



## Licensing Act 2003 Sub-Committee

**Date:** Tuesday, 21 September 2010

**Time:** 9.30 am

**Venue:** Committee Room 3 - Wallasey Town Hall

**Contact Officer:** Anne Beauchamp

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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. OXTON CRICKET AND SPORTS CLUB, TOWNFIELD LANE, OXTON (Pages 1 - 4)**

**4. KK FOOD AND WINE, 702 BOROUGH ROAD, BIRKENHEAD (Pages 5 - 8)**

**5. 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 – 21 SEPTEMBER 2010

REPORT OF THE DIRECTOR OF LAW, HR AND ASSET MANAGEMENT

**NAME OF PREMISES: OXTON CRICKET AND SPORTS CLUB,  
TOWNFIELD LANE, OXTON**

**NAME OF SECRETARY: LAURIE SPENCER**

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## 1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is to consider an application to vary a Club Premises Certificate under the provisions of the Licensing Act 2003.

## 2.0 RELEVANT BACKGROUND

2.1 These premises currently have a Club Premises Certificate with the following hours:

### Supply of Alcohol

Sunday to Saturday 11:00 to 00:00

### Regulated Entertainment (Live Music)

Friday and Saturday 20:00 to 00:00

### Regulated Entertainment (Recorded Music)

Friday to Sunday 20:00 to 00:00

### Anything of a Similar Description to that of Live Music and Recorded Music)

Saturday and Sunday 20:00 to 00:00

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

Friday to Sunday 20:00 to 00:00

## 3.0 APPLICATION

3.1 The application to vary the Club Premises Certificate is as follows:

### Supply of Alcohol

Monday to Thursday 11:00 to 00:00

Friday to Sunday 11:00 to 01:00

### Hours Open to the Public

Monday to Thursday 10:00 to 00:00

Friday to Sunday 10:00 to 01:00

### Regulated Entertainment (Live Music)

Friday to Sunday 19:30 to 00:00

### Regulated Entertainment (Recorded Music)

Friday to Sunday 19:00 to 01:00

### Entertainment Facilities (Facilities for Dancing)

Friday to Sunday 19:30 to 01:00

### Entertainment Facilities (Facilities for Making Music and Anything of a Similar Description) - UNCHANGED

Friday to Sunday 20:00 to 00:00

## **Non Standard Timings**

When New Years Eve falls on a Monday to Thursday the above Qualifying Club Activities have been requested to be extended as follows:

New Years Eve - 19:30 to 01:00

3.2 The Secretary has also requested to remove the following condition currently imposed on the Club Premises Certificate:

- Live Music (only) is permitted within a marquee on two occasions per year.

3.3 Following representations received from Environmental Health, the Secretary has agreed to limit the number of occasions that the marquee may be used to three occasions per year. The Secretary has also agreed to reduce the hours requested within the marquee to 00:00 for the days requested. Environmental Health have subsequently withdrawn their representation.

## **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 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. The representations relate to noise nuisance coming from the Club and excessive noise from Entertainment coming from the marquee which is currently a problem to local residents. Copies of the representations are available.

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

Wirral Safe Guarding Children Board  
Trading Standards  
Environmental Health (Health & Safety)  
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 Oxton 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 Club Premises Certificate – Operating Schedule.

13.3 Representations received from Local Residents.

## **14.0 RECOMMENDATIONS**

14.1 The Licensing Act 2003 Sub-Committee are asked to consider the application to vary a Club Premises Certificate 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 – 21 SEPTEMBER 2010

REPORT OF THE DIRECTOR OF LAW, HR AND ASSET MANAGEMENT

**NAME OF PREMISES: KK FOOD AND WINE,  
702 BOROUGH ROAD, BIRKENHEAD**

**NAME OF APPLICANT: MATHIYAPARANAM KOKILARAJAN**

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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 these premises which will be trading as a small convenience store for the following hours:

### Supply of Alcohol

Monday to Saturday	08:00 to 23:00
Sunday	10:00 to 22:30

### Hours Open to the Public

Sunday to Saturday	07:00 to 23:00
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- 3.2 Subsequent to submitting the application, the applicant has amended the application by reducing the hours originally set out in his application.

## 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 is available.
- 4.2 Members of the Licensing Act 2003 Sub-Committee are advised that the proposals set out in the operating schedule may 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

In respect of this application, two representations have been received from Ward Councillors. The representations relate to anti-social behaviour which is currently a problem within the vicinity of the premises. A representation has also been received from Devonshire Park Residents Association, including a petition containing 30 signatures, which also relates to anti-social behaviour within the vicinity 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 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 Prenton 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.

13.2 Representations received from Ward Councillors and a Residents Association.

### 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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