

# **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:**        **Richard Leyland**  
Licensing Team Leader  
telephone: 0151 691 8478  
email: [richardleyland@wirral.gov.uk](mailto:richardleyland@wirral.gov.uk)

## **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>	