

REPORT OF THE DIRECTOR OF REGENERATION

NAME OF PREMISES: THE BEACH, 40-44 CONWAY STREET, BIRKENHEAD

NAME OF APPLICANT: MERSEYSIDE POLICE

1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is to consider an application to review a Premises Licence under the provisions of the Licensing Act 2003.

2.0 RELEVANT BACKGROUND

2.1 The Beach currently has a Premises Licence to allow the following Licensable Activities:

Supply of Alcohol

Sunday to Saturday 11.00am to 3.00am

Hours Open to the Public

Sunday to Saturday 11.00am to 3.30am

Regulated Entertainment (Live Music and Recorded Music)

Sunday to Saturday 11.00am to 3.00am

Provision of Entertainment Facilities (Facilities for Dancing)

Sunday to Saturday 11.00am to 3.00am

2.2 A copy of the Premises Licence setting out the above hours and conditions attached to the licence is available.

2.3 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 Licence conditions (permanently or for a temporary period of up to 3 months).
- Exclude a licensable activity from the scope of the Licence (permanently or for a temporary period of up to 3 months).
- Remove the Designated Premises Supervisor (if applicable).
- Suspend the Licence for a period not more than 3 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.

3.0 APPLICATION

3.1 An application has been received from Merseyside Police to review the Premises Licence for the premises known as The Beach, 40-44 Conway Street, Birkenhead. Merseyside Police have advised that the grounds for review are in relation to the prevention of crime and disorder and public safety.

3.2 Further information to support the above grounds for review is included within the application which is available.

3.3 Further to the application, a written response from the Solicitors, Haworth and Gallagher representing the Premises Licence Holder, has been received. A copy of this response is available.

4.0 RELEVANT REPRESENTATIONS

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

Wirral Area Child Protection Committee
Trading Standards
Environmental Health
Planning Authority
Fire Authority

5.0 FINANCIAL AND STAFFING IMPLICATIONS

5.1 There are no financial implications and my existing Licensing staff will deal with this application.

6.0 EQUAL OPPORTUNITIES IMPLICATIONS

6.1 There are none arising from this report.

7.0 LOCAL AGENDA 21 IMPLICATIONS

7.1 There are none arising directly from this report.

8.0 LOCAL MEMBER SUPPORT IMPLICATIONS

8.1 The premises are located in the Birkenhead and Tranmere Ward.

9.0 HUMAN RIGHTS IMPLICATIONS

9.1 Article 6 and Article 1 of the First Protocol which is concerned with the protection of property is most likely to have a particular impact.

10.0 COMMUNITY SAFETY IMPLICATIONS

10.1 Effective control of Licensing Legislation can assist in raising standards and improve the perception of community safety.

11.0 PLANNING IMPLICATIONS

11.1 There are no planning implications arising from this report.

12.0 **BACKGROUND PAPERS**

- 12.1 Application form applying to review a Premises Licence.
- 12.2 Operating Schedule relating to the Premises Licence for The Beach.

13.0 **RECOMMENDATIONS**

- 13.1 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.

Alan Stennard
Director of Regeneration

This report was prepared by Richard Leyland who can be contacted on 691 8478.