



Licensing Act 2003 Sub-Committee

Date:	Thursday, 17 August 2017
Time:	1.00 pm
Venue:	Cabinet Briefing Room - Wallasey Town Hall

Contact Officer: Anne Beauchamp
Tel: 0151 691 8608
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Website: <http://www.wirral.gov.uk>

AGENDA

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

Members of the Sub-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. CLUB LQD - TEMPORARY EVENT NOTICE (Pages 1 - 18)**
- 4. 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

LICENSING ACT 2003 SUB-COMMITTEE

17 AUGUST 2017

REPORT TITLE	CONSIDERATION OF AN OBJECTION NOTICE IN RESPECT OF A TEMPORARY EVENT NOTICE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
REPORT OF	MANAGING DIRECTOR FOR DELIVERY

REPORT SUMMARY

The purpose of this report is to consider an Objection Notice that has been given by Environmental Health in respect of a Temporary Event Notice under the provisions of the Licensing Act 2003. The proposed Premises User is **Crystal Kelly** and the Notice relates to the Premises known as **Club LQD, 92 Argyle Street, Birkenhead**.

RECOMMENDATION/S

The Licensing Act 2003 Sub-Committee are asked to consider the Objection Notice in respect of the Temporary Event Notice.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

1.1 It is a statutory requirement for this Committee to determine the Objection Notice.

2.0 OTHER OPTIONS CONSIDERED

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

3.0 BACKGROUND INFORMATION

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

Sale by Retail of Alcohol

Sunday to Saturday 12:00 to 04:00

Live Music, Recorded Music, Performance of Dance and anything of a similar description

Sunday to Saturday 12:00 to 04:00

Late Night Refreshment

Sunday to Saturday 23:00 to 04:00

Hours Open to the Public

Sunday to Saturday 12:00 to 04:00

3.2 The proposed Premises User, Crystal Kelly, is also the Designated Premises Supervisor. Ms Kelly has been Designated Premises Supervisor at these premises since 19 January 2017.

4.0 TEMPORARY EVENT NOTICE

3.1 In respect of the Temporary Event Notice the following Licensable Activities and hours have been requested:

Sale by Retail of Alcohol and Regulated Entertainment

Sunday, 27 August 2017 – 00:00 to 06:00

Monday, 28 August 2017 – 00:00 to 06:00

3.2 The purpose of the Temporary Event Notice is to celebrate the Bank Holiday weekend. A copy of the Temporary Event Notice is available.

4.0 RELEVANT OBJECTION NOTICE

4.1 An Objection Notice has been received from Environmental Health. The Objection relates to the prevention of public nuisance. A copy of the Objection Notice is available.

4.0 FINANCIAL IMPLICATIONS

4.1 There are no specific implications arising from this report.

5.0 LEGAL IMPLICATIONS

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

6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

6.1 There are no specific implications arising from this report.

7.0 RELEVANT RISKS

7.1 There are none arising directly from this report.

8.0 ENGAGEMENT/CONSULTATION

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

9.0 EQUALITY IMPLICATIONS

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

No because there is no relevance to equality.

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

APPENDICES

None

REFERENCE MATERIAL

- Temporary Event Notice
- Objection Notice received from Environmental Health

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

Location of premises



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Temporary Event Notice

Club LQD
92 Argyle Street, Birkenhead

* required information

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You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.



Continued from previous page...

Your Address

Address official correspondence should be sent to.

* Building number or name	<input type="text" value="12"/>
* Street	<input type="text" value="Keswick Road"/>
District	<input type="text" value="Wallasey"/>
* City or town	<input type="text" value="Wirral"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text" value="CH453JD"/>
* Country	<input type="text" value="United Kingdom"/>

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APPLICATION DETAILS (See also guidance on completing the form, general notes and note 1)

Have you had any previous or maiden names?

- Yes No

* Your date of birth / /
dd mm yyyy

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Correspondence Address

Is the address the same as (or similar to) the address given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text" value="12"/>
Street	<input type="text" value="Keswick Road"/>
District	<input type="text" value="Wallasey"/>
City or town	<input type="text" value="Wirral"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="CH453JD"/>
Country	<input type="text" value="United Kingdom"/>

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Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text" value="gregory01rodger@yahoo.co.uk"/>
Telephone number	<input type="text" value="07999365835"/>
Other telephone number	<input type="text" value="07788989296"/>

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THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). [\(See also guidance on completing the form, note 2\)](#)

* Does the premises have an address?

- Yes No

Address

Is the address the same as (or similar to) the address given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

* Building number or name	<input type="text" value="92"/>
* Street	<input type="text" value="ARGYL STREET"/>
District	<input type="text" value="BIRKENHEAD"/>
* City or town	<input type="text" value="WIRRAL"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text" value="CH416AG"/>
* Country	<input type="text" value="United Kingdom"/>

* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

- Neither Premises licence Club premises certificate

* Premises licence number	<input type="text" value="211000281"/>
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Location Details

* Provide further details about the location of the event

<input type="text" value="CLUB LQD"/>

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If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below [\(see also guidance on completing the form, note 3\)](#)

N/A

Describe the nature of the premises below [\(see also guidance on completing the form, note 4\)](#)

NIGHTCLUB

Describe the nature of the event below [\(see also guidance on completing the form, note 5\)](#)

BANK HOLIDAY WEEKEND.

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LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises [\(see also guidance on completing the form, note 6\)](#):

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- The giving of a late temporary event notice

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

[\(See also guidance on completing the form, note 7\).](#)

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

[\(see also guidance on completing the form, note 8\)](#)

Event start date / /
dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date / /
dd mm yyyy

Continued from previous page...

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

23-59 TO 06-00

[\(see also guidance on completing the form, note 9\)](#)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

100

Note that the maximum number of people cannot exceed 499.

[\(see also guidance on completing the form, note 10\)](#)

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

[\(see also guidance on completing the form, note 11\):](#)

- On the premises only
- Off the premises only
- Both

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RELEVANT ENTERTAINMENT [\(See also guidance on completing the form, note 12\)](#)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

23-59 TILL 06-00

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PERSONAL LICENCE HOLDERS [\(See also guidance on completing the form, note 13\)](#)

Do you currently hold a valid personal licence? Yes No

Provide the details of your personal licence below.

Issuing licensing authority

Licence number

Date of issue / /
dd mm yyyy

Date of expiry / /
dd mm yyyy

Continued from previous page... Any further relevant details

NEW LICENCE SO NO DATES ON IT

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PREVIOUS TEMPORARY EVENT NOTICES [\(See also guidance on completing the form, note 14\)](#)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

Yes No

State the number of temporary event notices you have given for events in that same calendar year

3

Have you already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or Yes No
b) Begins 24 hours or less after the event period proposed in this notice?

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ASSOCIATES AND BUSINESS COLLEAGUES [\(See also guidance on completing the form, note 15\)](#)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or Yes No
b) Begins 24 hours or less after the event period proposed in this notice?

Continued from previous page...

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? Yes No

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or
- b) Begins 24 hours or less after the event period proposed in this notice?

Yes No

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CONDITION [\(See also guidance on completing the form, note 17\)](#)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. This formality requires a fixed fee of £21

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION [\(See also guidance on completing the form, note 18\)](#)

* The information contained in this form is correct to the best of my knowledge and belief

Continued from previous page...

* I understand that it is an offence:

- * (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
- * (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

CRYSTAL JEAN KELLY

* Capacity

D.P.S.

Date (dd/mm/yyyy)

9/7/17

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/wirral/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

Objection Notice

Club LQD
92 Argyle Street, Birkenhead

Leyland, Richard K.

From: Zorn, Toby
Sent: 14 August 2017 12:20
To: gregory01rodger@yahoo.co.uk
Cc: Licensing
Subject: Club LQD: TEN application for 27/8/17 (23:59) to 28/8/17 (06:00)

Importance: High

Further to the above I can confirm that Environmental Health recommends that the application be refused on the grounds of continuing noise nuisance generated by Club LQD, 92 Argyle Street, Birkenhead, Wirral, Merseyside, CH41 6AG.

Regards

Toby Zorn

Environmental Health Officer
Environmental Health

email: tobyzorn@wirral.gov.uk

Wirral Council
Regeneration & Environment Directorate
Environmental Health
South Annexe, Wallasey Town Hall
Brighton Street
Seacombe, CH44 8ED

Visit our website: www.wirral.gov.uk

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Do it online.

Did you know that you can request a number of services or report issues via our website? This is the cheapest and quickest way to contact us.

Please report issues online instead of using email when contacting us in the future.

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