

# WIRRAL COUNCIL

## LICENSING ACT 2003 COMMITTEE

### LICENSING ACT 2003 SUB-COMMITTEE

3 NOVEMBER 2011

SUBJECT:	APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	HOYLAKE AND MEOLS
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 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 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:**        **Richard Leyland**  
Licensing Team Leader  
telephone: 0151 691 8478  
email: [richardleyland@wirral.gov.uk](mailto:richardleyland@wirral.gov.uk)

## **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)**

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