



Licensing Act 2003 Sub-Committee

Date:	Friday, 3 September 2010
Time:	9.30 am
Venue:	Committee Room 3 - Wallasey Town Hall

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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. CARLTON HOTEL, BOROUGH ROAD, BIRKENHEAD (Pages 1 - 4)**
- 4. RING O'BELLS, VILLAGE ROAD, WEST KIRBY (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 – 3 SEPTEMBER 2010

REPORT OF THE DIRECTOR OF LAW, HR AND ASSET MANAGEMENT

NAME OF PREMISES: CARLTON HOTEL, BOROUGH ROAD, BIRKENHEAD

NAME OF APPLICANT: GOLDTRY LIMITED

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 Saturday	11:00 to 23:00
Sunday	12:00 to 22:30
Good Friday	12:00 to 22:30
Christmas Day	12:00 to 15:00 to 19:00 to 22:30

3.0 APPLICATION

3.1 The application to vary the Premises Licence is as follows:

Supply of Alcohol

Sunday to Saturday	11:00 to 00:00
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Hours Open to the Public

Sunday to Saturday	11:00 to 00:30
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Regulated Entertainment (Exhibition of Films, Live Music, Recorded Music and Performance of Dance)

Sunday to Saturday	11:00 to 00:00
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Entertainment Facilities (Facilities for Making Music and Dancing)

Sunday to Saturday	11:00 to 00:00
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Non Standard Timings:

The above Licensable Activities and Hours Open to the Public to be extended from the end of the permitted hours on New Years Eve to the start of the permitted hours on New Years Day.

3.2 The applicant has also requested to remove the following condition currently imposed on the Premises Licence:

- Children are not allowed on the Premises.

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 could 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 Resident

In respect of this application, a representation has been received from a Local Resident. The representation relates to anti-social behaviour and public nuisance within the vicinity of the premises. The representation also relates to noise nuisance emanating from the premises. 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 Birkenhead and Tranmere 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 in respect of this application.

13.0 BACKGROUND PAPERS

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

13.3 Representation received from a Local Resident.

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

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WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE

LICENSING ACT 2003 SUB-COMMITTEE – 3 SEPTEMBER 2010

REPORT OF THE DIRECTOR OF LAW, HR AND ASSET MANAGEMENT

NAME OF PREMISES: RING O'BELLS, VILLAGE ROAD, WEST KIRBY

NAME OF APPLICANT: GREENE KING BREWING & RETAILING LIMITED

1.0 EXECUTIVE SUMMARY

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

2.0 RELEVANT BACKGROUND

- 2.1 These premises are currently known as Loch Fyne Restaurant and have a Premises Licence in place.

- 2.2 The Premises Licence for Loch Fyne Restaurant currently allows the following licensable activities:

Supply of Alcohol

Sunday to Saturday 10:00 to 00:00

Hours Open to the Public

Sunday to Saturday 09:00 to 00:30

Late Night Refreshment

Sunday to Saturday 23:00 to 00:00

Non-Standard Timings:

The above Licensable Activities and Hours Open to the Public have been extended from the end of the permitted hours on New Years Eve to the start of the permitted hours on New Years Day.

3.0 APPLICATION

- 3.1 The premises no longer intend to operate as a restaurant and an application has been received for the grant of a Premises Licence to allow the following licensable activities:

Supply of Alcohol

Sunday to Saturday 10:00 to 00:00

Hours Open to the Public

Sunday to Saturday 09:00 to 00:30

Regulated Entertainment (Exhibition of Films, Recorded Music and Anything of a Similar Description)

Sunday to Saturday 10:00 to 00:00

Late Night Refreshment

Sunday to Saturday 23:00 to 00:00

Non-Standard Timings:

The Supply of Alcohol and Hours Open to the Public has requested to be extended from the end of the permitted hours on New Years Eve to the start of the permitted hours on New Years Day.

3.2 If this application is granted the applicant will surrender the current licence.

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, two representations have been received from local residents. A petition has also received signed by 27 local residents who are against the application. The representations and petition relates to anti-social behaviour and noise nuisance caused by customers of the premises. Copies of the representations and petition are available.

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

Wirral Area Child Protection Committee
Trading Standards
Environmental Health
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 West Kirby & Thurstaston 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 implication in respect of this application.

13.0 BACKGROUND PAPERS

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

13.2 Representations received from Local Residents.

13.3 Petition received signed by Local Residents.

14.0 RECOMMENDATIONS

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

Bill Norman
Director of Law, HR and Asset Management

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