



Licensing Act 2003 Sub-Committee

Date:	Thursday, 4 October 2012
Time:	10.00 am
Venue:	Committee Room 2 - Wallasey Town Hall

Contact Officer: Anne Beauchamp
Tel: 0151 691 8608
e-mail: annebeauchamp@wirral.gov.uk
Website: <http://www.wirral.gov.uk>

AGENDA

1. **APPOINTMENT OF CHAIR**
2. **MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST**

Members of the Committee are asked to declare any disclosable pecuniary and non pecuniary interests, in connection with any application on the agenda and state the nature of the interest.
3. **APPLICATION TO TRANSFER A PREMISES LICENCE - WHITE LOUNGE BAR AND BUFFET, 15-17 WALLASEY ROAD, WALLASEY (Pages 1 - 4)**
4. **APPLICATION TO REVIEW A PREMISES LICENCE - PEGGY GADFLYS, 93 VICTORIA ROAD, NEW BRIGHTON (Pages 5 - 10)**
5. **APPLICATION TO REVIEW A PREMISES LICENCE - FIVE BARS REST, 61 BOROUGH ROAD, SEACOMBE (Pages 11 - 14)**
6. **APPLICATION TO REVIEW A PREMISES LICENCE - THE PALACE CLUB, MARINE PROMENADE, NEW BRIGHTON (Pages 15 - 20)**
7. **ANY OTHER URGENT BUSINESS ACCEPTED BY THE CHAIR**

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

This page is intentionally left blank

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE

LICENSING ACT 2003 SUB-COMMITTEE

4 OCTOBER 2012

SUBJECT:	APPLICATION TO TRANSFER A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	LISCARD WARD
REPORT OF:	ACTING 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 Transfer a Premises under the provisions of the Licensing Act 2003. The application is made by **Mr Robert Forbes** and relates to a premises known as the **White Lounge Bar and Buffet, 15-17 Wallasey Road, Wallasey.**

2.0 BACKGROUND AND KEY ISSUES

- 2.1 These premises currently have a Premises Licence for the following hours:

Supply of Alcohol

Sunday to Saturday 09:00 to 01:00

Hours Open to the Public

Sunday to Saturday 09:00 to 01:30

Regulated Entertainment (Live Music, Recorded Music and Anything of a Similar Description)

Sunday to Saturday 09:00 to 01:00

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

Sunday to Saturday 09:00 to 01:00

Late Night Refreshment

Sunday to Saturday 23:00 to 01:00

- 2.2 Under the provisions of the Licensing Act 2003 only Merseyside Police can object to applications to Transfer a Premises Licence if they are satisfied that granting the application would undermine the crime prevention objective.

3.0 APPLICATION

- 3.1 An application has been received to Transfer the Premises Licence. The application is made by Mr Robert Forbes.
- 3.2 The Licensing Act 2003 provides a mechanism which allows the transfer to come into immediate interim effect as soon as the application is received by the Licensing Authority and the Premises Licence has effect during the application period as if the applicant were the holder of the licence.

4.0 OBJECTION NOTICE

- 4.1 An Objection has been received from Merseyside Police in respect of the application to Transfer the Premises Licence. Merseyside Police consider that if this application is granted the crime prevention objective will be seriously undermined. A copy of the objection notice is available.

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 is 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 to transfer 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 due to relevant representations received.

REPORT AUTHOR: **Richard Leyland**
Licensing Team Leader
telephone: 0151 691 8478
email: richardleyland@wirral.gov.uk

APPENDICES

- Application to Transfer a Premises Licence
- Objection Notice received from Merseyside Police

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

4 OCTOBER 2012

SUBJECT:	APPLICATION TO REVIEW A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	NEW BRIGHTON WARD
REPORT OF:	ACTING 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 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 **Peggy Gadflys, 93 Victoria Road, New Brighton.**

2.0 BACKGROUND AND KEY ISSUES

2.1 Peggy Gadflys currently has a Premises Licence, to allow the following Licensable Activities:

Sale by Retail of Alcohol

Monday and Tuesday	11:00 to 23:00
Wednesday	11:00 to 00:00
Thursday	11:00 to 01:00
Friday and Saturday	11:00 to 02:00
Sunday	12:00 to 01:00

Hours Open to the Public

Monday and Tuesday	11:00 to 23:30
Wednesday	11:00 to 00:30
Thursday	11:00 to 01:30
Friday and Saturday	11:00 to 02:30
Sunday	12:00 to 01:30

Regulated Entertainment (Exhibition of Films and Recorded Music)

Monday and Tuesday	11:00 to 23:00
Wednesday and Thursday	11:00 to 00:00
Friday and Saturday	11:00 to 01:00
Sunday	12:00 to 00:00

Regulated Entertainment (Live Music)

Monday and Tuesday	11:00 to 23:00
Wednesday to Saturday	11:00 to 00:00
Sunday	12:00 to 00:00

Entertainment Facilities (Facilities for Dancing)

Monday and Tuesday	11:00 to 23:00
Wednesday and Thursday	11:00 to 00:00
Friday and Saturday	11:00 to 01:00
Sunday	12:00 to 00:00

Late Night Refreshment

Thursday	23:00 to 01:00
Friday and Saturday	23:00 to 02:00
Saturday	23:00 to 01:00

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 appropriate 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 appropriate if it finds that the review does not require it to take any steps that are appropriate 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 Peggy Gadflys. Merseyside Police have advised that the grounds for review are in relation to the Prevention of Crime and Disorder due to persons within the flat above the premises being found constructing a large scale cannabis farm. Merseyside Police have also reported that electricity at the premises was being illegally abstracted.

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

3.3 Merseyside Police have made a submission to the Licensing Authority that due to changes that have taken place at the Premises they do not consider it is appropriate to take any further action to address their concerns in respect of the Premises Licence.

3.4 Following the submission made by Merseyside Police both the Premises Licence Holder and Merseyside Police are content for the application for the Review to be heard in their absence.

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**
Licensing Team Leader
telephone: 0151 691 8478
email: richardleyland@wirral.gov.uk

APPENDICES

- Application to Review the Premises Licence.

REFERENCE MATERIAL

None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

Local plan of Premises



This page is intentionally left blank

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

4 OCTOBER 2012

SUBJECT:	APPLICATION TO REVIEW A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	SEACOMBE WARD
REPORT OF:	ACTING 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 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 **Five Bars Rest, 61 Borough Road, Seacombe.**

2.0 BACKGROUND AND KEY ISSUES

2.1 The Five Bars Rest currently has a Premises Licence, to allow the following Licensable Activities:

Sale by Retail of Alcohol

Sunday to Saturday 11:00 to 02:00

Hours Open to the Public

Sunday to Saturday 11:00 to 02:30

Regulated Entertainment (Live Music, Recorded Music Performance of Dance and Anything of a Similar Description)

Sunday to Saturday 12:00 to 01:00

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

Sunday to Saturday 12:00 to 01:00

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 appropriate 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 appropriate if it finds that the review does not require it to take any steps that are appropriate 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 Five Bars Rest. Merseyside Police have advised that the grounds for review are in relation to the Prevention of Crime and Disorder due to the Designated Premises Supervisor being associated with criminal activities.
- 3.2 Further information to support the above grounds for review is included within the application which is available.
- 3.3 Since the application to Review the Premises Licence was made by Merseyside Police, an application has been made to change the Designated Premises Supervisor. Following no objections from Merseyside Police, this application has been granted.
- 3.4 Merseyside Police have made a submission to the Licensing Authority that due to changes that have taken place at the Premises they do not consider it is appropriate to take any further action to address their concerns in respect of the Premises Licence.
- 3.5 Following the submission made by Merseyside Police both the Premises Licence Holder and Merseyside Police are content for the application for the Review to be heard in their absence.

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

Licensing Team Leader

telephone: 0151 691 8478

email: richardleyland@wirral.gov.uk

APPENDICES

- Application to Review the Premises Licence.

REFERENCE MATERIAL

None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

Local plan of Premises



LICENSING ACT 2003 COMMITTEE

LICENSING ACT 2003 SUB-COMMITTEE

4 OCTOBER 2012

SUBJECT:	APPLICATION TO REVIEW A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	NEW BRIGHTON WARD
REPORT OF:	ACTING 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 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 Palace Club, Marine Promenade, New Brighton.**

2.0 BACKGROUND AND KEY ISSUES

2.1 The Palace Club currently has a Premises Licence, to allow the following Licensable Activities:

Sale by Retail of Alcohol

Sunday to Saturday 12:00 to 05:00

Hours Open to the Public

Sunday to Saturday 12:00 to 05:00

Regulated Entertainment (Boxing or Wrestling and Indoor Sporting Events)

Sunday to Thursday 12:00 to 00:00
Friday and Saturday 12:00 to 02:00

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

Sunday to Saturday 12:00 to 05:00

Regulated Entertainment (Anything of a Similar Description to that of Live Music, Recorded Music and Performance of Dance)

Sunday to Thursday 12:00 to 00:00
Friday and Saturday 12:00 to 02:00

Entertainment Facilities (Facilities for Dancing)

Sunday to Saturday 12:00 to 05:00

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

Sunday to Thursday 12:00 to 00:00

Friday and Saturday 12:00 to 02:00

Late Night Refreshment

Sunday to Saturday 23:00 to 05:00

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 appropriate 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 appropriate if it finds that the review does not require it to take any steps that are appropriate 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 Palace Club. Merseyside Police have advised that the grounds for review are in relation to the Prevention of Crime and Disorder due to the Premises Licence Holder being associated with criminal activities.

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

3.3 Since this application to Review the Premises Licence was made by Merseyside Police, an application has been received to transfer the Premises Licence Holder. Following no objections from Merseyside Police, this application has been granted.

3.4 Merseyside Police have made a submission to the Licensing Authority that due to changes that have taken place at the Premises they do not consider it is appropriate to take any further action to address their concerns in respect of the Premises Licence.

3.5 Following the submission made by Merseyside Police both the Premises Licence Holder and Merseyside Police are content for the application for the Review to be heard in their absence.

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**
Licensing Team Leader
telephone: 0151 691 8478
email: richardleyland@wirral.gov.uk

APPENDICES

- Application to Review the Premises Licence.

REFERENCE MATERIAL

None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

Local plan of Premises



This page is intentionally left blank