

NAME OF PREMISES: SLAK, 59 MILNER ROAD, HESWALL

NAME OF APPLICANT: PATRICIA MURRAY

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.

2.0 RELEVANT BACKGROUND

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

Supply of Alcohol

Monday to Thursday	11.00am to 11.00pm
Friday and Saturday	11.00am to 12.00midnight
Sunday	12.00noon to 11.00pm

Hours Open to the Public

Monday to Thursday	11.00am to 11.30pm
Friday and Saturday	11.00am to 12.30am
Sunday	12.00noon to 11.30pm

Regulated Entertainment (Exhibition of Films and Indoor Sporting Events)

Monday to Saturday	11.00am to 11.00pm
Sunday	12.00noon to 11.00pm

Regulated Entertainment (Live Music)

Sunday to Thursday	11.00pm to 11.00pm
Friday and Saturday	12.00noon to 10.00pm

Regulated Entertainment (Recorded Music)

Sunday to Thursday	11.00pm to 11.00pm
Friday and Saturday	12.00noon to 10.30pm

2.2 Conditions currently imposed on the Premises Licence are available.

3.0 APPLICATION

3.1 The application to vary the Premises Licence is as follows (these hours have been amended as originally applied for within their application following discussions with Merseyside Police):

Supply of Alcohol

Monday to Thursday	11.00am to 11.30pm
Friday to Saturday	11.00am to 12.00midnight
Sunday	12.00noon to 11.30pm

Hours Open to the Public

Monday to Thursday	11.00am to 12.00midnight
Friday to Saturday	11.00am to 12.45am
Sunday	12.00noon to 12.00midnight

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

Monday to Saturday	11.00am to 11.30pm
Sunday	12.00noon to 11.30pm

Regulated Entertainment (Recorded Music)

Monday to Saturday	11.00am to 11.30pm
Sunday	12.00noon to 11.30pm

3.2 Patricia Murray has identified that the following condition currently imposed on the Premises Licence could be removed as a consequence of the proposed variation:

- Beer Garden to be cleared by 8.00pm

3.3 Following discussions with Merseyside Police Mrs Murray has requested that the above condition be replaced as follows:

- Beer Garden closed to drinking alcohol from 9.00pm (but smoking allowed)

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 detailing the steps proposed by the applicant is available.

4.2 Members of the Licensing Act 2003 Sub-Committee are advised that the proposals set out in the operating schedule would 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 Party – Local Residents

In respect of this application five representations have been received from Local Residents. The representations relate to noise from music emanating from the premises and public nuisance. Copies of the representations are available.

Environmental Health (Pollution Control)

Environmental Health have made a representation in respect of this application due to the close proximity of residential properties at the rear and side of the premises. The Environmental Health Officers has concerns about the noise from customers in the outside area if the current condition is removed.

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

Merseyside Police
Fire Authority
Wirral Area Child Protection Committee
Trading Standards
Planning Authority
Environmental Health (Health and Safety)

6.0 FINANCIAL AND STAFFING IMPLICATIONS

6.1 A statutory fee has been paid in respect of the application, which goes towards administrative and enforcement costs.

7.0 EQUAL OPPORTUNITIES IMPLICATIONS

7.1 There are none arising from this report.

8.0 LOCAL AGENDA 21 IMPLICATIONS

8.1 There are none arising directly from this report.

9.0 LOCAL MEMBER SUPPORT IMPLICATIONS

9.1 The premises are located in the Heswall ward.

10.0 HUMAN RIGHTS IMPLICATIONS

10.1 Article 6, of the First Protocol, concerned with the right to a fair hearing, may be applicable.

11.0 COMMUNITY SAFETY IMPLICATIONS

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

12.0 **PLANNING IMPLICATIONS**

12.1 There are no planning implications.

13.0 **BACKGROUND PAPERS**

13.1 Application form applying to vary a Premises Licence – Operating Schedule.

13.2 Condition currently attached to Premises Licence.

13.3 Representations received from Local Residents.

13.4 Representation received from Environmental Health

14.0 **RECOMMENDATIONS**

14.1 The Licensing Act 2003 Sub-Committee are asked to consider the application to vary 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