



## Licensing Act 2003 Sub-Committee

<b>Date:</b>	<b>Thursday, 29 July 2010</b>
<b>Time:</b>	<b>10.00 am</b>
<b>Venue:</b>	<b>Committee Room 1 - Wallasey Town Hall</b>

**Contact Officer:** Anne Beauchamp  
**Tel:** 0151 691 8608  
**e-mail:** [annebeauchamp@wirral.gov.uk](mailto:annebeauchamp@wirral.gov.uk)  
**Website:** <http://www.wirral.gov.uk>

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## AGENDA

- 1. APPOINTMENT OF CHAIR**
- 2. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST**

Members are asked to consider whether they have personal or prejudicial interests in connection with any item(s) on this agenda, and, if so, to declare them and state what they are.
- 3. CROSSBAR, 17 UPTON ROAD, MORETON (Pages 1 - 4)**
- 4. THORNTON MANOR, MANOR ROAD, THORNTON HOUGH (Pages 5 - 8)**
- 5. ANY OTHER URGENT BUSINESS ACCEPTED BY THE CHAIR**

To consider matters which the Chair accepts as being urgent.

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WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE

LICENSING ACT 2003 SUB-COMMITTEE – 29 JULY 2010

REPORT OF THE DIRECTOR OF LAW, HR AND ASSET MANAGEMENT

**NAME OF PREMISES: CROSSBAR, 17 UPTON ROAD, MORETON**

**NAME OF APPLICANT: RAMON NAVARRO & MICHAEL HOWELLS**

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## 1.0 EXECUTIVE SUMMARY

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

## 2.0 RELEVANT BACKGROUND

- 2.1 These premises do not currently hold a Premises Licence.

## 3.0 APPLICATION

- 3.1 An application has been received for the grant of a Premises Licence for the following hours:

### Supply of Alcohol

Sunday to Saturday      10:00 to 23:30

### Hours Open to the Public

Sunday to Saturday      10:00 to 00:00

### Regulated Entertainment (Recorded Music, Performance of Dance and Anything of a Similar Description)

Monday to Saturday      11:00 to 00:00  
Sunday                      12:00 to 00:00

### Entertainment Facilities (Facilities for Making Music)

Monday to Saturday      11:00 to 00:00  
Sunday                      12:00 to 00:00

### Non-Standard Timings

All of the above Licensable Activities:

Christmas Eve and New Years Day until 01:00 (plus an additional 30 minutes for the premises to close).

Following representations made by Merseyside Police and discussions held regarding the representation, the applicant agreed to amend the application by reducing the hours originally set out in their application and by agreeing to a number of conditions to be

attached to the licence, if granted. A copy of the representation, setting out the conditions, is available.

#### **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, 16 representations have been received from Local Residents. The representations relate to potential nuisance that will be caused by customers of the premises. The representations also relate to the potential of noise nuisance coming from the premises caused by entertainment. Reference is made within the representations to nuisance caused when the premises operated under a Temporary Event Notice. Copies of the representations are available.

Councillor Chris Blakeley has also made a representation as a Councillor representing his constituents within his Ward and as a Local Resident. The representation supports the concerns expressed by local residents. A copy of the representation is available.

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

Wirral Safe Guarding Children Board  
Trading Standards  
Environmental Health  
Planning Authority  
Merseyside Police  
Fire 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 Leasowe and Morton East 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 arising from this report.

## **13.0 BACKGROUND PAPERS**

13.1 Application form applying for a Premises Licence – Operating Schedule.

13.3 Representations received from Local Residents and a Local Councillor.

## **14.0 RECOMMENDATIONS**

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

Bill Norman  
Director of Law, HR and Asset Management

This report was prepared by Richard Leyland who can be contacted on 691 8478

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WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE

LICENSING ACT 2003 SUB-COMMITTEE – 29 JULY 2010

REPORT OF THE DIRECTOR OF LAW, HR AND ASSET MANAGEMENT

**NAME OF PREMISES:** THORNTON MANOR, MANOR ROAD,  
THORNTON HOUGH

**NAME OF APPLICANT:** THORNTON MANOR ESTATES LIMITED

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## 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 Saturday      24 Hours

### **Hours Open to the Public**

Sunday to Saturday      24 Hours

### **Regulated Entertainment (Recorded Music, Live Music and Anything of a Similar Description)**

Sunday to Saturday      24 Hours

### **Entertainment Facilities (Facilities for Making Music, Dancing and Anything of a Similar Description)**

Sunday to Saturday      24 Hours

### **Late Night Refreshment**

Sunday to Saturday      23:00 to 05:00

The Licensable Activities that take place in the licensed areas outside of the Manor House Building shall operate the following hours:

### **Supply of alcohol**

Sunday to Saturday      08:00 to 02:00

### **Regulated Entertainment (Live Music, Recorded Music and Anything of a Similar Description)**

Sunday to Saturday      08:00 to 02:00

## **Entertainment Facilities (Facilities for Making Music, Dancing and Anything of a Similar Description)**

Sunday to Saturday      08:00 to 02:00

### **Late Night Refreshment**

Sunday to Saturday      23:00 to 02:00

The licensed areas outside the Manor House Building to be cleared by 02:30.

## **3.0 APPLICATION**

3.1 An application has been received to vary the Premises Licence to remove the following conditions from the Premises Licence:

- No amplified music shall be permitted to be played in the areas outside of the Manor House Building with the exception of music played within a marquee located in the Walled Garden.
- No Live Music or Recorded Music shall be permitted in the areas outside of the Manor House Building after 8.00pm with the exception of music played within a marquee located in the Walled Garden.

The applicant has proposed to include the following conditions on the Premises Licence if the variation is granted:

- Live Music and Recorded Music (both amplified and unamplified) to be played in the areas outside the Manor House Building from 09:00 to 21:00.

## **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 Parties - Local Residents**

In respect of this application, two representations have been received from Local Residents. The representations relate to noise nuisance from entertainment provided in the outside areas of the premises. Petitions have also been received signed by local residents who are concerned that if the variation is granted then this will increase the noise nuisance coming from the premises. The petitions contain a total number of 42 signatures. Copies of the representations and petitions are available.



## **Environmental Health (Pollution Control)**

Environmental Health have made a representation concerning the Prevention of Public Nuisance due to a history of complaints regarding disturbances from music outside the building. A copy of the representation is available.

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

Wirral Area Child Protection Committee  
Trading Standards  
Planning Authority  
Fire Authority  
Merseyside Police

## **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 Clatterbridge 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 a Local Residents and a petition.

## 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.

Bill Norman  
Director of Law, HR and Asset Management

This report was prepared by Richard Leyland who can be contacted on 691 8478