



## Licensing Act 2003 Sub-Committee

<b>Date:</b>	Thursday, 4 April 2013
<b>Time:</b>	10.00 am
<b>Venue:</b>	Committee Room 3 - 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 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 VARY A PREMISES LICENCE - THE BOOT, 55 WALLASEY ROAD, WALLASEY (Pages 1 - 6)**
- = B R E A K =**
- 1.00 PM**
4. **APPLICATION FOR A PREMISES LICENCE - THE MOBY DICK, 1 VILLAGE ROAD, WEST KIRBY (Pages 7 - 12)**
  5. **ANY OTHER URGENT BUSINESS ACCEPTED BY THE CHAIR**  

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

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**LICENSING ACT 2003 COMMITTEE  
LICENSING ACT 2003 SUB-COMMITTEE**

4 APRIL 2013

<b>SUBJECT:</b>	<b>APPLICATION TO VARY A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003</b>
<b>WARD AFFECTED:</b>	<b>LISCARD WARD</b>
<b>REPORT OF:</b>	<b>STRATEGIC DIRECTOR OF REGENERATION &amp; ENVIRONMENT</b>
<b>KEY DECISION?</b>	<b>NO</b>

## 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 **Mr Gary Laycock** and relates to the premises known as **The Boot, 55 Wallasey Road, 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**

Sunday to Wednesday 10:00 to 23:30  
Thursday 08:00 to 23:30  
Friday and Saturday 08:00 to 00:30

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

Sunday to Wednesday 10:00 to 00:00  
Thursday 08:00 to 00:00  
Friday and Saturday 08:00 to 01:30

### **Regulated Entertainment (Recorded Music, Performance of a Play, Exhibition of films and Indoor Sporting Events)**

Sunday to Wednesday 10:00 to 23:30  
Thursday 08:00 to 23:30  
Friday and Saturday 08:00 to 00:30

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

Sunday to Wednesday 12:00 to 23:30  
Thursday 12:00 to 23:30  
Friday and Saturday 12:00 to 00:30

### **Late Night Refreshment**

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

## **Non-Standard Timings**

The above Licensable Activities and Hours Open to the Public are permitted from 08:00 on New Years Eve until 08:00 on New Years Day.

Friday and Saturday of Bank Holiday Weekends, Christmas Eve and Boxing Day:

<b>Sale by Retail of Alcohol</b>	12:00 to 01:00
<b>Regulated Entertainment</b>	08:00 to 01:00
<b>Late Night Refreshment</b>	23:00 to 01:00
<b>Hours Open to the Public</b>	08:00 to 02:00

### **3.0 APPLICATION**

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

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

Monday to Wednesday	10:00 to 00:00
Thursday to Saturday	08:00 to 01:00
Sunday	10:00 to 01:00

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

Monday to Wednesday	10:00 to 00:30
Thursday to Saturday	08:00 to 01:30
Sunday	10:00 to 01:30

#### **Regulated Entertainment (Performance of a Play, Exhibition of films and Indoor Sporting Events)**

Sunday to Wednesday	10:00 to 23:30 (unchanged)
Thursday	08:00 to 23:30 (unchanged)
Friday and Saturday	08:00 to 00:30 (unchanged)

#### **Regulated Entertainment (Recorded Music)**

Monday to Wednesday	10:00 to 00:00
Thursday to Saturday	08:00 to 01:00
Sunday	10:00 to 01:00

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

Monday to Wednesday	12:00 to 23:30 (unchanged)
Thursday	12:00 to 00:30
Friday and Saturday	12:00 to 00:30 (unchanged)
Sunday	12:00 to 00:30

#### **Late Night Refreshment**

Sunday to Thursday	23:00 to 00:00 (unchanged)
Friday and Saturday	23:00 to 01:00 (unchanged)

## **Non-Standard Timings**

The following non-standard timings have also been requested:

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

10:00 to 01:00 on any day preceding a Bank Holiday (excluding Christmas Day)  
10:00 to 02:00 on Christmas Eve and Boxing Day

### **Live Music**

12:00 to 00:30 on any day preceding a Bank Holiday (excluding Christmas Day)

### **Recorded Music**

12:00 to 01:00 on any day preceding a bank holiday (excluding Christmas Day)  
10:00 to 02:00 on Christmas Eve and Boxing Day

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

10:00 to 01:30 on any day preceding a Bank Holiday (excluding Christmas Day)  
10:00 to 02:30 on Christmas Eve and Boxing Day

All other Non-Standard Timings to remain the same.

3.2 The applicant has also requested to amend the following condition which is currently imposed on the Premises Licence from:

- Beer Garden must be cleared by 9.00pm.

to:

- There will be no consumption of alcohol, food or drinks in the beer garden after 10.00pm.

## **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.

Two representations have been received from local residents who are against the application. A representation has also been received by Central Liscard Residents Association together with a petition signed by 53 local residents. The representations relate to noise from entertainment coming from the premises and

nuisance being caused by customers leaving the premises at a late hour. Concerns have also been made in relation to the increase of anti-social behaviour which is currently a problem within the vicinity of the premises. Copies of the representations and the petition are available.

A representation has also been received from Ward Councillor, Bernadette Mooney. The representation supports the concerns expressed by Local Residents. A copy of the representation is available.

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

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

## **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.

**REPORT AUTHOR:**           **Richard Leyland**  
Licensing Team Leader  
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## APPENDICES

- Application to vary a Premises Licence
- Representations received from local residents and a Ward Councillor

## REFERENCE MATERIAL

- None

## SUBJECT HISTORY (last 3 years)

Council Meeting	Date

# Location Plan of Premises



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## WIRRAL COUNCIL

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

4 APRIL 2013

SUBJECT:	APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	WEST KIRBY AND THURSTASTON WARD
REPORT OF:	STRATEGIC DIRECTOR OF REGENERATION & ENVIRONMENT
KEY DECISION?	NO

#### 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 **Cocktails Un Limited** and relates to the premises known as **The Moby Dick, 1 Village Road, West Kirby.**

#### 2.0 BACKGROUND AND KEY ISSUES

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

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

Sunday to Thursday 10:00 to 23:30  
Friday and Saturday 10:00 to 00:00

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

Sunday to Thursday 09:00 to 00:00  
Friday and Saturday 09:00 to 00:30

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

Sunday to Thursday 10:00 to 23:00  
Friday and Saturday 10:00 to 23:30

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

Sunday to Thursday 23:00 to 23:30  
Friday and Saturday 23:00 to 00:00

- 2.2 The applicant is seeking a substantial variation to the Premises Licence including the introduction of an outside area. In these circumstances it is a requirement under the Licensing Act 2003 that an application is made for the grant of a licence. A copy of the existing Premises Licence is available.

### **3.0 APPLICATION**

3.1 The application for the grant of a new Premises Licence is as follows:

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

Sunday to Thursday 10:00 to 23:30

Friday and Saturday 10:00 to 00:00

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

Sunday to Thursday 09:00 to 00:00

Friday and Saturday 09:00 to 00:30

#### **Regulated Entertainment (Recorded Music)**

Sunday to Thursday 10:00 to 23:00

Friday and Saturday 10:00 to 23:30

#### **Late Night Refreshment**

Sunday to Thursday 23:00 to 23:30

Friday and Saturday 23:00 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.

Eight Representations have been received from local residents. The representations relate to noise nuisance being caused by customers at a late hour. Concerns have also been made regarding the use of the outside area with the potential of noise being caused by customers. Copies of the representations are available.

A representation has also been received from Ward Councillor, Geoffrey Watt. The representation supports the concerns expressed by Local Residents. A copy of the representation is available.

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

Wirral Safe Guarding Children Board  
Trading Standards  
Planning Authority  
Fire Authority  
Environmental Health  
Merseyside Police  
Wirral PCT  
Wirral Licensing Authority

## **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 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 a Premises Licence
- Representations received from Local Residents and a Ward Councillor.

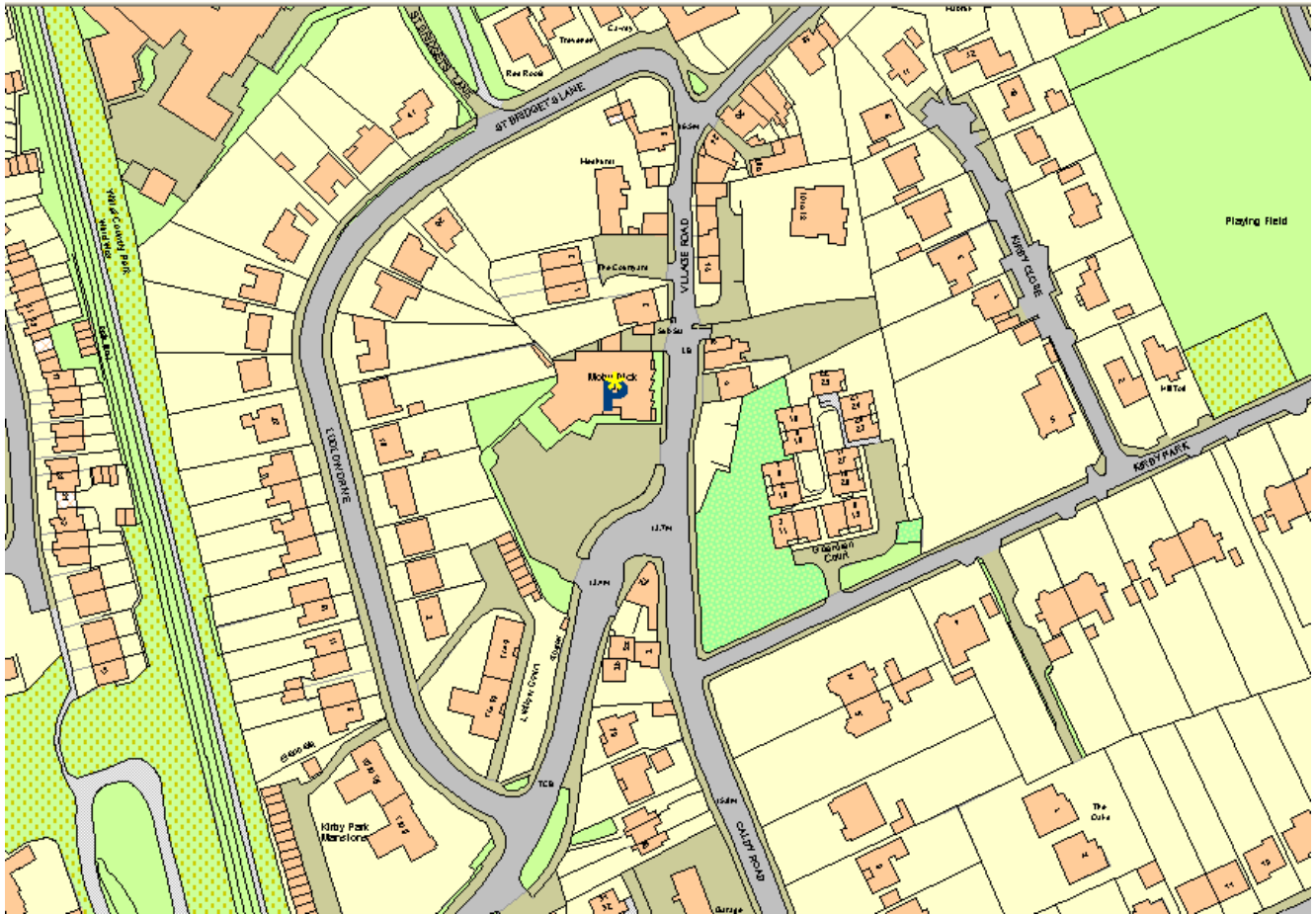
## REFERENCE MATERIAL

- None

## SUBJECT HISTORY (last 3 years)

Council Meeting	Date
None	

# Location plan of Premises



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