

LICENSING ACT 2003**LICENSING ACT 2003 SUB-COMMITTEE****25 JULY 2017**

REPORT TITLE	APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
REPORT OF	MANAGING DIRECTOR FOR DELIVERY

REPORT SUMMARY

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 **Whitts End Limited** and relates to the premises known as **Whitts End Wine Bar, 43 Market Street, Hoylake**.

RECOMMENDATION/S

The Licensing Act 2003 Sub-Committee are asked to consider the application for a Premises Licence in respect of the above premises.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 It is a statutory requirement for this Committee to determine the application due to a relevant representation being received.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 There is no provision for other options to be considered.

3.0 BACKGROUND INFORMATION

- 3.1 These premises previously had a Premises Licence which lapsed on 21 March 2017 as the Premises Licence Holder, Moose In The Hoose Limited, dissolved. These premises are not currently trading.
- 3.2 The hours permitted by the previous licence were as follows:

Sale by Retail of Alcohol

Sunday to Saturday 11:00 to 23:30

Hours Open to the Public

Sunday to Saturday 11:00 to 00:00

Non-standard timings

New Year's Eve:

Sale by Retail of Alcohol 11:00 to 00:30

Recorded Music, Performance of Dance and Anything of a Similar Description 11:00 to 00:45

Hours Open to the Public 11:00 to 01:00

- 3.3 These premises currently has the following condition imposed on the planning permission relating to hours:

- Trading at the premises shall not take place between 23:30 hours and 08:00 hours

3.4 APPLICATION

The application for a Premises Licence is as follows:

Sale by Retail of Alcohol

Sunday to Saturday 11:00 to 23:30

Christmas Eve 11:00 to 00:30

Boxing Day 11:00 to 00:30

New Year's Eve 11:00 to 00:30

Live Music

Sunday to Saturday	20:00 to 23:00
August Bank Holiday	14:00 to 20:00
Christmas Eve	20:00 to 00:00
Boxing Day	20:00 to 00:00
New Year's Eve	20:00 to 00:00

Recorded Music

Sunday to Saturday	15:00 to 23:00
Christmas Eve	15:00 to 00:00
Boxing Day	15:00 to 00:00
New Year's Eve	15:00 to 00:00

Hours Open to the Public

Sunday to Saturday	11:00 to 00:00
Christmas Eve	11:00 to 01:00
Boxing Day	11:00 to 01:00
New Year's Eve	11:00 to 01:00

3.3 PROMOTION OF LICENSING OBJECTIVES

Applicants are required to submit as part of their application an operating schedule that sets out how they will conduct/manage their business to promote the four Licensing Objectives. A copy of the full application is available.

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 application be granted.

Following discussions with Merseyside Police the applicant has agreed to include a number of conditions to be placed on the Premises Licence if the application is granted. Details of these conditions are as follows:

- A CCTV system must be installed and maintained in good working order providing clear quality images. The CCTV system must cover all areas where the sale and supply of alcohol occurs within the premises, all entrances and exits and any external smoking areas.
- The CCTV system must be operational at all times when licensable activities are taking place at the premises.
- The CCTV images must be retained for a period of 31 days and must be made available to an Authorised Officer upon request. A sufficient number of staff must be trained to use the CCTV system and able to download images on the request of an Authorised Officer.
- The CCTV system must record in real time, maintained in good working order and checked every 3 months.
- The CCTV recording equipment must be kept in a secure environment under the control of the Premises Licence Holder or other responsible named individual.
- All incidents of crime and disorder at the premises must be recorded in an incident book/log and must be made available for inspection by an Authorised Officer on request.

- Staff must make regular toilet checks. All checks are to be recorded with the date, time and staff member's name. These records must be made available to an Authorised Officer on request.
- The refusals for the sale of alcohol must be recorded in a refusals book/log and records kept for inspection by an Authorised Officer on request.
- All staff responsible for alcohol sales must receive training in relation to responsible alcohol retailing. Refresher training must be delivered every 6 months and records must be made available for inspection by an Authorised Officer on request.

3.4 RELEVANT REPRESENTATIONS

The following representations have been received in respect of the above application.

Local Residents

In respect of this application, three representations have been received from Local Residents. A representation has also been received from the Hoylake Residents Group. The representations relate to a history of noise nuisance being caused from customers of the premises and entertainment coming from the premises. Copies of the representations are available.

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

Wirral Safe Guarding Children Board
Fire Authority
Environmental Health
Trading Standards
Merseyside Police
Licensing Authority
Public Health

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no specific implications arising from this report.

5.0 LEGAL IMPLICATIONS

- 5.1 A decision of this Committee can be subject to Appeal.

6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

- 6.1 There are no specific implications arising from this report.

7.0 RELEVANT RISKS

- 7.1 There are none arising directly from this report.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 Statutory consultation has been undertaken in respect of this application.

9.0 EQUALITY IMPLICATIONS

- 9.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No because there is no relevance to equality.

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APPENDICES

None

REFERENCE MATERIAL

- Application for a Premises Licence
- Representations received from local residents

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

Location of premises



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