

NAME OF PREMISES: MOCKBEGGAR HALL, HOYLAKE ROAD, MORETON
NAME OF SECRETARY: JD WETHERSPOON PLC

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

Sunday to Thursday 9.00am to 12.30am
Friday and Saturday 9.00am to 1.00am

Christmas Eve and Boxing Day until 2.00am

Hours Open to the Public

Sunday to Thursday 7.00am to 1.30am
Friday and Saturday 7.00am to 2.00am

Christmas Eve and Boxing Day until 2.30am

An additional hour was granted on the morning of the day the clocks go forward (in order to negate the effect of the change from British Summer Time to Greenwich Meantime).

Late Night Refreshment:

Sunday to Thursday 11.00pm to 12.30am
Friday and Saturday 11.00pm to 1.00am

Christmas Eve and Boxing Day until 2.00am

An additional hour has been granted to all finishing times on the following days:

Burns Night	25 January
Australia Day	26 January
St David's Day	1 March
St Patrick's Day	17 March
St George's Day	23 April
St Andrew's Day	30 November

An additional 30 minutes has been granted to all finishing times on the following days:

Thursday immediately preceding Good Friday
Sunday immediately preceding a Bank Holiday Monday

2.2 Conditions currently imposed on the Premises Licence are available.

3.0 **APPLICATION**

3.1 This application is a request to remove a condition currently attached to the Premises Licence as follows:

‘Beer garden to close at 6.00pm’

The following condition is proposed by the applicant:

‘There will be no consumption of alcohol or soft drinks or licensable activities permitted in the beer garden after 7.00pm’

3.2 The Licensable Activities in 2.1 of this report are to remain the same.

3.3 This application was listed to be considered by the Licensing Act 2003 Sub-Committee on 14 June 2007 but was requested to be adjourned by the applicant. This request to adjourn the application was due to a witness being unable to attend the meeting.

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 Representation has been received in respect of the above application.

Interested Party – Local Residents

In respect of this application three representations have been received from Local Residents. The representations relate to public nuisance and noise being caused by customers. Copies of the representations are available.

Interested Party – Ward Councillor

Ward Councillors have also made a representation to the application which support the views expressed by the local residents. A copy of the representation is available.

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
Environmental Health
Planning Authority

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 Moreton West and Saughall Massie 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 Representations received from local residents and Ward Councillors.

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