

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

2 MARCH 2011

SUBJECT:	APPLICATION TO REVIEW A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	SEACOMBE WARD
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 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 the **Seacombe Ferry, Victoria Place, Seacombe**.

2.0 RECOMMENDATIONS

- 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 RECOMMENDATIONS

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

4.0 BACKGROUND AND KEY ISSUES

- 4.1 The Seacombe Ferry Hotel currently has a Premises Licence to allow the following Licensable Activities:

Supply of Alcohol

Sunday to Thursday 10:00 to 00:00
Friday and Saturday 10:00 to 01:00

Hours Open to the Public

Sunday to Thursday 08:00 to 00:30
Friday and Saturday 08:00 to 01:30

Regulated Entertainment (Live Music)

Sunday to Saturday 12:00 to 00:00

Regulated Entertainment (Recorded Music)

Sunday to Thursday 08:00 to 00:30
Friday and Saturday 08:00 to 01:30

Regulated Entertainment (Performance of Play, Exhibition of Films, Indoor Sporting Events, Performance of Dance and Anything of a Similar Description)

Sunday to Thursday 08:00 to 00:00
Friday and Saturday 08:00 to 01:00

Entertainment Facilities (Facilities for Making Music and Dancing)

Sunday to Thursday 08:00 to 00:00
Friday and Saturday 08:00 to 01:00

Late Night Refreshment

Sunday to Thursday 23:00 to 00:30
Friday and Saturday 23:00 to 01:30

Non Standard Timings

Supply of Alcohol

New Years Eve – 10:00 on 31 January to 10:00 the following day
Christmas Eve and Boxing Day until 01:00

Regulated Entertainment, Entertainment Facilities and Late Night Refreshment

When hours are extended on Bank Holidays and New Years Eve, timings to be extended accordingly.

Hours Open to the Public

As with the Supply of Alcohol but with an additional 30 minutes.

- 4.2 A copy of the Premises Licence setting out the above hours and conditions attached to the licence is available.
- 4.3 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 In accordance with the Licensing Act 2003, Merseyside Police have applied to review the Premises Licence for the Seacombe Ferry Hotel by way of an expedited review. Merseyside Police consider that these premises are associated with serious crime and disorder.
- 5.2 Within 48 hours of receiving the application the Licensing Authority had to consider whether interim steps should be taken pending the determination of the review of the premises licence.
- 5.3 On 2 February 2011, a meeting was held by Members of the Licensing Act 2003 Committee to consider whether interim steps should be taken. At this time Members deemed that it was necessary to suspend the premises licence pending the determination of the Review. Members of the Licensing Act 2003 Committee considered this step necessary due to the premises being associated with serious crime and disorder.
- 5.4 In determining that this interim step was necessary Members considered evidence from Merseyside Police that serious crime and disorder had occurred inside and outside the premises on Saturday, 29 January 2011. Evidence was provided of a large scale disturbance by individuals associated with the premises which resulted in a number of serious injuries and a number of vehicles being damaged. Reports were made that weapons such as glass, bottles, planks of wood and an axe were being used during the disturbance.
- 5.5 Further information to support the above grounds for the expedited review is included within the application which is available.
- 5.6 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.

11.0 LEGAL IMPLICATIONS

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

12.0 EQUALITIES IMPLICATIONS

12.1 There are no specific implications arising from this report.

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

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.

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APPENDICES

Application to Review the Premises Licence.

REFERENCE MATERIAL

Application to Review the Premises Licence.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Please see paragraph 5.3 of this report.	