



## Licensing Act 2003 Sub-Committee

<b>Date:</b>	Wednesday, 25 April 2012
<b>Time:</b>	10.00 am
<b>Venue:</b>	Committee Room 3 - Wallasey Town Hall

**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. **APPLICATION TO VARY A CLUB PREMISES CERTIFICATE - WALLASEY ROYAL BRITISH LEGION, 3 WITHENS LANE, WALLASEY (Pages 1 - 4)**
- = B R E A K =**
4. **APPLICATION FOR THE GRANT OF A PREMISES LICENCE - HARTS PANTRY LIMITED, 43 VENABLES DRIVE, BEBINGTON (Pages 5 - 10)**
5. **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

25 APRIL 2012

<b>SUBJECT:</b>	<b>APPLICATION TO VARY A CLUB PREMISES CERTIFICATE UNDER THE PROVISIONS OF THE LICENSING ACT 2003</b>
<b>WARD AFFECTED:</b>	<b>LISCARD 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 to vary a Club Premises Certificate under the provisions of the Licensing Act 2003. The application is made by the Club Secretary, Patricia McCormack, and relates to the premises known as the **Wallasey Royal British Legion, 3 Withens Lane, Wallasey.**

#### 2.0 BACKGROUND AND KEY ISSUES

- 2.1 These premises currently have a Club Premises Certificate with the following hours:

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

Sunday to Tuesday                      11:00 to 23:30  
Wednesday to Saturday                11:00 to 00:00

##### **Hours Open to Members and Guests**

Monday and Tuesday                    10:00 to 00:00  
Wednesday to Saturday                10:00 to 00:30  
Sunday                                        11:00 to 00:00

##### **Regulated Entertainment (Live Music)**

Sunday to Tuesday                      20:00 to 22:45  
Wednesday to Saturday                19:00 to 23:45

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

Monday and Tuesday                    18:00 to 23:45  
Wednesday to Friday                    18:00 to 00:00  
Saturday                                    13:00 to 00:00  
Sunday                                        12:00 to 23:15

##### **Regulated Entertainment (Performance of Dance)**

Monday and Tuesday                    18:00 to 23:15  
Wednesday to Friday                    18:00 to 00:00  
Saturday                                    13:00 to 00:00  
Sunday                                        12:00 to 23:15

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

Monday and Tuesday	18:00 to 23:15
Wednesday to Friday	18:00 to 00:00
Saturday	13:00 to 00:00
Sunday	12:00 to 23:15

### **3.0 APPLICATION**

3.1 The application to vary the Club Premises Certificate is to extend the Licensed area to include the outside area.

3.2 The Club Secretary has also requested to remove the following conditions currently imposed on the Club Premises Certificate:

- No drinking shall be permitted outside the premises.
- No glasses or bottles shall be taken outside of the building.
- No drinking must be permitted in the designated smoking area.

3.3 The Club Secretary has proposed to include the following condition on the Club Premises Certificate if the variation is granted:

- No glasses or bottles to be taken outside after 22:00

3.4 The Qualifying Club Activities stated at 2.1 of this report are to remain unchanged.

### **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 is available.

4.2 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.

### **5.0 RELEVANT REPRESENTATIONS**

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

#### **Interested Parties**

In respect of this application, two representations have been received by local residents. The representations relate to noise nuisance caused by members and guests of the club whilst outside the premises smoking and drinking. Copies of the representations are available.

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

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

## **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.

## **11.0 LEGAL IMPLICATIONS**

11.1 A decision of this Committee can be subject to Appeal.

## **12.0 EQUALITIES IMPLICATIONS**

12.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No because there is no relevance to equality.

## **13.0 CARBON REDUCTION IMPLICATIONS**

13.1 There are no specific implications arising from this report.

## **14.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

14.1 There are no Planning implications arising from this report.

## **15.0 RECOMMENDATION**

15.1 The Licensing Act 2003 Sub-Committee are asked to consider the application to vary the Club Premises Certificate in respect of the above premises.

## **16.0 REASONS FOR RECOMMENDATION**

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

**REPORT AUTHOR:**           **Richard Leyland**  
Licensing Team Leader  
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## **APPENDICES**

- Application to vary a Club Premises Certificate
- Representations received from Local Residents

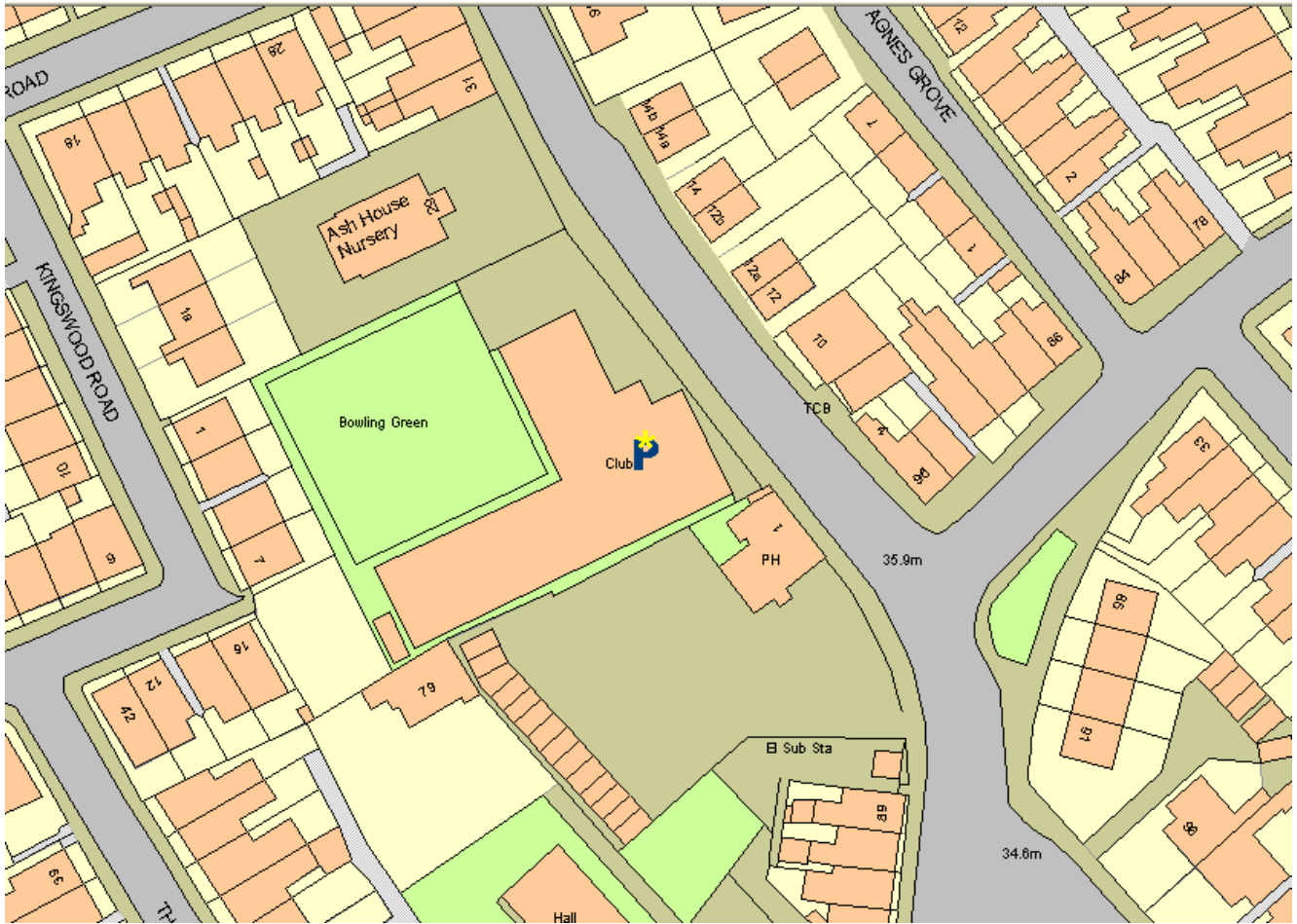
## **REFERENCE MATERIAL**

- None

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

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

# Location plan of Premises



## WIRRAL COUNCIL

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

25 APRIL 2012

<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>CLATTERBRIDGE 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 a Premises Licence under the provisions of the Licensing Act 2003. The application is made by Harts Pantry Limited and relates to a residential property located at **43 Venables Drive, Bebington**.

#### 2.0 BACKGROUND AND KEY ISSUES

- 2.1 These premises do not currently hold a Premises Licence.

#### 3.0 APPLICATION

- 3.1 An application has been received for the grant of a Premises Licence to enable internet sales of alcohol to take place from these premises. The applicant has requested the following hours:

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

Monday to Sunday      24 Hours

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

Monday to Sunday      24 Hours

- 3.2 The above hours have been requested to cover the hours when people may place orders via the internet.
- 3.3 In accordance with paragraph 3.6 of the Guidance issued under Section 182 of the Licensing Act 2003 by the Home Office, where internet sales are taking place the point in which alcohol orders are being taken does not require a licence, however, the place in which the alcohol is being stored does require a Premises Licence. Furthermore, the sale of alcohol would not be regarded as having been made where the contract of sale is made (for example, on the internet), but the sale is treated as being made at the premises from which the alcohol is assigned to the purchaser (for example, the garage from which delivery is made).

#### **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 is available.
- 4.2 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.

#### **5.0 RELEVANT REPRESENTATIONS**

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

##### **Interested Parties**

In respect of this application, three representations have been received from local residents. The representations relate to concerns that if the application was granted this may cause public nuisance to residents who live within the housing estate where the premises (house) is situated. Copies of the representations are available.

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

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

#### **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.



## **11.0 LEGAL IMPLICATIONS**

11.1 A decision of this Committee is subject to Appeal.

## **12.0 EQUALITIES IMPLICATIONS**

12.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No because there is no relevance to equality.

## **13.0 CARBON REDUCTION IMPLICATIONS**

13.1 There are no specific implications arising from this report.

## **14.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

14.1 There are no Planning implications arising from this report.

## **15.0 RECOMMENDATION**

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

## **16.0 REASONS FOR RECOMMENDATION**

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

### **REPORT AUTHOR:**

**Richard Leyland**

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### **APPENDICES**

- Application for the grant of a Premises Licence
- Representations received from Local Residents

### **REFERENCE MATERIAL**

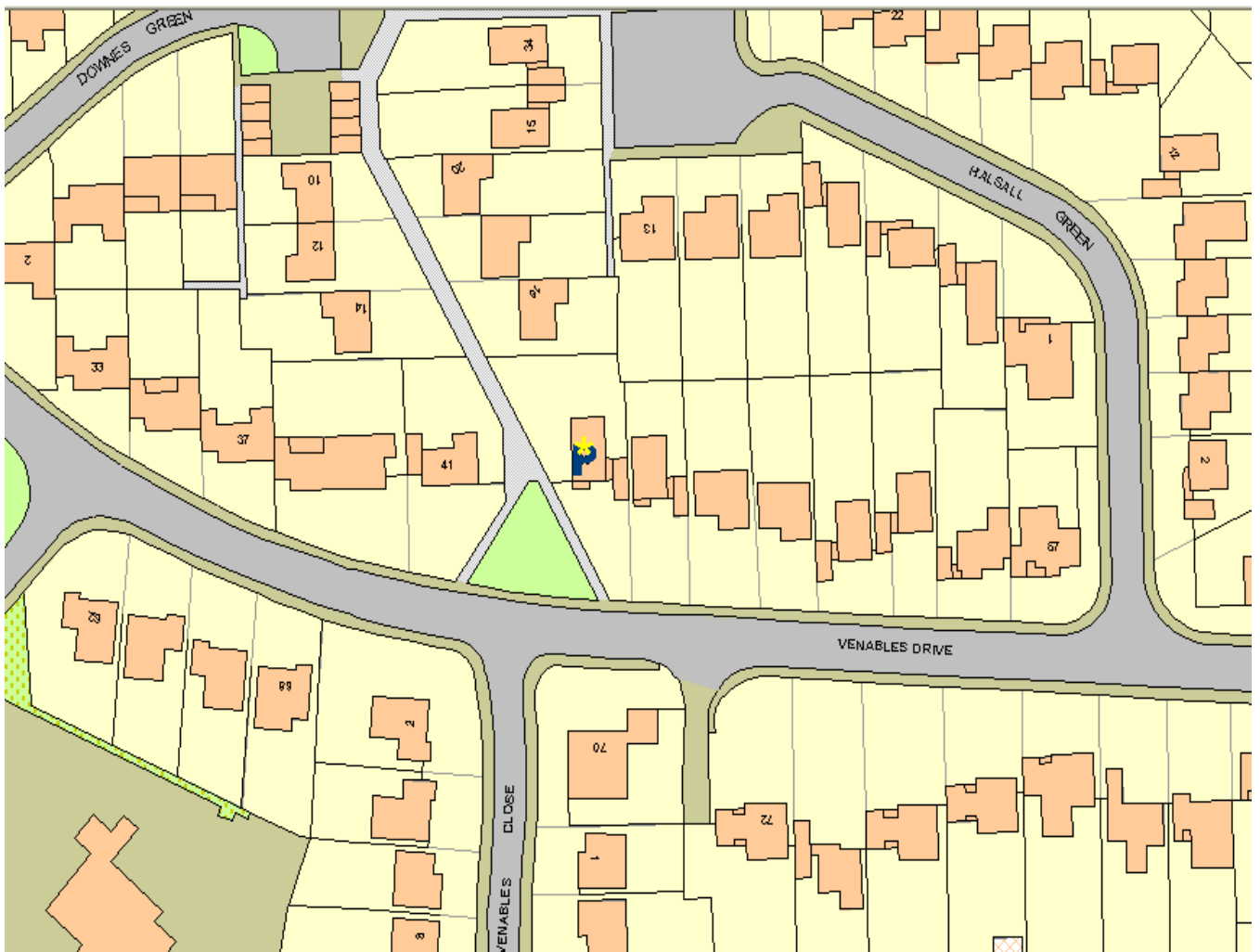
- None

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

<b>Council Meeting</b>	<b>Date</b>



# Location Plan of Premises



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