

LICENSING ACT 2003 SUB-COMMITTEE

Wednesday, 11 July 2012

Present:

Councillors G Davies
S Niblock
D Roberts

9 **APPOINTMENT OF CHAIR**

Resolved - That Councillor S Niblock be appointed Chair for this meeting.

10 **MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST**

Members were asked to consider whether they had personal or prejudicial interests in connection with the item on the agenda, and, if so, to declare them and state what they were.

No such declarations were made.

11 **APPLICATION TO VARY A PREMISES LICENCE - HOYLAKE PARADE COMMUNITY CENTRE, HOYLE ROAD, HOYLAKE**

The Director of Law, HR and Asset Management reported upon an application that had been received from Hoylake Parade Community Centre to vary a Premises Licence in respect of Hoylake Parade Community Centre, Hoyle Road, Hoylake, under the provisions of the Licensing Act 2003.

The premises currently has a premises licence which allowed the licensable activities as set out within the report and the application to vary related solely to the sale by retail of alcohol.

The applicants had submitted an operating schedule setting out how the business would be conducted/managed in accordance with the four licensing objectives. A copy of the full application was available. Members were advised that the proposals set out in the operating schedule may become conditions of the licence should the licence be granted.

In respect of the application, two representations had been received from local residents. The representations related to public nuisance and anti-social behaviour that may be caused by persons from the premises who had consumed alcohol. Copies of the representations were available.

Mr V Williams, Chair of the Hoylake Community Centre attended the meeting together with Mr S Pearsall, Designated Premises Supervisor.

Mr E Roberts, Lead Petitioner attended the meeting on behalf of local residents.

The Licensing Officer confirmed that all documentation had been sent and received and that a petition had been received from Mr Roberts.

Mr Williams addressed the Sub-Committee and advised Members that the Centre was subject to a current asset transfer. He informed Members that the premises was very large and was situated on the promenade in Hoylake. He reported upon the type of activities held at the Centre and explained that some of these activities required a licence. He informed Members that the premises had previously utilised Temporary Events Notices however these were limited to twelve per year. He advised that the views of local residents were respected and that there was no intention to change the way the Centre was run or to impact on local residents.

Mr Williams responded to questions from Members of the Sub-Committee and Mr Abraham, Legal Adviser to the Sub-Committee.

Mr Roberts reported that he had attended the meeting to represent the concerns of local residents. He stressed that there was no criticism of how the Centre currently operated and that there had been no cause for concern previously. He advised that the main concerns were that children would see alcohol as a pleasurable activity and that there would be noise and disorder caused by people leaving the premises at a late hour. He expressed concerns regarding the potential for a change in the committee at the Club and therefore a change of attitude resulting in the premises turning into a social club.

Mr Roberts responded to questions from Members of the Sub-Committee.

In determining the application the Licensing Act 2003 Sub-Committee had regard to the Licensing Objectives, the Council's Statement of Licensing Policy and the Relevant Guidance issued under section 182 of the Licensing Act 2003.

Members considered the application to vary the Premises Licence to incorporate the Sale by Retail of Alcohol at Hoylake Parade Community Centre.

Members considered representations from local residents regarding their concerns that if alcohol was included on the Premises Licence this could lead to public nuisance and that the sale of alcohol would give children greater access to alcohol.

Members also heard representations from the applicant, Mr Williams, Chair of Hoylake Community Centre

Members gave consideration to the intentions of the Centre as a consequence of the proposed variation and how they intended to manage this, also to the fact that no permanent bar would be in place at the premises. Members also noted the assurance that no 18th or 21st birthday parties would be held at the premises.

Members further noted that no complaints had been received regarding the current running of the premises.

Members also took into account Section 11 of the Guidance in respect of the review mechanism provided by the Licensing Act 2003, should any concerns arise relating to the licensing objectives in the future.

Resolved -

(1) That in accordance with Regulation 14(2) of the Licensing Act 2003, the public be excluded from the meeting during consideration of the application.

(2) That the application to vary the Premises Licence in respect of the Hoylake Parade Community Centre, Hoyle Road, Hoylake be granted as follows:

Sale by Retail of Alcohol

Monday to Saturday	10:00 to 23:30
Sunday	10:00 to 21:00

(3) That the following conditions be attached to the Premises Licence:

- CCTV must operate at the premises at least in accordance with the minimum specification issued by the Licensing Authority. Tapes and visual images recorded must be retained for a period of 31 days and must be handed to an Authorised Officer on request.**
- The premises must operate a Challenge 25 Policy and display the appropriate posters when alcohol is being supplied.**