



## Licensing Act 2003 Sub-Committee

<b>Date:</b>	<b>Friday, 21 January 2011</b>
<b>Time:</b>	<b>9.30 am</b>
<b>Venue:</b>	<b>Committee Room 2 - Wallasey Town Hall</b>

**Contact Officer:** Anne Beauchamp  
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## AGENDA

1. **APPOINTMENT OF CHAIR**
2. **MEMBERS' CODE OF CONDUCT - 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. **218-220 WALLASEY VILLAGE, WALLASEY (Pages 1 - 4)**
4. **KELSIE'S, 3-7 WILBRAHAM STREET, BIRKENHEAD (Pages 5 - 8)**
- = BREAK =**
5. **WAWEL, 14 OXTON ROAD, BIRKENHEAD (Pages 9 - 12)**
6. **ANY OTHER URGENT BUSINESS ACCEPTED BY THE CHAIR**

To consider any other business that the Chair accepts as being urgent.

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## WIRRAL COUNCIL

### LICENSING ACT 2003 COMMITTEE

### LICENSING ACT 2003 SUB-COMMITTEE

21 JANUARY 2011

<b>SUBJECT:</b>	<b>APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003</b>
<b>WARD AFFECTED:</b>	<b>WALLASEY WARD</b>
<b>REPORT OF:</b>	<b>DIRECTOR OF LAW, HR AND ASSET MANAGEMENT</b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b>COUNCILLOR S HOLBROOK, CORPORATE RESOURCES</b>
<b>KEY DECISION?</b>	<b>NO</b>

#### 1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to consider an application for a Premises Licence under the provisions of the Licensing Act 2003. The application is made by Laura Colebourne and relates to the premises located at 218-220 Wallasey Village, Wallasey.

#### 2.0 RECOMMENDATION/S

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

#### 3.0 REASONS FOR RECOMMENDATION/S

- 3.1 It is a statutory requirement for this Committee to determine the application due to relevant representations received.

#### 4.0 BACKGROUND AND KEY ISSUES

- 4.1 These premises, previously known as 'The Local' had a Premises Licence which was surrendered in August 2010. The hours previously permitted at these premises were as follows:

##### **Supply of Alcohol**

Monday to Saturday	08:00 to 23:00
Sunday	10:00 to 22:30

## **5.0 APPLICATION**

- 5.1 An application has been received for the grant of a Premises Licence for these premises for the following hours:

### **Supply of Alcohol**

Sunday to Saturday 08:00 to 23:00

### **Hours Open to the Public**

Sunday to Saturday 08:00 to 23:00

## **6.0 PROMOTION OF LICENSING OBJECTIVES**

- 6.1 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 is available.
- 6.2 Members of the Licensing Act 2003 Sub-Committee are advised that the proposals set out in the operating schedule may become conditions of licence should the licence be granted.

## **7.0 RELEVANT REPRESENTATIONS**

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

### **Interested Parties**

In respect of this application, four representations have been received by Local Residents. The representations relate to anti-social behaviour and public nuisance which was a problem when the premises previously had a Premises Licence. The representations also relate to anti-social behaviour which is currently a problem within the vicinity of the premises. Copies of the representations are available.

A representation has also been received from Ward Councillors, Kate Wood, Lesley Rennie and Paul Hayes. The representation supports the concerns expressed by local residents. A copy of the representation is available.

### **Merseyside Police**

In respect of this application, Merseyside Police have made a representation concerning the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. A copy of the representation is available.

In response to the representation received from Merseyside Police, a letter has been received from the applicant's legal representative dated 13 December 2010. A further letter has also been received from Merseyside Police dated 14 December 2010. Copies of these letters are available.

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

Wirral Safe Guarding Children Board  
Trading Standards  
Environmental Health  
Planning Authority  
Fire Authority

## **8.0 RELEVANT RISKS**

- 8.1 There are none arising directly from this report.

## **9.0 OTHER OPTIONS CONSIDERED**

- 9.1 There is no provision for other options to be considered.

## **10.0 CONSULTATION**

- 10.1 Statutory consultation has been undertaken in respect of this application.

## **11.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

- 11.1 There are no specific implications arising from this report.

## **12.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

- 13.1 There are no specific implications arising from this report.

## **14.0 LEGAL IMPLICATIONS**

- 14.1 A decision of this Committee is subject to Appeal.

## **15.0 EQUALITIES IMPLICATIONS**

- 15.1 There are no specific implications arising from this report.

- 15.2 Equality Impact Assessment (EIA)  
Is an EIA required? No

## **16.0 CARBON REDUCTION IMPLICATIONS**

- 16.1 There are no specific implications arising from this report.

## **17.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

- 17.1 There are no Planning implications arising from this report.

**REPORT AUTHOR:**        **Richard Leyland**  
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## **APPENDICES**

- Application for the grant of a Premises Licence
- Representations received from local residents and Ward Councillors
- Representation received from Merseyside Police
- Letter received from applicant's legal representative
- Letter received from Merseyside Police

## **REFERENCE MATERIAL**

- Application for the grant of a Premises Licence
- Representations received from local residents and Ward Councillors
- Representation received from Merseyside Police
- Letter received from applicant's legal representative
- Letter received from Merseyside Police

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
<b>These premises do not have a subject history as the application is for the grant of a Premises Licence.</b>	

## WIRRAL COUNCIL

### LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

21 JANUARY 2011

<b>SUBJECT:</b>	<b>APPLICATION TO REVIEW A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003</b>
<b>WARD AFFECTED:</b>	<b>BIRKENHEAD AND TRANMERE WARD</b>
<b>REPORT OF:</b>	<b>DIRECTOR OF LAW, HR AND ASSET MANAGEMENT</b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b>COUNCILLOR S HOLBROOK, CORPORATE RESOURCES</b>
<b>KEY DECISION?</b>	<b>NO</b>

#### 1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to consider an application for the review of a Premises Licence under the provisions of the Licensing Act 2003. The application is made by Merseyside Police and relates to the premises known as Kelsie's, 3-7 Wilbraham Street, Birkenhead.

#### 2.0 RECOMMENDATION/S

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

#### 3.0 REASONS FOR RECOMMENDATION/S

- 3.1 It is a statutory requirement for this Committee to determine the application.

#### 4.0 BACKGROUND AND KEY ISSUES

- 4.1 Kelsie's currently has a Premises Licence, which was granted under delegated authority on 21 June 2010, to allow the following Licensable Activities:

##### **Supply of Alcohol**

Sunday to Saturday 12:00 to 04:00

##### **Hours Open to the Public**

Sunday to Saturday 12:00 to 04:00

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

Sunday to Saturday 12:00 to 04:00

## **Entertainment Facilities (Facilities for Making Music, Dancing and Anything of a Similar Description)**

Sunday to Saturday 12:00 to 04:00

### **Late Night Refreshment**

Sunday to Saturday 23:00 to 04:00

- 4.2 The Licensing Act 2003 Sub-Committee may, having regard to the application for review and any relevant representations, take such of the following steps as it considers necessary for the promotion of the licensing objectives:

- Modify the Conditions of the Licence.
- Exclude a licensable activity from the scope of the Licence.
- Remove the Designated Premises Supervisor.
- Suspend the Licence for a period not exceeding three months.
- Revoke the Licence.

The licensing authority may decide that no action is necessary if it finds that the review does not require it to take any steps necessary to promote the licensing objectives.

## **5.0 APPLICATION**

- 5.1 An application has been received from Merseyside Police to review the Premises Licence for the premises known as Kelsie's. The Licensing Sergeant has advised that the grounds for review are in relation to the prevention of crime and disorder as Merseyside Police believe that these premises are encouraging excessive drinking which has resulted in a number of incidents of violence
- 5.2 There have been no representations received from interested parties or from the following Responsible Authorities:

Wirral Safe Guarding Children Board  
Environmental Health  
Fire Authority  
Planning Authority  
Trading Standards

## **6.0 RELEVANT RISKS**

- 6.1 There are none arising directly from this report.

## **7.0 OTHER OPTIONS CONSIDERED**

- 7.1 There is no provision for other options to be considered.

## **8.0 CONSULTATION**

- 8.1 Statutory consultation has been undertaken in respect of this application.



## **9.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

9.1 There are no specific implications arising from this report.

## **10.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

10.1 There are no specific implications arising from this report.

## **10.0 LEGAL IMPLICATIONS**

10.1 A decision of this Committee is subject to Appeal.

## **11.0 EQUALITIES IMPLICATIONS**

11.1 There are no specific implications arising from this report.

11.2 Equality Impact Assessment (EIA)  
Is an EIA required? No

## **12.0 CARBON REDUCTION IMPLICATIONS**

12.1 There are no specific implications arising from this report.

## **13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

13.1 There are no Planning implications arising from this report.

### **REPORT AUTHOR:**

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## **APPENDICES**

Application to Review the Premises Licence.

## **REFERENCE MATERIAL**

Application to Review the Premises Licence.

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
<b>These premises were granted a Premises Licence under delegated authority on 21 June 2010.</b>	

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## WIRRAL COUNCIL

### LICENSING ACT 2003 COMMITTEE

### LICENSING ACT 2003 SUB-COMMITTEE

21 JANUARY 2011

<b>SUBJECT:</b>	<b>APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003</b>
<b>WARD AFFECTED:</b>	<b>BIRKENHEAD AND TRANMERE WARD</b>
<b>REPORT OF:</b>	<b>DIRECTOR OF LAW, HR AND ASSET MANAGEMENT</b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b>COUNCILLOR S HOLBROOK, CORPORATE RESOURCES</b>
<b>KEY DECISION?</b>	<b>NO</b>

#### 1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to consider an application for a Premises Licence under the provisions of the Licensing Act 2003. The application is made by Mr Marcin Szostak and relates to the premises known as Wawel, 14 Oxtan Road, Birkenhead.

#### 2.0 RECOMMENDATION/S

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

#### 3.0 REASONS FOR RECOMMENDATION/S

- 3.1 It is a statutory requirement for this Committee to determine the application due to relevant representations received.

#### 4.0 BACKGROUND AND KEY ISSUES

- 4.1 These premises have not previously been licensed.

#### 5.0 APPLICATION

- 5.1 An application has been received for the grant of a Premises Licence for these premises for the following hours:

##### **Supply of Alcohol**

Sunday to Saturday 08:00 to 23:00

##### **Hours Open to the Public**

Sunday to Saturday 08:00 to 23:00

## **6.0 PROMOTION OF LICENSING OBJECTIVES**

- 6.1 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 is available.
- 6.2 Members of the Licensing Act 2003 Sub-Committee are advised that the proposals set out in the operating schedule may become conditions of licence should the licence be granted.

## **7.0 RELEVANT REPRESENTATIONS**

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

### **Interested Parties**

In respect of this application, a representation has been received signed by three Local Residents. The representation relates to alcohol related disorder within the vicinity of the premises. Representations have also been received by a local business and a property management company who owns a number of properties on Oxton Road. These representations relate anti-social behaviour caused by individuals who are intoxicated. Two petitions have also been received signed by a total number of 62 residents/local businesses who are against the application. The representation relates to anti-social behaviour caused by individuals who are intoxicated by alcohol within the vicinity of the premises. Copies of the representations and petitions are available.

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

Wirral Safe Guarding Children Board  
Trading Standards  
Environmental Health  
Planning Authority  
Merseyside Police  
Fire Authority

## **8.0 RELEVANT RISKS**

- 8.1 There are none arising directly from this report.

## **9.0 OTHER OPTIONS CONSIDERED**

- 9.1 There is no provision for other options to be considered.

## **10.0 CONSULTATION**

- 10.1 Statutory consultation has been undertaken in respect of this application.

## **11.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

11.1 There are no specific implications arising from this report.

## **12.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

13.1 There are no specific implications arising from this report.

## **14.0 LEGAL IMPLICATIONS**

14.1 A decision of this Committee is subject to Appeal.

## **15.0 EQUALITIES IMPLICATIONS**

15.1 There are no specific implications arising from this report.

15.2 Equality Impact Assessment (EIA)  
Is an EIA required? No

## **16.0 CARBON REDUCTION IMPLICATIONS**

16.1 There are no specific implications arising from this report.

## **17.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

17.1 There are no Planning implications arising from this report.

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## **APPENDICES**

- Application for the grant of a Premises Licence
- Representations and petitions signed by local residents / businesses

## **REFERENCE MATERIAL**

- Application for the grant of a Premises Licence
- Representations and petitions signed by local residents / businesses

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
<b>These premises do not have a subject history as the application is for the grant of a Premises Licence.</b>	

