

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/W Greene King Retailing Ltd

e

.....
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number LN/206000909

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
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Red Cat
Greasby Road
Greasby
Wirral
Merseyside

Post town	Wirral	Post code	CH49 3AT
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Telephone number at premises (if any)	01484 534226
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Non-domestic rateable value of premises	£63000
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Part 2 – Applicant details

Daytime contact telephone number	01284 714140		
E-mail address (optional)	hannahloynds@greeneking.co.uk		
Current postal address if different from premises address	Greene King Retailing Ltd Abbot House PO Box 337		
Post Town	Bury St Edmunds	Postcode	IP33 1QW

Part 3 - Variation

Do you want the proposed variation to have effect as soon as possible?

Please tick yes



Day

Month
Year

If not do you want the variation to take effect from

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

To remove the following conditions

No children to be allowed on site after 19:00 hrs

Outside areas to be closed and cleared by 10:00pm

No external music to be played

Public Entertainment Licence Conditions under the Local Government (Miscellaneous Provisions) Act 1982

To be amended to:

No children to be allowed on site after 21:00 hrs

No external drinking to take place after 22:00 hrs

No external music to be played after 22:00 hrs

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur					
Fri					
Sat			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Both	<input type="checkbox"/>				
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the performance of dance (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur					
Fri			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Sat					
Sun			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	
Tue				
Wed			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
Thur				
Fri			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sat				
Sun				

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			<u>Will the facilities for dancing be indoors or outdoors or both – please tick</u> (see guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
			<u>Please give a description of the facilities for dancing you will be providing</u>		
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u> 		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur					
Fri			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

To remove the following conditions

- No children to be allowed on site after 19:00 hrs
- Outside areas to be closed and cleared by 10:00pm
- No external music to be played
- Public Entertainment Licence Conditions under the Local Government (Miscellaneous Provisions) Act 1982

To be amended to:

- No children to be allowed on site after 21:00 hrs
- No external drinking to take place after 22:00 hrs
- No external music to be played after 22:00 hrs

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Please tick yes

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

As per premises licence granted with the amendment of the following:
To remove the following conditions
No children to be allowed on site after 19:00 hrs
Outside areas to be closed and cleared by 10:00pm
No external music to be played
Public Entertainment Licence Conditions under the Local Government (Miscellaneous Provisions) Act 1982

To be amended to:
No children to be allowed on site after 21:00 hrs
No external drinking to take place after 22:00 hrs
No external music to be played after 22:00 hrs

b) The prevention of crime and disorder

As per current premises licence granted

c) Public safety

As per current premises licence granted

d) The prevention of public nuisance

As per premises licence granted with the amendment of the following:
To remove the following conditions
Outside areas to be closed and cleared by 10:00pm
No external music to be played
Public Entertainment Licence Conditions under the Local Government (Miscellaneous Provisions) Act 1982

To be amended to:
No external drinking to take place after 22:00 hrs
No external music to be played after 22:00 hrs

e) The protection of children from harm

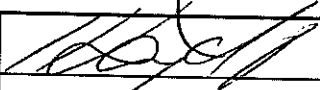
As per premises licence granted with the amendment of the following:
 To remove the following conditions
 No children to be allowed on site after 19:00 hrs
 To be amended to:
 No children to be allowed on site after 21:00 hrs

- Please tick yes**
- I have made or enclosed payment of the fee
 - I have sent copies of this application and the plan to responsible authorities and others where applicable
 - I understand that I must now advertise my application
 - I have enclosed the premises licence or relevant part of it or explanation
 - I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	16th July 2009
Capacity	Licensing Manager

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

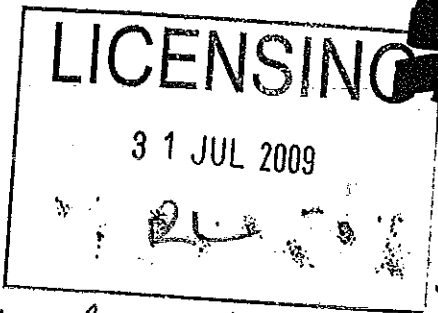
Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)			
Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



29 July 2009.

The Licensing Authority
Town Hall,
Brighton Street
Wallasey
CH44 8ED.

Dear Sirs,

RE. THE RED CAT, GREASBY

I refer to the application for the variation of premises licence at the above.

A meeting between the landlord of the Red Cat and local residents took place not long ago, during which there was strong opposition to his proposals. At this meeting he assured

2/

residents that he would keep them informed if he decided to apply for a variation of the licensing conditions. This, however, did not come about, and knowledge of the application came to light by chance.

Any noise coming from the Red Cat can be clearly heard in this location. This particular area is occupied, in the main, by retired people, some of whom are very elderly. It is likely that some, through age or infirmity, will be unable to make representation, and yet could have their remaining quality of life devastated by external music from the Red Cat.

As these bungalows become empty who would wish to retire here in the knowledge that they would

3
be subjected to the noise from
across the road? The location
would be effectively ruined.

I therefore wish to register my
opposition to the variation of
licensing conditions for the Red Bat,
Greasyby, and I should be grateful
if the points which I have made
can be taken into account when
considering the application.

Yours faithfully



LICENSING

31 JUL 2009

[REDACTED]
Greasby
Wittal [REDACTED]

29th July 2009.

Dear Sirs,

I am writing to object to the application to vary the conditions of licence at Red Cat of Greasby Road, Greasby, Wittal. My home is almost [REDACTED] the Red Cat and you will be aware that in the past there have been problems involving noise and general rowdiness, it is however fair to mention that the problems have improved with only two incidents of excessive noise just recently. When loud amplified music was played near to midnight. When this happens the noise can be heard even when doors and windows are closed.

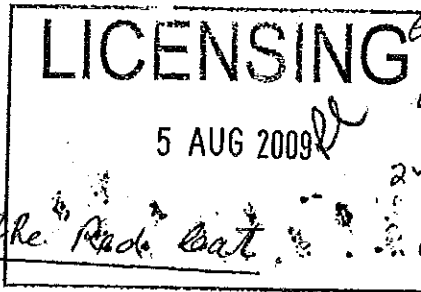
The present conditions have kept matters in check and it would be a retrograde step to permit this application to succeed.

There is no objection to vary the hours in respect of the children.

Yours faithfully,

[REDACTED]

Licensing,
Town Hall,
Wallasey.



[redacted]
Greasby
Wirral
2nd August 09.
[redacted]

Dear Sir, or Madam,

In relation to the variations application for the above premises, the existing licensing conditions were thoroughly debated and achieved their aim.

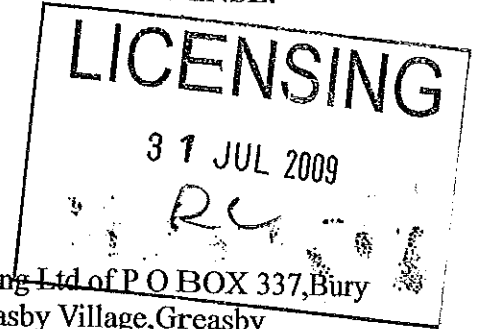
I object strongly to 'putting the clock back' to the previous noise levels.

Allowing children on site till 21.00 hrs would be acceptable. Otherwise existing conditions should remain.

Yours faithfully,
[redacted]

RED CAT GREASBY. REQUEST TO CHANGE TERMS OF LICENSE.

TO WHOM IT MAY CONCERN



We wish to protest to any changes proposed by Greene King Retailing Ltd of P O BOX 337, Bury St. Edmunds, Suffolk IP33 1QW at the Red Cat Public House in Greasby Village, Greasby Road, CH49 3NG.

My neighbour and I are of the opinion that 7p.m. is late enough to have children eating in a pub. Surely adults are allowed a child free zone from this time. Over tired children will ruin the atmosphere of a nice meal and a bottle of wine for us adults.

The lengthening of the drinking hours has already proved unsuccessful and has encouraged more drunkenness especially with our youth. Parents should lead by good example.

The poor smokers have had all sorts of additional areas erected outside the pub, so that the non smokers have to stay inside if they want to avoid the smoke and fumes. Not very family orientated. Even conversation carries and the higher you go it is more pronounced, so we agree, living so close by in apartments, 10p.m. should be the deadline for external service.

We think it is unnecessary to allow music outside the building at any time. I think the arrangements that were agreed some 4 years ago have worked well. If Ellices opposite has to keep windows and doors closed when they have an entertainer, the same applies to the Red Cat. Having a doorman on duty should help but I think it sometimes warns of half expected trouble. We have suffered this in the past.

Do we really want to turn Greasby Village into a *night club area* and lose our friendly atmosphere. We certainly do not, and hope our Council agree with those who think likewise.

Yours Hopefully,

[REDACTED SIGNATURE]

Redd by email
14/08/09
R

HOYLAKE, WEST KIRBY AND DISTRICT CIVIC SOCIETY

Representing West Kirby, Hoylake, Meols, Caldy, Grange, Newton, Frankby & Greasby

Wirral Licensing Authority
Town Hall
Brighton Street
Wallasey CH44 8ED

For the attention of Mr R.Leyland

14th August 2009

Dear Sir,

Proposed Removal and Variation of Conditions for Licensable Activities – Playing of External Music - Red Cat, Greasby, CH49 3NG



This Society would like to make a representation about the application to vary the condition in the Red Cat's existing license in relation to the playing of external music.

The applicant has asked that these be changed from 'No external music to be played' to 'No external music to be played after 22.00'.

We think that the playing of any external music, outside the Red Cat, would cause sufficient noise to have an adverse impact upon the surrounding neighbourhood and therefore be a cause of public nuisance and not be in the spirit of the licensing objectives.

We therefore ask the Licensing sub-committee not to allow the removal of the condition 'No external music to be played' nor allow its replacement with the condition 'No external music to be played after 22.00'.

Yours faithfully


Hoylake & District Civic Society


[REDACTED]
[REDACTED]
WIRRAL
[REDACTED]
[REDACTED]



**Wirral Licensing Authority
Town Hall
Brighton Street
Wallasey
CH44 8ED
2-AUGUST-2009**

Dear Sir,

**NOTICE OF APPLICATION FOR THE VARIATION OF A PREMISES
LICENCE**

THE RED CAT – DATED 18-JUL-2009

With reference to the above:-

1. Remove “No children to allowed on the site after 19:00 hrs”

Amended to “No children to allowed on the site after 21:00 hrs”

This has no impact on the neighbourhood. No objection.

2. Remove “Outside area to be closed and cleared by 10:00 pm”

Amend to “No external drinking to take place after 22:00 hrs”

This would allow the outside areas to be used at ANY TIME OF THE NIGHT OR DAY. This would cause a public nuisance due to noise. We object to this amendment.

3. Remove “No external music to be played”

Amend to “No external music to be played after 22:00 hrs”

This would cause a public nuisance due to noise. We object to this amendment.

The Red Cat is located opposite a large residential area (hidden to some extent by trees). We have attached a plan showing the close relationship between the Red Cat and our home (shown outlined and other homes)

The residents of most of these properties are elderly. These residents should not be subjected to such a nuisance. Additionally some of these residents are infirmed and are not able to object to these changes in their own right.

August 2, 2009

The councils Statement of Licensing Policy dated December 2007 states that its objectives are:-

“In carrying out its various licensing functions the Licensing Authority will promote the Licensing Objectives which are:

.....

- The prevention of public nuisance

.....”

In order to stay within your own licensing objective we request that item 2 and 3 above are not approved.

Yours faithfully,

A large, irregular black redaction mark covering the signature and name of the sender.A single horizontal black redaction mark.

cc. Councillor Jean Quinn.

