



## Licensing Act 2003 Sub-Committee

**Date:** Friday, 20 July 2012

**Time:** 10.00 am

**Venue:** Committee Room 2 - 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. APPLICATION TO REVIEW A PREMISES LICENCE - PUNCH BOWL, 77 MARKET STREET, HOYLAKE (Pages 1 - 4)**

**4. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - OZZYS CAFE KEBAB SHOP, 8 ST ANNE STREET, BIRKENHEAD (Pages 5 - 8)**

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**5. APPLICATION TO REVIEW A PREMISES LICENCE - THE PACIFIC HOTEL, 476 PRICE STREET, BIRKENHEAD CH41 8BZ (Pages 9 - 12)**

**6. ANY OTHER URGENT BUSINESS ACCEPTED BY THE CHAIR**

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

20 JULY 2012

<b>SUBJECT:</b>	<b>APPLICATION TO REVIEW A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003</b>
<b>WARD AFFECTED:</b>	<b>HOYLAKE AND MEOLS WARD</b>
<b>REPORT OF:</b>	<b>DIRECTOR OF LAW, HR AND ASSET MANAGEMENT</b>
<b>KEY DECISION?</b>	<b>NO</b>

#### 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. The application is made by Merseyside Police and relates to the premises known as the **Punch Bowl, 77 Market Street, Hoylake.**

#### 2.0 BACKGROUND AND KEY ISSUES

2.1 The Punch Bowl currently has a Premises Licence, to allow the following Licensable Activities:

##### **Sale by Retail of Alcohol**

Sunday to Saturday 10:00 to 00:00

##### **Hours Open to the Public**

Sunday to Saturday 10:00 to 00:30

##### **Regulated Entertainment (Live Music)**

Sunday to Saturday 12:00 to 00:00

##### **Regulated Entertainment (Exhibition of Films, Performance of a Play, Performance of Dance, Recorded Music, Indoor Sporting Events and Anything of a Similar Description)**

Sunday to Saturday 10:00 to 00:15

##### **Entertainment Facilities (Facilities for Making Music and Dancing)**

Sunday to Saturday 10:00 to 23:00

##### **Late Night Refreshment**

Sunday to Saturday 23:00 to 00:15

2.2 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 the Punch Bowl. The Licensing Sergeant has advised that the grounds for review are in relation to the Prevention of Crime and Disorder and Public Safety due to gas at the premises being illegally abstracted.

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

Wirral Safe Guarding Children Board  
Environmental Health  
Fire Authority  
Planning Authority  
Trading Standards  
Primary Care Trust  
Wirral Licensing Authority

### **5.0 RELEVANT RISKS**

5.1 There are none arising directly from this report.

### **6.0 OTHER OPTIONS CONSIDERED**

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

### **7.0 CONSULTATION**

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

### **8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

8.1 There are no specific implications arising from this report.

### **9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

9.1 There are no specific implications arising from this report.

**10.0 LEGAL IMPLICATIONS**

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

**11.0 EQUALITIES IMPLICATIONS**

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

No because there is no relevance to equality.

**12.0 CARBON REDUCTION IMPLICATIONS**

12.1 There are no specific implications arising from this report.

**13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

13.1 There are no Planning implications arising from this report.

**14.0 RECOMMENDATION**

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

**15.0 REASONS FOR RECOMMENDATION**

15.1 It is a statutory requirement for this Committee to determine the application.

**REPORT AUTHOR:** Richard Leyland  
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**APPENDICES**

- Application to Review the Premises Licence.

**REFERENCE MATERIAL**

None

**SUBJECT HISTORY (last 3 years)**

Council Meeting	Date

# Local plan of Premises



## WIRRAL COUNCIL

### LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

20 JULY 2012

<b>SUBJECT:</b>	<b>APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003</b>
<b>WARD AFFECTED:</b>	<b>BIRKENHEAD AND TRANMERE WARD</b>
<b>REPORT OF:</b>	<b>DIRECTOR OF LAW, HR AND ASSET MANAGEMENT</b>
<b>KEY DECISION?</b>	<b>NO</b>

#### 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. The application is made by Mrs Julie Dogan and relates to a premises known as **Ozzys Cafe Kebab Shop, 8 St Anne Street, Birkenhead.**

#### 2.0 BACKGROUND AND KEY ISSUES

- 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 for the following hours:

##### **Late Night Refreshment**

Sunday to Saturday 23:00 to 00:00

##### **Hours Open to the Public**

Monday to Saturday 08:00 to 00:00

Sunday 15:00 to 00:00

#### 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.

In respect of this application, a representation has been received from a local resident. The representation relates to noise nuisance and anti-social behaviour caused by youths which is currently a problem within the vicinity of the premises. A copy of the representation is available.

A representation has also been received from Ward Councillor, Phil Davies. The representation supports the concerns expressed by the Local Resident. 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  
Environmental Health  
Planning Authority  
Fire Authority  
Trading Standards  
Merseyside Police  
Wirral Licensing Authority  
Primary Care Trust

## **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 is 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 for a 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.

**REPORT AUTHOR:**            **Richard Leyland**  
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## APPENDICES

- Application for the grant of a Premises Licence
- Representations received from a Local Resident and a Ward Councillor

## REFERENCE MATERIAL

- None

## SUBJECT HISTORY (last 3 years)

Council Meeting	Date

# Location Plan of Premises



## WIRRAL COUNCIL

### LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

20 JULY 2012

<b>SUBJECT:</b>	<b>APPLICATION TO REVIEW A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003</b>
<b>WARD AFFECTED:</b>	<b>BIDSTON AND ST JAMES WARD</b>
<b>REPORT OF:</b>	<b>DIRECTOR OF LAW, HR AND ASSET MANAGEMENT</b>
<b>KEY DECISION?</b>	<b>NO</b>

#### 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. The application is made by Merseyside Police and relates to the premises known as **The Pacific Hotel, 476 Price Street, Birkenhead CH41 8BZ.**

#### 2.0 BACKGROUND AND KEY ISSUES

2.1 The Pacific Hotel currently has a Premises Licence, to allow the following Licensable Activities:

##### **Sale by Retail of Alcohol**

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

##### **Hours Open to the Public**

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

##### **Regulated Entertainment (Live Music)**

Friday and Saturday 11:00 to 00:30

##### **Entertainment Facilities (Facilities for Making Music)**

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

2.2 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 The Pacific Hotel. The Licensing Sergeant has advised that the grounds for review are in relation to the Prevention of Crime and Disorder and Public Safety due to gas at the premises being illegally abstracted. Merseyside Police also found cannabis plants within the flat above the premises and the only access to the flat is through these 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 There have been no representations received from the following Responsible Authorities:

Wirral Safe Guarding Children Board  
Environmental Health  
Fire Authority  
Planning Authority  
Trading Standards  
Primary Care Trust  
Wirral Licensing Authority

### **5.0 RELEVANT RISKS**

5.1 There are none arising directly from this report.

### **6.0 OTHER OPTIONS CONSIDERED**

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

### **7.0 CONSULTATION**

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

### **8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

8.1 There are no specific implications arising from this report.

## **9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

9.1 There are no specific implications arising from this report.

## **10.0 LEGAL IMPLICATIONS**

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

## **11.0 EQUALITIES IMPLICATIONS**

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

No because there is no relevance to equality.

## **12.0 CARBON REDUCTION IMPLICATIONS**

12.1 There are no specific implications arising from this report.

## **13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

13.1 There are no Planning implications arising from this report.

## **14.0 RECOMMENDATION**

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

## **15.0 REASONS FOR RECOMMENDATION**

15.1 It is a statutory requirement for this Committee to determine the application.

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## **APPENDICES**

- Application to Review the Premises Licence.

## **REFERENCE MATERIAL**

None

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>

# Local plan of Premises

