

# WIRRAL COUNCIL

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

18 MAY 2012

<b>SUBJECT:</b>	<b>APPLICATION TO VARY A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003</b>
<b>WARD AFFECTED:</b>	<b>HESWALL 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 Premises Licence under the provisions of the Licensing Act 2003. The application is made by **Enterprise Inns Plc** and relates to the premises known as the **Sandon Arms, 59 Milner Road, Heswall.**

### 2.0 BACKGROUND AND KEY ISSUES

2.1 These premises currently have a premises licence with the following hours:

#### **Supply by Retail of Alcohol**

Monday to Saturday	11:00 to 23:00
Sunday	12:00 to 23:00

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

Monday to Saturday	11:00 to 23:30
Sunday	12:00 to 23:30

#### **Regulated Entertainment (Exhibition of Films, Indoor Sporting Events, Live Music and Recorded Music)**

Monday to Saturday	11:00 to 23:00
Sunday	12:00 to 23:00

#### **Non-Standard Timing**

All of the above Licensable Activities and Hours Open to the Public:

From 11:00 on New Year's Eve to 11:00 New Year's day

### 3.0 APPLICATION

3.1 The application to vary the Premises Licence is as follows:

#### **Sale by Retail of Alcohol**

Monday to Saturday	11:00 to 00:00
Sunday	12:00 to 00:00

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

Monday to Saturday	11:00 to 00:30
Sunday	12:00 to 00:30

#### **Regulated Entertainment (Exhibition of Films, Indoor Sporting Events, Live Music and Recorded Music)**

Monday to Saturday	11:00 to 00:00
Sunday	12:00 to 00:00

#### **Non-Standard Timings**

All of the above Licensable Activities to be extended as follows:

Maundy Thursday until 01:00  
Good Friday until 01:00  
Saturday and Sunday of Bank Holidays until 01:00  
Christmas Eve until 02:00  
Boxing Day until 02:00  
New Years Eve until 04:00

The premises must close to the public 30 minutes after the above times.

3.2 The applicant has also requested to remove the following conditions:

- Rear doors must be closed at 8.00pm
- At least 2 SIA registered doormen must be employed whenever there is regulated entertainment or whenever a major sporting event is being shown. A major sporting event would include any high profile football match, rugby international or boxing tournament.
- Management must ensure that the front of the premises is kept clear of litter and rubbish up to a radius of 25 metres from the premises building.
- No eating or drinking is permitted in the outside areas after 8.00pm. Signs must be displayed to this effect.

The applicant has requested that if the application were to be granted the following condition be imposed:

- No eating or drinking is permitted in the outside areas after 9.00pm. Signs must be displayed to this effect.

#### **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, nine representations have been received from Local Residents. The representations relate to a history of noise nuisance and anti-social behaviour caused by customers of the premises at a late hour. Copies of the representations are available.

##### **Environmental Health (Pollution Control)**

Environmental Health have made a representation regarding the application due to a history of complaints received from local residents regarding noise from music coming from the premises. A copy of the representation is 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 (Health and Safety)

#### **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 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 to vary a Premises Licence
- Representations received from Local Residents

## **REFERENCE MATERIAL**

- None

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

<b>Council Meeting</b>	<b>Date</b>
<b>Licensing Act 2003 Sub-Committee</b>	<b>08-09-2010</b>

# Location Plan of Premises

