



Licensing Act 2003 Sub-Committee

Date:	Thursday, 8 March 2012
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. EXEMPT INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC**

The following items contain exempt information.

RECOMMENDATION: That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined by the relevant paragraphs of Part I of Schedule 12A (as amended) to that Act. The Public Interest test has been applied and favours exclusion.
- 4. APPLICATION FOR THE GRANT OF A PERSONAL LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003 (DC) (Pages 1 - 4)**
- 5. APPLICATION FOR THE GRANT OF A PERSONAL LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003 (FR) (Pages 5 - 8)**
- 6. ANY OTHER BUSINESS ACCEPTED BY THE CHAIR - PART 1**

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

= B R E A K =

- 7. OLD TAVERN CLUB, MAGAZINE LANE, WALLASEY (Pages 9 - 12)**
- 8. ANY OTHER URGENT BUSINESS ACCEPTED BY THE CHAIR - PART 2**

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

Agenda Item 4

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

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WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

8 MARCH 2012

SUBJECT:	APPLICATION TO VARY A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	NEW BRIGHTON WARD
REPORT OF:	DIRECTOR OF LAW, HR AND ASSET MANAGEMENT
KEY DECISION?	NO

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. The application is made by **Stephen Cooley** and relates to the premises known as the **Old Tavern Club, Magazine Lane, Wallasey**.

2.0 BACKGROUND AND KEY ISSUES

2.1 These premises currently have a premises licence with the following hours:

Sale by Retail of Alcohol

Friday and Saturday 20:00 to 02:00

Regulated Entertainment (Recorded Music, Live Music and Performance of Dance)

Friday and Saturday 20:00 to 02:00

3.0 APPLICATION

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

Sale by Retail of Alcohol

Friday and Saturday 20:00 to 03:00

Hours Open to the Public

Friday and Saturday 20:00 to 03:00

Regulated Entertainment (Live Music and Performance of Dance)

Friday and Saturday 20:00 to 02:00 (Unchanged)

Regulated Entertainment (Recorded Music)

Friday and Saturday 20:00 to 03:00

Entertainment Facilities (Facilities for Dancing)

Friday and Saturday 20:00 to 03:00

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 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 Parties

In respect of this application, three representations have been received from Local Residents. A petition, signed by 86 local residents who are against the application, has also been received. The representations relate to anti-social behaviour and noise nuisance caused by customers of the premises. Copies of the representations are available.

Representations have also been received from Ward Councillors, Councillor Hackett and Councillor Taylor. The representations support the concerns expressed by Local Residents. Copies of the representations are available.

Environmental Health (Pollution Control)

Environmental Health have made a representation in respect of the application due to a complaint received from a local resident and a subsequent visit made to the premises regarding noise coming from the smoking shelter at the premises. The complaint also related to noise from entertainment escaping from the premises whilst customers open the door leading to the shelter. 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

Planning Authority
Fire Authority
Merseyside Police
Environmental Health (Health and Safety)

6.0 RELEVANT RISKS

6.1 There are none arising directly from this report.

7.0 OTHER OPTIONS CONSIDERED

7.1 There is no provision for other options to be considered.

8.0 CONSULTATION

8.1 Statutory consultation has been undertaken in respect of this application.

9.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

9.1 There are no specific implications arising from this report.

10.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

10.1 There are no specific implications arising from this report.

11.0 LEGAL IMPLICATIONS

11.1 A decision of this Committee can be subject to Appeal.

12.0 EQUALITIES IMPLICATIONS

12.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No because there is no relevance to equality.

13.0 CARBON REDUCTION IMPLICATIONS

13.1 There are no specific implications arising from this report.

14.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

14.1 There are no Planning implications arising from this report.

15.0 RECOMMENDATION

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

16.0 REASONS FOR RECOMMENDATION

16.1 It is a statutory requirement for this Committee to determine the application due to relevant representations received.

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APPENDICES

- Application to vary a Premises Licence
- Representations received from Local Residents and Ward Councillors

REFERENCE MATERIAL

- None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
None	