



Licensing Act 2003 Sub-Committee

Date:	Wednesday, 8 September 2010
Time:	10.00 am
Venue:	Committee Room 2 - 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. MILNERS, 59 MILNER ROAD, HESWALL (Pages 1 - 4)**
- 4. URGENT BUSINESS**

To consider any other business that the Chair accepts as being urgent.

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WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE

LICENSING ACT 2003 SUB-COMMITTEE – 8 SEPTEMBER 2010

REPORT OF THE DIRECTOR OF LAW, HR AND ASSET MANAGEMENT

NAME OF PREMISES: MILNERS, 59 MILNER ROAD, HESWALL

NAME OF APPLICANT: MERSEYSIDE POLICE

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

Supply of Alcohol

Monday to Thursday	11:00 to 23:30
Friday and Saturday	11:00 to 00:00
Sunday	12:00 to 23:30

Hours Open to the Public

Monday to Thursday	11:00 to 00:00
Friday and Saturday	11:00 to 00:30
Sunday	12:00 to 00:00

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

Monday to Saturday	11:00 to 23:00
Sunday	12:00 to 23:00

Regulated Entertainment (Recorded Music)

Monday to Saturday	11:00 to 23:30
Sunday	12:00 to 23:30

2.2 A copy of the Premises Licence setting out the above hours and conditions attached to the Licence is available.

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 Conditions of the Licence.
- Exclude a licensable activity from the scope of the Licence.

- Remove the Designated Premises Supervisor.
- Suspend the Licence for a period not exceeding three months.
- Revoke the Licence.

The licensing authority may decide that no action is necessary if it finds that the review does not require it to take any steps necessary to promote the licensing objectives.

3.0 **APPLICATION**

3.1 An application has been received from Merseyside Police to review the Premises Licence for the premises known as Milners. Merseyside Police have advised that the grounds for review are in relation to the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm following a number of incidents that have occurred inside and outside the premises.

3.2 Further information to support the above grounds for review is included within the application which is available.

4.0 **RELEVANT REPRESENTATIONS**

4.1 The following Representations have been received in respect of the above application.

Interested Party – Local Residents

In respect of this application, 14 representations have been received from Local Residents who support the application made by Merseyside Police. The representations relate to anti-social behaviour and public nuisance within the immediate vicinity of the premises. The representations also relates to noise nuisance emanating from the premises. A representation has been received from Ward Councillor Andrew Hodson who has received a number of complaints from his constituents in respect of these premises. Copies of the representations are available.

4.2 A representation has also been received from Gosschalks Solicitors on behalf of Enterprise Inns PLC as an interested party. Enterprise Inns PLC is the freehold owner of the premises which is subject of a lease agreement in favour of Marie Earnshaw. A copy of the representation is available.

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

Wirral Area Child Protection Committee
 Environmental Health
 Fire Authority
 Planning Authority
 Trading Standards

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 Heswall 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 Representations received from Local Residents.

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.

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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