

REPORT OF THE DIRECTOR OF REGENERATION

**NAME OF PREMISES: STAIRWAYS, 28 OLIVER STREET EAST, BIRKENHEAD**  
**NAME OF APPLICANT: FIRE AUTHORITY**

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**1.0 EXECUTIVE SUMMARY**

1.1 The purpose of this report is to consider an application for the review of a Premises Licence under the provisions of the Licensing Act 2003.

**2.0 RELEVANT BACKGROUND**

2.1 Stairways currently has a Premises Licence to allow the following Licensable Activities:

**Supply of Alcohol**

|                      |                      |
|----------------------|----------------------|
| Monday to Wednesday  | 11.00am to 2.00am    |
| Thursday to Saturday | 11.00am to 4.00am    |
| Sunday               | 12.00noon to 12.30am |

**Hours Open to the Public**

|                      |                      |
|----------------------|----------------------|
| Monday to Wednesday  | 11.00am to 2.00am    |
| Thursday to Saturday | 11.00am to 4.30am    |
| Sunday               | 12.00noon to 12.30am |

**Regulated Entertainment (Live Music)**

|                      |                     |
|----------------------|---------------------|
| Monday to Wednesday  | 12.00noon to 2.00am |
| Thursday to Saturday | 12.00noon to 4.00am |
| Sunday               | 6.00pm to 12.30am   |

**Regulated Entertainment (Recorded Music)**

|                      |                      |
|----------------------|----------------------|
| Monday to Wednesday  | 11.00am to 2.00am    |
| Thursday to Saturday | 11.00am to 4.00am    |
| Sunday               | 12.00noon to 12.30am |

**Regulated Entertainment (Performance of Dance)**

|                      |                      |
|----------------------|----------------------|
| Monday to Wednesday  | 11.00am to 2.00am    |
| Thursday to Saturday | 11.00am to 4.30am    |
| Sunday               | 12.00noon to 12.30am |

## **Entertainment Facilities (Facilities for Dancing)**

|                      |                      |
|----------------------|----------------------|
| Monday to Wednesday  | 11.00am to 2.00am    |
| Thursday to Saturday | 11.00am to 4.30am    |
| Sunday               | 12.00noon to 12.30am |

## **Late Night Refreshment**

|                      |                    |
|----------------------|--------------------|
| Monday to Wednesday  | 11.00pm to 2.00am  |
| Thursday to Saturday | 11.00pm to 4.00am  |
| Sunday               | 11.00pm to 12.30am |

- 2.2 A copy of the operating schedule attached to the Premises Licence is available. Members of the Licensing Act 2003 Sub-Committee are advised that the details set out in the operating schedule are conditions attached to the licence.
- 2.3 The Licensing Act 2003 Sub-Committee may, having regard to the application for review and any relevant representations, take such of the following steps as it considers necessary for the promotion of the licensing objectives:
- Modify the Licence conditions (permanently or for a temporary period of up to 3 months).
  - Exclude a licensable activity from the scope of the Licence (permanently or for a temporary period of up to 3 months).
  - Remove the Designated Premises Supervisor (if applicable).
  - Suspend the Licence for a period not more than 3 months.
  - Revoke the Licence.

## **3.0 APPLICATION**

- 3.1 An application has been received from the Fire Authority to review the Premises Licence for the premises known as Stairways, 28 Oliver Street East, Birkenhead. The Fire Safety Officer has advised that the grounds for review are as follows:

Poor Management control has lead to contraventions of the Buildings Fire Precautions which will seriously affect public safety.

The Fire Authority have reported that the fire escape route at the rear of the premises have been littered with rubbish, bottles and two discarded WC pans. These items blocked and restricted the fire exit and also posed a high hazard to persons using the said means of escape. The Fire Authority advised that this is a repeated and regular offence and further stated that on 10 November 2005 Mr Diable was subject to a Fire Service Enforcement Notice.

- 3.2 Photographic evidence has been submitted in support of the application and is available.

## **4.0 RELEVANT REPRESENTATIONS**

- 4.1 The following Representation have been received in respect of the above application:

### **Merseyside Police**

Merseyside Police have made a representation in respect of this application concerning public safety, crime and disorder and public nuisance. A copy of the representation is available.

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

Wirral Area Child Protection Committee  
Trading Standards  
Environmental Health  
Planning Authority

#### **5.0 FINANCIAL AND STAFFING IMPLICATIONS**

5.1 There are no financial implications and my existing Licensing staff will deal with this application.

#### **6.0 EQUAL OPPORTUNITIES IMPLICATIONS**

6.1 There are none arising from this report.

#### **7.0 LOCAL AGENDA 21 IMPLICATIONS**

7.1 There are none arising directly from this report.

#### **8.0 LOCAL MEMBER SUPPORT IMPLICATIONS**

8.1 The premises are located in the Birkenhead and Tranmere Ward.

#### **9.0 HUMAN RIGHTS IMPLICATIONS**

9.1 Article 6 and Article 1 of the First Protocol which is concerned with the protection of property is most likely to have a particular impact.

#### **10.0 COMMUNITY SAFETY IMPLICATIONS**

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

#### **11.0 PLANNING IMPLICATIONS**

11.1 There are no planning implications arising from this report.

#### **12.0 BACKGROUND PAPERS**

12.1 Application form applying to review a Premises Licence.

12.2 Operating Schedule relating to the Premises Licence for Stairways.

12.3 Representations supporting the review from Merseyside Police.

#### **13.0 RECOMMENDATIONS**

13.1 The Licensing Act 2003 Sub-Committee are asked to consider the application for the review of 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.