



## Licensing Act 2003 Sub-Committee

<b>Date:</b>	<b>Wednesday, 5 October 2011</b>
<b>Time:</b>	<b>10.00 am</b>
<b>Venue:</b>	<b>Committee Room 1 - 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. **HOLIDAY INN EXPRESS, THE KINGS GAP, HOYLAKES (Pages 1 - 4)**
4. **R S NEWS AND CONVENIENCE STORE, 6 KING STREET, ROCK FERRY (Pages 5 - 8)**
- = B R E A K =**
5. **KEG OFF LICENCE, 155-157 NEW CHESTER ROAD, NEW FERRY (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

5 OCTOBER 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>HOYLAKE AND MEOLS</b>
<b>REPORT OF:</b>	<b>DIRECTOR OF LAW, HR AND ASSET MANAGEMENT</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 Sanguine Hospitality Management Company Limited and relates to the premises known as **Holiday Inn Express, The Kings Gap, Hoylake**.

#### 2.0 RECOMMENDATION

- 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

- 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 had a Premises Licence known as Kings Gap Court Hotel with the following hours:

##### **Sale by Retail of Alcohol**

Monday to Saturday    11:00 to 23:00  
Sunday                    12:00 to 22:30

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

Residents 24 hours a day, seven days a week  
Non Residents from 07:30 hours, seven days a week

##### **Regulated Entertainment (Performance of a Play, Live Music, Recorded Music and Performance of Dance)**

Monday to Thursday    14:00 to 00:00  
Friday                    14:00 to 01:00  
Saturday                14:00 to 23:45

## **Entertainment Facilities (Facilities for Making Music and Facilities for Dancing)**

Monday to Thursday 14:00 to 00:00  
Friday 14:00 to 01:00  
Saturday 14:00 to 23:45

- 4.2 This Premises Licence was surrendered on 27 September 2010 as the premises are closed and are currently undergoing major refurbishment.

### **5.0 APPLICATION**

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

#### **Sale by Retail of Alcohol**

Sunday to Saturday 08:00 to 02:00

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

Sunday to Saturday 08:00 to 03:00

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

Sunday to Saturday 08:00 to 02:00

#### **Regulated Entertainment (Recorded Music)**

Sunday to Saturday 24 Hours

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

Sunday to Saturday 08:00 to 02:00

#### **Late Night Refreshment**

Sunday to Saturday 23:00 to 02:00

#### **Non-Standard Timings**

All of the above Licensable Activities and Hours Open to the Public permitted 24 Hours a day for Residents of the Hotel and their bona-fide guests.

#### **New Years Eve**

Sale by Retail of Alcohol, Regulated Entertainment and Late Night Refreshment until 04:00

Hours Open to the Public until 05:00

## **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, 19 representations have been received from Local Residents. A representation has also been received from The Parish Church of Hoylake, St Hildeburgh's. The representations relate to noise nuisance and anti-social behaviour which is a problem within the vicinity of these premises which may increase if these premises are granted a Premises Licence. Copies of the representations are available.

Representations have also been received from Ward Councillors, John Hale and Gerry Ellis. These representations support the concerns expressed by Local Residents. Copies of the representations are available.

### **Environmental Health (Pollution Control)**

Environmental Health have made a representation in respect of the application regarding public nuisance to residents who live in close proximity to the premises. A copy of the representation is available

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

Merseyside Police  
Wirral Safe Guarding Children Board  
Trading Standards  
Planning Authority  
Fire Authority  
Environmental Health (Health and Safety)

## **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**

12.1 There are no specific implications arising from this report.

**13.0 LEGAL IMPLICATIONS**

13.1 A decision of this Committee is subject to Appeal.

**14.0 EQUALITIES IMPLICATIONS**

14.1 There are no specific implications arising from this report.

14.2 Equality Impact Assessment (EIA)

Is an EIA required? No

**15.0 CARBON REDUCTION IMPLICATIONS**

15.1 There are no specific implications arising from this report.

**16.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

16.1 There are no Planning implications arising from this report.

**REPORT AUTHOR:**

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Licensing Team Leader

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**APPENDICES**

- Application for the grant of a Premises Licence
- Representations received from local residents, The Parish Church of Hoylake, St Hildeburgh's and Ward Councillors
- Representation received from Environmental Health

**REFERENCE MATERIAL**

- None

**SUBJECT HISTORY (last 3 years)**

Council Meeting	Date
None	

## WIRRAL COUNCIL

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

5 OCTOBER 2011

SUBJECT:	APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	ROCK FERRY
REPORT OF:	DIRECTOR OF LAW, HR AND ASSET MANAGEMENT
KEY DECISION?	NO

#### 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 Narinda Kaur Singh and relates to the premises known as **R S News and Convenience, 6 King Street, Rock Ferry.**

#### 2.0 RECOMMENDATION

- 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

- 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:

##### **Sale by Retail of Alcohol**

Sunday to Saturday 07:00 to 23:00

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

Sunday to Saturday 06:00 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, five representations have been received from Local Residents. The representations relate to alcohol related anti-social behaviour and public nuisance which is currently a problem within the vicinity of the premises. Copies of the representations 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  
Merseyside Police

## **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**

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

## **13.0 LEGAL IMPLICATIONS**



13.1 A decision of this Committee is subject to Appeal.

#### **14.0 EQUALITIES IMPLICATIONS**

14.1 There are no specific implications arising from this report.

14.2 Equality Impact Assessment (EIA)

Is an EIA required? No

#### **15.0 CARBON REDUCTION IMPLICATIONS**

15.1 There are no specific implications arising from this report.

#### **16.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

16.1 There are no Planning implications arising from this report.

#### **REPORT AUTHOR:**

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#### **APPENDICES**

- Application for the grant of a Premises Licence
- Representations received from local residents

#### **REFERENCE MATERIAL**

- None

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

<b>Council Meeting</b>	<b>Date</b>
None	

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## WIRRAL COUNCIL

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

5 OCTOBER 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>BROMBOROUGH WARD</b>
<b>REPORT OF:</b>	<b>DIRECTOR OF LAW, HR AND ASSET MANAGEMENT</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 **Keg Off Licence, 155-157 New Chester Road, New Ferry.**

#### 2.0 RECOMMENDATION

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

#### 3.0 REASONS FOR RECOMMENDATION

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

#### 4.0 BACKGROUND AND KEY ISSUES

- 4.1 The Keg Off Licence currently has a Premises Licence, to allow the following Licensable Activity:

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

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

- 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 Keg Off Licence. The Licensing Sergeant has advised that the grounds for review are in relation to the protection of children from harm following the sale of alcohol to persons under the age of 18 years during a test purchase operation at the premises. The Licensing Sergeant has also advised that he is concerned with the Licence Holders competence to uphold the Licensing Objectives.
- 5.2 Further information to support the above grounds for review is included within the application which is available.

## **6.0 RELEVANT REPRESENTATIONS**

- 6.1 In respect of this application, a representation has been received from Trading Standards who support the application made by Merseyside Police. The Trading Standards Officer has advised that following the test purchase operation at the premises, this resulted in evidence of the Licence Holder's lack of knowledge of the Licensing Act 2003 which seriously undermines the Licensing Objectives.
- 6.2 There have been no representations received from the following Responsible Authorities:

Wirral Safe Guarding Children Board  
Environmental Health  
Fire Authority  
Planning Authority

## **7.0 RELEVANT RISKS**

- 7.1 There are none arising directly from this report.

## **8.0 OTHER OPTIONS CONSIDERED**

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

## **9.0 CONSULTATION**

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

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

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

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

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

## **12.0 LEGAL IMPLICATIONS**

- 12.1 A decision of this Committee can be subject to Appeal.

### **13.0 EQUALITIES IMPLICATIONS**

13.1 There are no specific implications arising from this report.

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

### **14.0 CARBON REDUCTION IMPLICATIONS**

14.1 There are no specific implications arising from this report.

### **15.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

15.1 There are no Planning implications arising from this report.

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### **APPENDICES**

Application to Review the Premises Licence.

Representation received from Trading Standards.

### **REFERENCE MATERIAL**

None

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

<b>Council Meeting</b>	<b>Date</b>
None	

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