

LICENSING ACT 2003 SUB-COMMITTEE

Wednesday, 9 January 2013

Present:

Councillors G Davies
 D Mitchell
 H Smith

73 **APPOINTMENT OF CHAIR**

Resolved - That Councillor H Smith be appointed Chair for this meeting.

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

Members of the Committee were asked to declare any disclosable pecuniary and non pecuniary interests in connection with the application on the agenda and state the nature of the interest.

No such declarations were made.

75 **APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003: THE WHITE LOUNGE, 15-17 WALLASEY ROAD, WALLASEY**

The Acting Director of Law, HR and Asset Management reported upon an application that had been received from Thomas Sadler for the grant of a Premises Licence in respect of The White Lounge, 15-17 Wallasey Road, Wallasey, under the provisions of the Licensing Act 2003.

The premises had previously held a Premises Licence allowing the hours as set out within the report, however this had subsequently been surrendered following a review application made by Merseyside Police. The application for the grant of a Premises Licence was for the hours as set out within the report.

The applicant was required to submit an operating schedule setting out how they would conduct/manage their business 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 this application, a petition signed by 33 members of Central Liscard Area Residents Association had been received. The petition had been signed by local residents due to concerns relating to the cumulative impact of licensed premises in the Liscard area. A copy of the petition was available.

No representations had been received from any of the Responsible Authorities.

Mr Sadler attended the meeting together with his representative, Mr Johnson.

Mr D Hale, Chair, Central Liscard Area Residents Association was also in attendance.

The Licensing Manager advised that Councillor Dodd was unable to attend and sent his apologies. Members were advised that the application in respect of the Performance of Dance had been withdrawn by the applicant.

Mr Johnson addressed the Sub-Committee. He confirmed that the applicant had withdrawn his request for the Performance of Dance. He reported that the applicant had many years of experience within the licensing trade in Wirral and had run a number of premises with a good record. He informed Members that the main aim of the premises would be to offer breakfasts in the morning and operate as a traditional steakhouse during the afternoon and evening and that the occasional function would be held. He advised that the premises would provide an opportunity to employ a number of local people and informed that the applicant would be willing to join a Pubwatch Scheme and install a noise limiting device. He asked that the application be granted as requested.

Mr Johnson and Mr Sadler responded to questions from Mr Hale and Members of the Sub-Committee.

Mr Hale reported that the premises is located in a predominantly residential area and expressed concerns regarding disturbance caused by people creating trails of disturbance throughout Liscard. He reported that Central Liscard Area Residents Association were in objection to the hours applied for across the week and requested that the premises close at an earlier hour from Sunday to Thursday.

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 Statutory Guidance issued under section 182 of the Licensing Act 2003.

Members considered the representations made by Mr Hale on behalf of Central Liscard Area Residents Association.

Members had regard to the fact that there were no representations from the Responsible Authorities, in particular, Merseyside Police or Environmental Health.

Members considered the representations made by the applicant and his representative in respect of how the premises would be operated and how the licensing objectives would be maintained as well as the experience of the applicant in operating licensed premises.

Members noted that the applicant was willing to operate a noise limiter device at the premises and become a member of the local Pub Watch Scheme.

In determining the matter Members had regard to the lack of direct evidence that the licensing objectives would be undermined should the application be granted.

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 for a Premises Licence in respect of The White Lounge, 15-17 Wallasey Road, Wallasey, be granted with the following hours:

Sale by Retail of Alcohol

Sunday to Saturday 10:00 to 01:00

Hours Open to the Public

Sunday to Saturday 10:00 to 01:30

Regulated Entertainment (Live Music and Recorded Music)

Sunday to Saturday 10:00 to 01:00

Late Night Refreshment

Sunday to Saturday 23:00 to 01:00