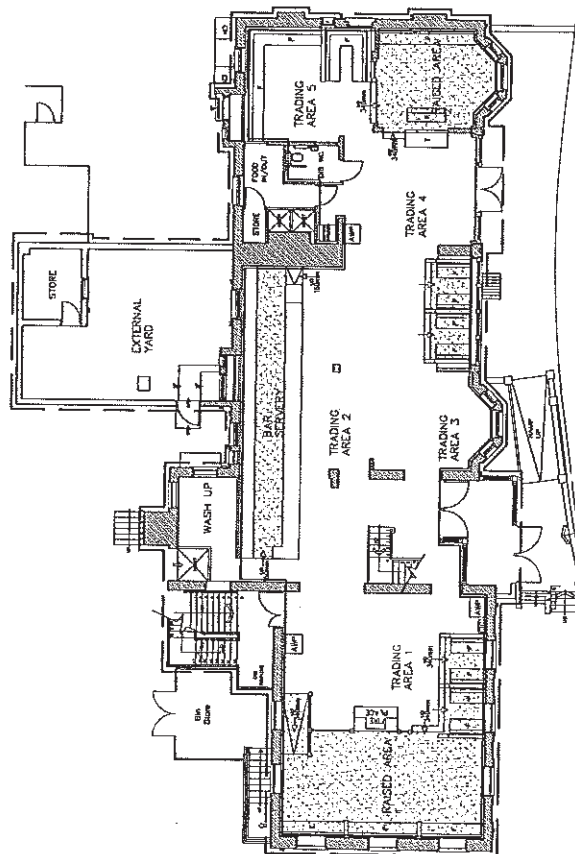
Capacity: Solicitors.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)	
John Gaunt & Partners Omega Court 372 Cemetery Road	
Post town Sheffield	Post code S11 8FT
Telephone number (if any) 0114 266 8664	
If you would prefer us to correspond with you by email your email address (optional)	

NOTE
 The drawings and details are the property of the architect and shall not be reproduced without the written permission of the architect.
 The drawings are to be used for construction purposes only and are not to be used for any other purpose. All dimensions are to be taken from the drawings unless otherwise stated.
 DO NOT SCALE THIS DRAWING.
 Architects



EXISTING - FIRST FLOOR PLAN
 SCALE 1:100



EXISTING GROUND FLOOR PLAN
 SCALE 1:100

ROBERT MURRAY & ASSOCIATES LTD ARCHITECTS, INTERIOR DESIGN 1 BRIDGEMAN TOWER, MARKET 100, BRIDGE STREET, BRISTOL TEL: 0117 3242344 FAX: 0117 3242345 WWW: WWW.RMURRAY.CO.UK	
client:	Baracuda Group Ltd
for title:	Smith & Jones Hesswall
drawing title:	Existing Floor Plans
scale:	1:100
date:	March 2008
drawn by:	R.Pyle
checked by:	
drawing no:	4647/1

Licensing Authority,
Wirral Borough Council,
Town Hall, Brighton Street,
Wallasey CH44 8ED

Date: 22 July 2009

Our ref: cong/wla/220709

Dear Sirs,

Re: "The Ravenscroft", 5 The Mount, Heswall Wirral CH60 4RE

We understand the owners of the above premises have applied to vary their license to serve food and alcohol in an external seating area to the rear of their premises, directly adjoining our property.

We are of the opinion that the proposed use would adversely affect the quiet enjoyment by the Heswall Congregation of Jehovah's Witnesses, of the Kingdom Hall building immediately to the rear of the proposed licensed area. Our building is currently used as a place of worship on Thursday evenings from 7.00pm till 9.00pm and on a Sunday Morning between 10.00am and midday.

We consider that the use of the area the other side of a fence to our property would be an un-neighbourly development, should there be a granting of its use for alcohol and food consumption and allowing customers to smoke in this area.

In further support of our views we would respectfully draw your attention to the additional conditions and restrictions imposed by the licensing authority in the attached letter of the decision dated 6th October 2006.

"No nuisance shall be caused by noise coming from the premises or by vibration transmitted through the structure of the premises.

All external doors and windows shall be kept closed when regulated entertainment is being provided except in the event of an emergency and to permit access and egress from the premises.

There shall be placed at all exits from the premises in a place where they can be seen and easily read by the public, notices requiring customers to leave the premises and the area quietly.

There shall be no disposal of bottles or broken glass from the premises between the hours of 9.00pm and 9.00am and additionally on a Sunday between the hours of 10.00am and 12.00 midday.

A closed fence panel shall be erected to the rear of the premises to the maximum height in accordance with planning restrictions.

There shall be no drinking outside the curtilage of the building at any time.

A noise limiting device shall be installed at the premises and set to a level in consultation with environmental health".

We are also aware that since the premises first opened the availability of car parking on the adjacent public car park at The Mount has sometimes been insufficient to cope with demand for spaces, particularly when Heswall Hall has also been in use.

In summary we object to the proposed application as it is expected to generate noise and smells which would lead to the further loss of our quiet enjoyment of our immediately adjoining land and building for the purpose of our worship.

We would ask for the continued support of the licensing authority, in respect of your original decision, as the circumstances remain the same as those which pertained to that decision in 2006.

Finally we would ask for a formal acknowledgement of our objection, and if there is a hearing on this matter, we would ask if we are able to attend and make a personal representation, you could kindly inform us of the details.

Many thanks,

For and on behalf of,

Heswall Congregation of Jehovah's Witnesses

A large area of the document is redacted with black ink, covering what appears to be a signature and possibly a name or title. The redaction consists of several thick, irregular black bars of varying lengths and orientations.

to [REDACTED] date 6 October, 2006

your ref
my ref
tel ext 0151-691 8043 - please ask for Licensing

Dear Sirs

LICENSING ACT 2003 – SMITH AND JONES, HESWALL

I refer to the Licensing Act 2003 Sub-Committee held on 20 September 2006.

After giving careful consideration to the application and the representations made in writing and orally at the hearing, the Licensing Act 2003 Sub-Committee resolved to grant the application for a Premises Licence under the provisions of the Licensing Act 2003 with the following hours:

Supply of alcohol

Sunday to Saturday 10.00am to 11.00pm

Hours Open to the Public

Sunday to Saturday 10.00am to 11.30pm

Regulated Entertainment (Recorded Music)

Sunday to Saturday 10.00am to 11.30pm

Entertainment Facilities (Facilities for Dancing)

Sunday to Saturday 10.00am to 11.30pm

Late Night Refreshment

Sunday to Saturday 11.00pm to 11.30pm

Cont/...

Cont/...

- 2 -

The Licensing Act 2003 Sub-Committee determined that in addition to the appropriate conditions proposed in the operating schedule the following conditions be applied to the licence:

- That the relevant conditions imposed on the granted Planning Permission be transferred to the Premises Licence.
- No nuisance shall be caused by noise coming from the premises or by vibration transmitted through the structure of the premises.
- All external doors and windows shall be kept close when regulated entertainment is being provided except in the event of an emergency and to permit access to and egress from the premises.
- There shall be placed at all exits from the premises in a place where they can be seen and easily read by the public, notices requiring customers to leave the premises and the area quietly.
- There shall be no disposal of bottles or broken glass from the premises between the hours of 9.00pm and 9.00am and additionally on a Sunday between the hours of 10.00am to 12.00midday.
- CCTV to operate at the premises in accordance with any specification issued by the Licensing Authority. Tapes and visual images recorded shall be retained for a period of 31 days and must be handed to the Police on request.
- A closed panel fence shall be erected to the rear of the premises to the maximum height in accordance with planning restrictions.
- There shall be no drinking outside the curtilage of the building at any time.
- A noise limiting device shall be installed at the premises and set to a level in consultation with Environmental Health

In determining the application the Licensing Act 2003 Sub-Committee had regard to the Licensing Objectives, the Council's Statement of Licensing Policy and the Department of Culture, Media and Sport Guidance issued under section 182 of Licensing Act 2003.

Members further considered that the conditions applied were a proportionate response to the application presented and were necessary for the promotion of the Licensing Objectives.

Cont/...

Cont/...

- 3 -

The Licence will be issued in due course.

Should you be aggrieved by this decision you may appeal to Wirral Borough Magistrates Court within 21 days of receipt of this letter.

Yours faithfully

M. O'Donnell

Margaret O'Donnell
Head of Licensing

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WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE

LICENSING ACT 2003 SUB-COMMITTEE – 23 SEPTEMBER 2009

REPORT OF THE DIRECTOR OF REGENERATION

**NAME OF PREMISES: TAURUS SERVICE STATION, ORRYSDALE ROAD,
WEST KIRBY**

NAME OF APPLICANT: DAVID WILCOX

1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is to consider an application for the grant of a Premises Licence under the provisions of the Licensing Act 2003.

2.0 RELEVANT BACKGROUND

2.1 These premises have not previously been licensed.

3.0 APPLICATION

3.1 The application for the grant of a Premises Licence is as follows:

Supply of Alcohol

Sunday to Saturday 07:00 to 23:00

Hours Open to the Public

Sunday to Saturday 07:00 to 23:00

In accordance with Section 176 of the Licensing Act 2003, alcohol is prohibited from being sold at premises that are primarily used as a garage, or are part of premises used primarily as a garage. Premises are used as a garage if they are used for one or more of the following:

- the retail of petrol
- the retail of derv
- the sale of motor vehicles
- the maintenance of motor vehicles

The applicant has provided additional information to support that these premises will not be used primarily as a garage which is available.

4.0 PROMOTION OF LICENSING OBJECTIVES

4.1 Applicants are required to submit as part of their application an operating schedule that sets out how they will conduct/manage their business in accordance with the four Licensing Objectives. A copy of the full application detailing the steps proposed by the applicant is available.

4.2 Members of the Licensing Act 2003 Sub-Committee are advised that the proposals set out in the operating schedule would become conditions of licence should the licence be granted.

5.0 RELEVANT REPRESENTATIONS

5.1 The following Representations have been received in respect of the above application.

Interested Party – Local Residents

In respect of this application six representations have been received from Local Residents. The representations relate to public nuisance caused by youths and alcohol related incidents within the vicinity of the premises. Copies of the representations are available.

5.2 There have been no other representations received from the following Responsible Authorities:

Merseyside Police
Fire Authority
Wirral Area Child Protection Committee
Trading Standards
Environmental Health
Planning Authority

6.0 FINANCIAL AND STAFFING IMPLICATIONS

6.1 A statutory fee has been paid in respect of the application, which goes towards administrative and enforcement costs.

7.0 EQUAL OPPORTUNITIES IMPLICATIONS

7.1 There are none arising from this report.

8.0 LOCAL AGENDA 21 IMPLICATIONS

8.1 There are none arising directly from this report.

9.0 LOCAL MEMBER SUPPORT IMPLICATIONS

9.1 The premises are located in the West Kirby and Thurstaston Ward.

10.0 HUMAN RIGHTS IMPLICATIONS

10.1 Article 6, of the First Protocol, concerned with the right to a fair hearing, may be applicable.

11.0 COMMUNITY SAFETY IMPLICATIONS

11.1 Effective control of Licensing Legislation can assist in raising standards and improve the perception of community safety.

12.0 PLANNING IMPLICATIONS

12.1 There are none arising from this report.

13.0 **ANTI-POVERTY IMPLICATIONS**

13.1 There are none arising from this report.

14.0 **SOCIAL INCLUSION IMPLICATIONS**

14.1 There are none arising from this report.

15.0 **BACKGROUND PAPERS**

15.1 Application form applying for a Premises Licence – Operating Schedule.

15.2 Representations received from Local Residents.

16.0 **RECOMMENDATIONS**

16.1 The Licensing Act 2003 Sub-Committee are asked to consider the application for the grant of a Premises Licence in respect of the above premises.

Alan Stennard
Director of Regeneration

This report was prepared by Richard Leyland who can be contacted on 691 8478

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Insert name and address
of relevant licensing
authority and its
reference number
(optional)

Licensing Department
Wirral Borough Council
Town hall
Brighton Street
Wallasey
CH44 8ED

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

~~I/XX~~ David Howard Wilcox
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and ~~I/XX~~ are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

Taurus Service Station and Convenience Store
Orrysdale Road

Post town West Kirby

Post code CH48 4EP

Telephone number at premises (if any)

Non-domestic rateable value of premises

£ 0.00

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick ✓ Yes

- a) an individual or individuals* please complete section (A)
- b) a person other than an individual*
- i. as a limited company please complete section (B)
- ii. as a partnership please complete section (B)
- iii. as an unincorporated association or please complete section (B)
- iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)

- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

*If you are applying as a person described in (a) or (b) please confirm:

Please tick Yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title (for example, Rev)

Surname

Wilcox

First names

David Howard

Please tick Yes

I am 18 years old or over

Current postal address if different from premises address

1 The Oaks
Kirby Park

Post Town

West Kirby

Postcode

CH48 2NF

Daytime contact telephone number

0151 625 2448

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

Please tick Yes

I am 18 years old or over

Current postal
address
if different from
premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address
(optional)

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned

Name
Address
Registered number (where applicable)
Description of applicant (for example partnership, company, unincorporated association etc)
Telephone number (if any)
E-mail address (optional)

Part 3 - Operating Schedule

When do you want the premises licence to start?

Day		Month		Year			
0	1	/	0	9	/	0	9

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day		Month		Year			

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

n/a

Please give a general description of the premises (please read guidance note 1)

A purpose built, single storey convenience store attached to a petrol service station on a main road close to the centre of West Kirby.

What licensable activities do you intend to carry on from the premises?
 (Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Please tick Yes

Provision of regulated entertainment

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities for:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for performing plays (please read guidance note 4)		
Thur						
Fri						
Sat				Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun						

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur						
Fri						
Sat				Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Both		<u>Please give further details here</u> (please read guidance note 3)
Tue					<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)
Wed					<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Thur					
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur						
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat						
Sun						

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur						
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat						
Sun						

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	
Mon					Outdoors
Tue			Both		
Wed			Please give further details here (please read guidance note 3)		
Thur					
Fri			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Sat					
Sun					
			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing							
			Will the facilities for making music be indoors or outdoors or both - please tick ✓ (please read guidance note 2)	<table border="1"> <tr> <td>Indoors</td> <td></td> </tr> <tr> <td>Outdoors</td> <td></td> </tr> <tr> <td>Both</td> <td></td> </tr> </table>	Indoors		Outdoors		Both	
Indoors										
Outdoors										
Both										
Day	Start	Finish								
Mon			Please give further details here (please read guidance note 3)							
Tue										
Wed			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)							
Thur										
Fri			Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)							
Sat										
Sun										

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both - please tick ✓ (see guidance note 2)							
			<table border="1"> <tr> <td>Indoors</td> <td></td> </tr> <tr> <td>Outdoors</td> <td></td> </tr> <tr> <td>Both</td> <td></td> </tr> </table>	Indoors		Outdoors		Both		
Indoors										
Outdoors										
Both										
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing							
Mon			Please give further details here (please read guidance note 3)							
Tue										
Wed			State any seasonal variations for providing dancing facilities (please read guidance note 4)							
Thur										
Fri			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)							
Sat										
Sun										

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	
Mon				Outdoors	
				Both	
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Wed					
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night entertainment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption please tick ✓ (please read guidance note 7)	On the premises	
Day	Start	Finish		Off the premises	x
Mon	07:00	23:00	State any seasonal variations for the supply of alcohol (please read guidance note 4)	Both	
Tue	07:00	23:00			
Wed	07:00	23:00			
Thur	07:00	23:00		Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)	
Fri	07:00	23:00			
Sat	07:00	23:00			
Sun	07:00	23:00			

State the name and details of the individual whom you wish to specify on the licence as premises supervisor	
Name	Carol Ann Prothero
Address	4 Cunliffe Walk Garden Village Wrexham
Postcode	LL1 2SR
Personal Licence number (if known)	WXM/PERS/0225
Issuing licensing authority (if known)	Wrexham County Borough Council

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

There will be no such entertainment services or activities at the premises.

O

Hours premises are open to the public Standard timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	
Mon	07:00	23:00	<p><u>Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</u></p>
Tue	07:00	23:00	
Wed	07:00	23:00	
Thur	07:00	23:00	
Fri	07:00	23:00	
Sat	07:00	23:00	
Sun	07:00	23:00	

P Describe the steps you intend to take to promote the four licensing objectives:

a) General - all four licensing objectives (b, c, d, e) (please read guidance note 9)

Ensure that all staff are properly trained for their individual roles; that training records are kept and that re-training is regularly reviewed.

b) The prevention of crime and disorder

Installation of a CCTV system in the premises which will be maintained to appropriate standards and copies supplied upon reasonable notice to any Responsible Authority.

c) Public safety

Conduct regular checks of safety equipment and fire escapes.

d) The prevention of public nuisance

To ensure that customers behave appropriately and cause no disturbance.

e) The protection of children from harm

Provide regular staff training on the law concerning sales to children and on obtaining, where necessary, appropriate evidence of age.

Please tick ✓ Yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 - Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature 

Date 24 July 2009

Capacity Solicitor to the Applicant

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature

Date

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Barry K Holland
Lees Lloyd Whitley
Riverside Park
Southwood Road
Bromborough

Post town Wirral

Post code CH46 0RQ

Telephone number (if any) 0151 737 5741

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day, e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

West Kirby Filling Station

Transaction Analysis - Shop & Fuel Sale Counts

	Start Date/Time	End Date/Time	Fuel Only	Shop Only	Fuel & Shop	Count Total
January 2008	01/01/2008 09:57	31/01/2008 22:50	11534	9079	4221	24834
February 2008	01/02/2008 06:25	29/02/2008 22:47	11205	8842	4214	24261
March 2008	01/03/2008 06:53	31/03/2008 22:47	11525	9138	4445	25108
April 2008	01/04/2008 06:31	30/04/2008 22:49	12190	8628	4372	25190
May 2008	01/05/2008 06:29	31/05/2008 22:50	11638	9952	4437	26027
June 2008	01/06/2008 06:45	30/06/2008 22:48	12089	8828	4155	25072
July 2008	01/07/2008 06:24	31/07/2008 22:54	11584	8985	4077	24546
August 2008	01/08/2008 06:40	31/08/2008 22:49	10208	8341	3806	22355
September 2008	01/09/2008 07:02	30/09/2008 22:52	11140	8725	4106	23971
October 2008	01/10/2008 06:30	31/10/2008 22:50	10349	8514	3819	22682
November 2008	01/11/2008 06:58	30/11/2008 22:52	9613	8628	3766	22007
December 2008	01/12/2008 06:33	31/12/2008 19:34	9498	7890	3717	21105
January 2009	01/01/2009 08:43	31/01/2009 22:52	9555	8675	3648	21878
February 2009	01/02/2009 06:57	28/02/2009 22:52	8809	7780	3444	20033
March 2009	01/03/2009 06:47	31/03/2009 22:58	10133	8810	4004	22947
April 2009	01/04/2009 06:32	29/04/2009 22:51	9468	7812	3531	20811
			170538	138627	63762	372927

West Kirby Filling Station

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July 2008	01/07/2008 06:24	31/07/2008 22:54	11584	8985	4077	24846
August 2008	01/08/2008 06:40	31/08/2008 22:49	10208	8341	3806	22355
September 2008	01/09/2008 07:02	30/09/2008 22:52	11140	8725	4106	23971
October 2008	01/10/2008 06:30	31/10/2008 22:50	10349	8514	3819	22682
November 2008	01/11/2008 06:58	30/11/2008 22:52	9613	8628	3766	22007
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June 2008	01/06/2008 06:45	30/06/2008 22:48	12089	8828	4155	25972
July 2008	01/07/2008 06:24	31/07/2008 22:54	11584	8985	4077	24946
August 2008	01/08/2008 06:40	31/08/2008 22:49	10208	8341	3806	22355
September 2008	01/09/2008 07:02	30/09/2008 22:52	11140	8725	4106	23971
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April 2008	01/04/2008 06:31	30/04/2008 22:49	12190	8628	4372	25190
May 2008	01/05/2008 06:29	31/05/2008 22:50	11638	9952	4437	26027
June 2008	01/06/2008 06:45	30/06/2008 22:48	12089	8828	4155	25072
July 2008	01/07/2008 06:24	31/07/2008 22:54	11584	8985	4077	24646
August 2008	01/08/2008 06:40	31/08/2008 22:49	10208	8341	3806	22355
September 2008	01/09/2008 07:02	30/09/2008 22:52	11140	8725	4106	23971
October 2008	01/10/2008 06:30	31/10/2008 22:50	10349	8514	3819	22682
November 2008	01/11/2008 06:58	30/11/2008 22:52	9613	8628	3766	22007
December 2008	01/12/2008 06:33	31/12/2008 19:34	9498	7890	3717	21105
January 2009	01/01/2009 08:43	31/01/2009 22:52	9555	8675	3648	21878
February 2009	01/02/2009 06:57	28/02/2009 22:52	8809	7780	3444	20033
March 2009	01/03/2009 06:47	31/03/2009 22:58	10133	8810	4004	22947
April 2009	01/04/2009 06:32	29/04/2009 22:51	9468	7812	3531	20811
			170538	138627	63762	372927

West Kirby Filling Station

Transaction Analysis - Shop & Fuel Sale Counts

	Start Date/Time	End Date/Time	Fuel Only	Shop Only	Fuel & Shop	Count Total
January 2008	01/01/2008 09:57	31/01/2008 22:50	11534	9079	4221	24834
February 2008	01/02/2008 06:25	29/02/2008 22:47	11205	8842	4214	24261
March 2008	01/03/2008 06:53	31/03/2008 22:47	11525	9138	4445	25108
April 2008	01/04/2008 06:31	30/04/2008 22:49	12190	8628	4372	25190
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July 2008	01/07/2008 06:24	31/07/2008 22:54	11584	8985	4077	24946
August 2008	01/08/2008 06:40	31/08/2008 22:49	10208	8341	3806	22355
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Table of Footfall to be used in conjunction with the Alcohol Licence Application

	<u>Fuel Only</u>	<u>Shop Only</u>	<u>Fuel & Shop</u>	<u>All Total</u>
<u>Brooklands</u>				
With Alcohol	117683	326114	83549	527346
% of Total Footfall	22%	62%	16%	100%
Total Shop Footfall				78%
<u>Beechley</u>				
With Alcohol	123163	324082	63744	510989
% of Total Footfall	24%	63%	12%	100%
Total Shop Footfall				76%
<u>West Kirby</u>				
NO Alcohol	170538	138627	63762	372927
% of Total Footfall	46%	37%	17%	100%
Total Shop Footfall				54%

NB:- See Figures in Conjunction with Attached individual Sites figures

The figures above demonstrate the stations which already have a Alcohol Licence, Brooklands & Beechley Marked in Green, have a higher Shop Sales % than West Kirby, Marked in Yellow, that does not have an Alcohol Licence. Yet all three exceed 50% usage, of the respective stations, for shop sales.

It is expected that the new development on Orrysdale Road will generate considerably more shop sales than the existing Station on Bridge Road, especially with the benefit of an Alcohol Licence and an increased sales area from 35sq metres to 77sq metres.

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% of Total Footfall	24%	63%	12%	100%
Total Shop Footfall				
<u>West Kirby</u>				
NO Alcohol	170538	138627	63762	372927
% of Total Footfall	46%	37%	17%	100%
Total Shop Footfall				
				54%

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[REDACTED]

4th August

LICENSING
6 AUG 2009
RL

Licensing Dept,
Town Hall,
Wirral Borough Council,
WALHASEY.

Dear Sirs,
Re: New Garage
occupiable Re:
West Kirby

I would like to give
my comments as to why
I feel alcoholic should
not be sold from the

garage.

1. Orrysdale Rd. I believe to be a non alcoholic zone.
2. The police have enough problems in the area.
3. Enough outlets selling alcoholic in the area.
4. Motorists drawing up and buying alcoholic when driving especially the youngsters.

3

5. We also have the
 problem of empty
 cans and bottles
 already. The youngsters
 often use the strip
 of land I believe
 owned by the Council
 of West Kirby
 Railway station for
 alcoholic use.

4

I hope you will
kindly consider my
comments which I
feel are for the best.

Yours faithfully

[Redacted signature]

P.S.

Sp.

[Redacted text]

[Redacted] who is
partially blind agrees with
these comments, and would
like to take his name also
into account. Thank you.

Signed [Redacted]

5/8/09

LICENSING

7 AUG 2009

RE

[Redacted]
[Redacted]
West Kirby
Warrington
[Redacted]
[Redacted]

Dear Sirs,

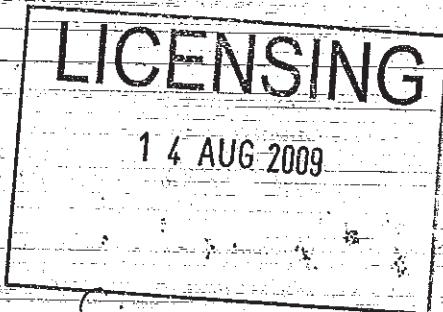
RE TAURUS SERVICE STATION.

I very strongly object to the application for a license to sell alcohol at the service station on the road where I live, & I'm pleased to have the opportunity to prevent it. There are so many facilities to purchase alcohol already.

We are already seeing how young people do not respect the area, damaging gardens, wrecking bus time table posts, dropping food containers & drink cans.

Yours faithfully,

[Redacted Signature]



[REDACTED]
West Kirby
Wirral

[REDACTED]
Aug 11 2009

Dear Sir

I wish to object to the granting of a licence to permit the sale of alcohol from the petrol station being erected in Onyodale Rd, West Kirby. The reason I object, is that there are far too many alcohol sale outlets already in the immediate vicinity of the petrol station and far too much alcohol induced anti-social behaviour in the area.

Yours sincerely
[REDACTED]

LICENSING

14 AUG 2009

[REDACTED]
[REDACTED]
West Kirby

Wirral. [REDACTED]

11th August, 2009.

Dear Sir / Madam,

I am writing to oppose the selling of alcohol, by David Howard Wilcox, at the Taurus Service Station and Convenience store, currently being built in Ormydale Rd, West Kirby. CH48 4EP. This is because:

1) Opening hours, and location, near to a youth club, sports and health centre, and on a route for secondary school, and primary school pupils, and gathering place for young people. It gives the wrong signals to all ages, and drivers, re: alcohol abuse.

2) The elderly residents in these flats, and other people living nearby, are already experiencing problems, including vandalism,

7
due to people who have been drinking, and some carry on as they proceed down the road. They come into the far righthand side of the Ormydale Rd car park, on foot, or in vehicles. As this area is unlit they can carry on drinking, sometimes entering the wooded area at the rear of these plots.

3) This was not in the original planning application; it may have altered peoples opinions if it had been, so was misleading.

4) There are 2 off licences in West Kirby, 1 very near; also,

- Morrisons supermarket, and future Aldi, sell alcohol for use off site, and

- There are 2 pubs within 3 minutes walk.

Yours faithfully,

[Redacted signature]

NB. I know this proposition is causing concern to many residents here.

To: Licensing Dept.,

Town Hall
Wallasey
CH44 8ED

LICENSING

Orrysdale Road
West Kirby Wirral

10 AUG 2009

7th August 2009

Dear Sirs,

Re: Garage in Orrysdale Road

With regard to the Garage which is relocating from Bridge Road to Orrysdale Road - this is good news as it means West Kirby will have another supermarket namely Aldi which will benefit the community with more choice in shopping.

However I have been told that the Garage has applied for a licence to sell alcohol which I think is really shocking news, for one thing it makes a mockery of the fact that none of us should be encouraged to drink and drive!

Also the garage will be right opposite the Leisure Centre which is very well supported by many youngsters in this area. The idea of them coming out of the Leisure Centre and purchasing alcohol from the garage up to 11 p.m. fills me with horror. I thought we were trying to stop under-age drinking not encourage it!

Please do not grant the garage a licence. There are enough places in West Kirby selling alcohol without another one. As you see I am a resident of Baden Court and I know all the other residents support my opinion. I have grandchildren growing up in this area and I feel you would just be adding to the many temptations to purchase alcohol. I am sure most parents would agree with me and I hope lots of them write to you as well.

Over

-2-

Please carefully consider my very strong views
on this matter before granting such a licence.

Thanking you,

Yours truly,



[REDACTED]
Sent: 05 August 2009 12:32

To: Planning Applications

Subject: Alcohol licence application for the new petrol station at the junction of Orrysdale Rd and Grange Rd West Kirby - objection

Dear Planning Department,

we live at [REDACTED] and last year sent an e-mail objecting to the erection of a petrol station, shop and car wash on Orrysdale Road, West Kirby directly adjacent to our apartments. I heard nothing back and clearly the building is going ahead despite mine and others objections. Now there is a sign posted that the petrol station shop wants to have an alcohol licence. We already have enough off-licences in town, this is a quieter part of town that is already going to be transformed in to a much noisier area with the arrival of the petrol station and the last thing we need now is a place that sells alcohol till 11pm. There is no need for this in West Kirby and isn't the sale of alcohol at a petrol station a conflict of interests when we are trying to persuade people not to drink and drive?

We are already disappointed that the views of local residences were already ignored with the building of this petrol station at what is already a dangerous junction and so near established residential properties. By allowing this to be built the council is endangering lives of pedestrians who have to cross at this junction to get to West Kirby shops and transport. Now to add insult or injury you want to make this place a stop-off for people to buy drink.

Please respect the wishes of local residents on this. It is not sufficient just to post one notice in the street. Local people should be informed by letter on such an application. We have received nothing.

Last time we sent an e-mail to object to the Planning Application and I got a response to say that our objections had been noted on the building and we would be informed of the application outcome. We received nothing except the noise of bulldozers knocking down trees to make way for the new petrol station. We would appreciate a more considerate response this time.

Many thanks in advance
[REDACTED]

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WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE

LICENSING ACT 2003 SUB-COMMITTEE – 23 SEPTEMBER 2009

REPORT OF THE DIRECTOR OF REGENERATION

NAME OF PREMISES: RED CAT, GREASBY ROAD, GREASBY

NAME OF APPLICANT: GREENE KING RETAILING LIMITED

1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is to consider an application to vary a Premises Licence under the provisions of the Licensing Act 2003.

2.0 RELEVANT BACKGROUND

2.1 These premises currently have a premises licence with the following hours:

Supply of Alcohol

Sunday to Tuesday 11:00 to 00:00

Wednesday to Saturday 11:00 to 00:30

Hours Open to the Public

Sunday to Tuesday 11:00 to 00:30

Wednesday to Saturday 11:00 to 01:00

Regulated Entertainment (Live Music, Recorded Music, Performance of Dance and Anything of a Similar Description)

Sunday to Tuesday 11:00 to 23:30

Wednesday to Saturday 11:00 to 00:00

Entertainment Facilities (Facilities for Dancing)

Sunday to Tuesday 11:00 to 23:30

Wednesday to Saturday 11:00 to 00:00

Late Night Refreshment

Sunday to Tuesday 23:00 to 00:00

Wednesday to Saturday 23:00 to 00:30

3.0 APPLICATION

3.1 The application to vary the Premises Licence is to remove the following conditions from the Premises Licence:

No children to be allowed on site after 19:00

Outside Areas to be closed and cleared by 22:00

No external music to be played

Public Entertainment Licence Conditions transferred from the previous licence issued under the Local Government (Miscellaneous Provisions) Act 1982

The applicant has requested that the above conditions be replaced with the following conditions:

No children to be allowed on site after 21:00
No external drinking to take place after 22:00
No external music to be played after 22:00

Following discussions with Environmental Health the applicant has agreed to include the following conditions:

No external eating or drinking to take place after 22:00 (to replace the above requested condition)
External music to be limited to background music

4.0 PROMOTION OF LICENSING OBJECTIVES

- 4.1 Applicants are required to submit as part of their application an operating schedule that sets out how they will conduct/manage their business in accordance with the four Licensing Objectives. A copy of the full application detailing the steps proposed by the applicant is available.
- 4.2 Members of the Licensing Act 2003 Sub-Committee are advised that the proposals set out in the operating schedule would become conditions of licence should the licence be granted.

5.0 RELEVANT REPRESENTATIONS

- 5.1 The following Representations have been received in respect of the above application.

Interested Party (Local Residents)

In respect of this application six representations have been received from Local Residents. The representations relate to public nuisance caused by customers and regulated entertainment in the outside area. Concerns have also been raised regarding children being allowed on the premises beyond 7.00pm. Copies of the representations are available.

- 5.2 There have been no other representations received from the following Responsible Authorities:

Wirral Area Child Protection Committee
Trading Standards
Environmental Health
Planning Authority
Fire Authority
Merseyside Police

6.0 FINANCIAL AND STAFFING IMPLICATIONS

- 6.1 A statutory fee has been paid in respect of the application, which goes towards administrative and enforcement costs.

7.0 EQUAL OPPORTUNITIES IMPLICATIONS

- 7.1 There are none arising from this report.

8.0 LOCAL AGENDA 21 IMPLICATIONS

8.1 There are none arising directly from this report.

9.0 LOCAL MEMBER SUPPORT IMPLICATIONS

9.1 The premises are located in the Greasby, Frankby and Irby Ward.

10.0 HUMAN RIGHTS IMPLICATIONS

10.1 Article 6, of the First Protocol, concerned with the right to a fair hearing, may be applicable.

11.0 COMMUNITY SAFETY IMPLICATIONS

11.1 Effective control of Licensing Legislation can assist in raising standards and improve the perception of community safety.

12.0 PLANNING IMPLICATIONS

12.1 There are no planning implications in respect of this application.

13.0 BACKGROUND PAPERS

13.1 Application form applying to vary a Premises Licence – Operating Schedule.

13.2 Representations received from Local Residents.

14.0 RECOMMENDATIONS

14.1 The Licensing Act 2003 Sub-Committee are asked to consider the application to vary a Premises Licence in respect of the above premises.

Alan Stennard

Director of Regeneration

This report was prepared by Richard Leyland who can be contacted on 691 8478

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Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
 If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/W Greene King Retailing Ltd

e

.....
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number LN/206000909
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Red Cat			
Greasby Road			
Greasby			
Wirral			
Merseyside			
Post town	Wirral	Post code	CH49 3AT

Telephone number at premises (if any)	01484 534226
Non-domestic rateable value of premises	£63000

Part 2 – Applicant details

Daytime contact telephone number	01284 714140		
E-mail address (optional)	hannahloynds@greeneking.co.uk		
Current postal address if different from premises address	Greene King Retailing Ltd Abbot House PO Box 337		
Post Town	Bury St Edmunds	Postcode	IP33 1QW

Part 3 - Variation

Do you want the proposed variation to have effect as soon as possible?

Please tick yes



Day

Month
Year

If not do you want the variation to take effect from

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

To remove the following conditions

No children to be allowed on site after 19:00 hrs

Outside areas to be closed and cleared by 10:00pm

No external music to be played

Public Entertainment Licence Conditions under the Local Government (Miscellaneous Provisions) Act 1982

To be amended to:

No children to be allowed on site after 21:00 hrs

No external drinking to take place after 22:00 hrs

No external music to be played after 22:00 hrs

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish		
Mon			<u>Please give further details here</u> (please read guidance note 3)	
Tue				
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)	
Thur				
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sat				
Sun				

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed					
Thur			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u></p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>		
Sun					

1

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	
Tue				
Wed			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
Thur				
Fri			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sat				
Sun				

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			<u>Will the facilities for dancing be indoors or outdoors or both – please tick</u> (see guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
			<u>Please give a description of the facilities for dancing you will be providing</u>		
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u> 		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

To remove the following conditions

- No children to be allowed on site after 19:00 hrs
- Outside areas to be closed and cleared by 10:00pm
- No external music to be played

Public Entertainment Licence Conditions under the Local Government (Miscellaneous Provisions) Act 1982

To be amended to:

- No children to be allowed on site after 21:00 hrs
- No external drinking to take place after 22:00 hrs
- No external music to be played after 22:00 hrs

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Please tick yes

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

As per premises licence granted with the amendment of the following:
To remove the following conditions
No children to be allowed on site after 19:00 hrs
Outside areas to be closed and cleared by 10:00pm
No external music to be played
Public Entertainment Licence Conditions under the Local Government (Miscellaneous Provisions) Act 1982

To be amended to:
No children to be allowed on site after 21:00 hrs
No external drinking to take place after 22:00 hrs
No external music to be played after 22:00 hrs

b) The prevention of crime and disorder

As per current premises licence granted

c) Public safety

As per current premises licence granted

d) The prevention of public nuisance

As per premises licence granted with the amendment of the following:
To remove the following conditions
Outside areas to be closed and cleared by 10:00pm
No external music to be played
Public Entertainment Licence Conditions under the Local Government (Miscellaneous Provisions) Act 1982

To be amended to:
No external drinking to take place after 22:00 hrs
No external music to be played after 22:00 hrs

e) The protection of children from harm

As per premises licence granted with the amendment of the following:
 To remove the following conditions
 No children to be allowed on site after 19:00 hrs
 To be amended to:
 No children to be allowed on site after 21:00 hrs

- Please tick yes**
- I have made or enclosed payment of the fee
 - I have sent copies of this application and the plan to responsible authorities and others where applicable
 - I understand that I must now advertise my application
 - I have enclosed the premises licence or relevant part of it or explanation
 - I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	16th July 2009
Capacity	Licensing Manager

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

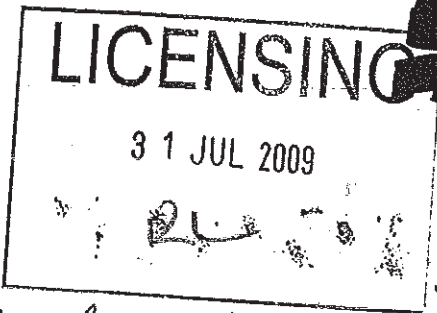
Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)			
Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



29 July 2009.

The Licensing Authority
Town Hall,
Brighton Street
Wallasey
CH44 8ED.

Dear Sirs,

RE. THE RED CAT, GREASBY

I refer to the application for the variation of premises licence at the above.

A meeting between the landlord of the Red Cat and local residents took place not long ago, during which there was strong opposition to his proposals. At this meeting he assured

2/

residents that he would keep them informed if he decided to apply for a variation of the licensing conditions. This, however, did not come about, and knowledge of the application came to light by chance.

Any noise coming from the Red Cat can be clearly heard in this location. This particular area is occupied, in the main, by retired people, some of whom are very elderly. It is likely that some, through age or infirmity, will be unable to make representation, and yet could have their remaining quality of life devastated by external music from the Red Cat.

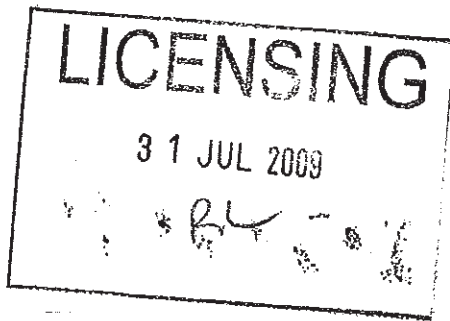
As these bungalows become empty who would wish to return here in the knowledge that they would

3
be subjected to the noise from
across the road? The location
would be effectively ruined.

I therefore wish to register my
opposition to the variation of
licensing conditions for the Red Bat,
Greasby, and I should be grateful
if the points which I have made
can be taken into account when
considering the application.

Yours faithfully





[Redacted]
Greasby
Wittal [Redacted]
29th July 2009.

Dear Sirs,

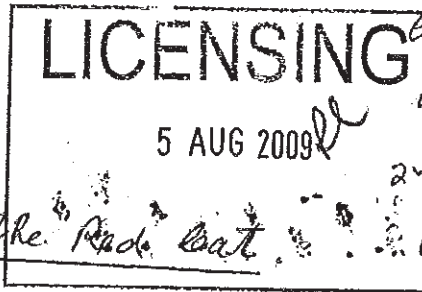
I am writing to object to the application to vary the conditions of licence at Red Cat of Greasby Road, Greasby, Wittal. My home is almost [Redacted] the Red Cat and you will be aware that in the past there have been problems involving noise and general rowdiness, it is however fair to mention that the problems have improved with only two incidents of excessive noise just recently. When loud amplified music was played near to midnight. When this happens the noise can be heard even when doors and windows are closed.

The present conditions have kept matters in check and it would be a retrograde step to permit this application to succeed.

There is no objection to vary the hours in respect of the children.

Yours faithfully,
[Redacted]

Licensing,
Town Hall,
Wallasey.



[Redacted]
Greasby,
Wirral [Redacted]

2nd August 09.

The Red Cat [Redacted]

Dear Sir, or Madam,

In relation to the variations application for the above premises, the existing licensing conditions were thoroughly debated and achieved their aim.

I object strongly to 'putting the clock back' to the previous noise levels.

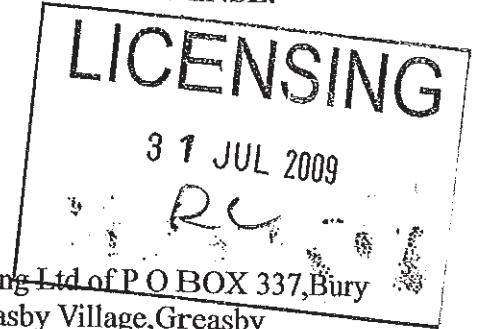
Allowing children on site till 21.00 hrs would be acceptable. Otherwise

Existing conditions should remain.

Yours faithfully,
[Redacted]

RED CAT GREASBY. REQUEST TO CHANGE TERMS OF LICENSE.

TO WHOM IT MAY CONCERN



We wish to protest to any changes proposed by Greene King Retailing Ltd of P O BOX 337, Bury St. Edmunds, Suffolk IP33 1QW at the Red Cat Public House in Greasby Village, Greasby Road, CH49 3NG.

My neighbour and I are of the opinion that 7p.m. is late enough to have children eating in a pub. Surely adults are allowed a child free zone from this time. Over tired children will ruin the atmosphere of a nice meal and a bottle of wine for us adults.

The lengthening of the drinking hours has already proved unsuccessful and has encouraged more drunkenness especially with our youth. Parents should lead by good example.

The poor smokers have had all sorts of additional areas erected outside the pub, so that the non smokers have to stay inside if they want to avoid the smoke and fumes. Not very family orientated. Even conversation carries and the higher you go it is more pronounced, so we agree, living so close by in apartments, 10p.m. should be the deadline for external service.

We think it is unnecessary to allow music outside the building at any time. I think the arrangements that were agreed some 4 years ago have worked well. If Elies opposite has to keep windows and doors closed when they have an entertainer, the same applies to the Red Cat. Having a doorman on duty should help but I think it sometimes warns of half expected trouble. We have suffered this in the past.

Do we really want to turn Greasby Village into a *night club area* and lose our friendly atmosphere. We certainly do not, and hope our Council agree with those who think likewise.

Yours Hopefully,

[REDACTED SIGNATURE]

Redd by email
14/08/09
R

HOYLAKE, WEST KIRBY AND DISTRICT CIVIC SOCIETY

Representing West Kirby, Hoylake, Meols, Caldy, Grange, Newton, Frankby & Greasby

Wirral Licensing Authority
Town Hall
Brighton Street
Wallasey CH44 8ED

For the attention of Mr R.Leyland

14th August 2009

Dear Sir,

Proposed Removal and Variation of Conditions for Licensable Activities – Playing of External Music - Red Cat, Greasby, CH49 3NG

This Society would like to make a representation about the application to vary the condition in the Red Cat's existing license in relation to the playing of external music.

The applicant has asked that these be changed from 'No external music to be played' to 'No external music to be played after 22.00'.

We think that the playing of any external music, outside the Red Cat, would cause sufficient noise to have an adverse impact upon the surrounding neighbourhood and therefore be a cause of public nuisance and not be in the spirit of the licensing objectives.

We therefore ask the Licensing sub-committee not to allow the removal of the condition 'No external music to be played' nor allow its replacement with the condition 'No external music to be played after 22.00'.

Yours faithfully


Hoylake & District Civic Society


[REDACTED]
[REDACTED]
WIRRAL
[REDACTED]
[REDACTED]



**Wirral Licensing Authority
Town Hall
Brighton Street
Wallasey
CH44 8ED
2-AUGUST-2009**

Dear Sir,

**NOTICE OF APPLICATION FOR THE VARIATION OF A PREMISES
LICENCE**

THE RED CAT – DATED 18-JUL-2009

With reference to the above:-

1. Remove “No children to allowed on the site after 19:00 hrs”

Amended to “No children to allowed on the site after 21:00 hrs”

This has no impact on the neighbourhood. No objection.

2. Remove “Outside area to be closed and cleared by 10:00 pm”

Amend to “No external drinking to take place after 22:00 hrs”

This would allow the outside areas to be used at ANY TIME OF THE NIGHT OR DAY. This would cause a public nuisance due to noise. We object to this amendment.

3. Remove “No external music to be played”

Amend to “No external music to be played after 22:00 hrs”

This would cause a public nuisance due to noise. We object to this amendment.

The Red Cat is located opposite a large residential area (hidden to some extent by trees). We have attached a plan showing the close relationship between the Red Cat and our home (shown outlined and other homes)

The residents of most of these properties are elderly. These residents should not be subjected to such a nuisance. Additionally some of these residents are infirmed and are not able to object to these changes in their own right.

August 2, 2009

The councils Statement of Licensing Policy dated December 2007 states that its objectives are:-

“In carrying out its various licensing functions the Licensing Authority will promote the Licensing Objectives which are:

.....

- The prevention of public nuisance

.....”

In order to stay within your own licensing objective we request that item 2 and 3 above are not approved.

Yours faithfully,

A large, irregular black redaction covering the signature and name of the sender.A single horizontal black redaction line.

cc. Councillor Jean Quinn.

