

LICENSING ACT 2003 SUB-COMMITTEE

Tuesday, 3 April 2018

Present	Councillors	M Sullivan	D Mitchell
		L Rowlands	

90 APPOINTMENT OF CHAIR

Resolved – That Councillor M Sullivan be appointed Chair for this meeting

91 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Sub-Committee were 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.

No such declarations were made

92 APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003 - MARINE STREET SOCIAL, 6 MARINE POINT, KINGS PARADE, NEW BRIGHTON.

The Managing Director for Delivery reported upon an application that had been received from Mr Casson for a Premises Licence in respect of 6 Marine Point, Kings Parade, New Brighton, under the provisions of the Licensing Act 2003.

It was reported that these premises do not currently have a premises licence and are not currently operating. The hours requested were outlined within the report.

The applicant had submitted an operating schedule setting out how the business would be conducted/ managed in accordance with the four licensing objectives. A copy of the full application was available.

Representations had been received from a local resident and Travelodge Hotels Ltd, a local business. The representations related to concerns that noise emanating from the premises could cause disturbance and guests leaving the premises could cause a public nuisance in the area. Copies of the representations were available.

The applicant attended the meeting together with his solicitor, Mr Barry.

Annie McIntyre and Lesley Black, representatives from The Travelodge Hotels Ltd, were also in attendance.

The Licensing Manager confirmed that all documentation had been sent and received and advised that prior to this meeting, discussions had been held between parties and an amendment to the hours of operation and been proposed along with timing of entertainment use.

Mr Barry addressed the Committee and advised how having considered the representations made in respect of the application, the application was being amended to reduce the hours that the premises would operate during the week. The Committee heard how discussions had taken place with Environmental Health and Merseyside Police which had resulted in detailed conditions being proposed and accepted as relevant conditions should the application be granted. Mr Barry also informed that should the premises licence be granted, a limit to the sound levels that would be permitted would be set in conjunction with Environmental Health and The Travelodge as a means to prevent public nuisance

Mr Barry explained how the focus of the business would be centred round food, craft ales and gin. The seating in the premises would be benches and booths with a maximum capacity of around 60 people. He also explained that the style of live music would be acoustic with low level ambient recorded music.

Mr Barry addressed the written representation received from a local resident and highlighted that their address is 800m away from the premises and would therefore not have an impact.

Mr Barry responded to questions from Travelodge representatives, Members of the Sub Committee and Mr A Bayatti, Legal Advisor to the Sub Committee.

Ms McIntyre and Ms Black, representatives from The Travelodge Hotels Ltd then addressed the committee. They informed how they now had a clearer understanding of how the premises would operate and that they were now satisfied that should the conditions proposed and the amendment to the hours be implemented they would be satisfied for a licence to be granted.

Ms McIntyre and Ms Black responded to questions from Members of the sub committee.

In determining the application. Members had particular regard to the proximity of The Travelodge to the premises and took into account the willingness of the applicant to both have conditions imposed on the licence and work with The Travelodge to prevent public nuisance. Members took into account the review procedure provided in the Licensing Act 2003 and that all proposed conditions should be worded in a way that they will be enforceable.

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 Marine Street Social, 6 Marine Point, Kings Parade, New Brighton be granted with the following hours:**

Sale by Retail of Alcohol

Sunday to Thursday 08:00am to 11:30pm

Friday to Saturday 08:00am to 01:30am

Live Music

Monday to Sunday 23:00pm to 00:00am

Recorded Music

Sunday – Thursday 23:00pm to 00:00am

Friday – Saturday 23:00pm to 02:00am

Late Night Refreshment

Sunday – Thursday 23:00pm to 00:00am

Friday – Saturday 23:00pm to 02:00am

Hours Open to the Public

Sunday – Thursday 08:00am to 00:00am

Friday – Saturday 08:00am to 02:00am

3) The Licensing Act 2003 Sub-Committee determined that in addition to the appropriate conditions proposed in the operating schedule and the further condition agreed with Merseyside Police the following conditions be applied to the licence.

A vestibule entrance to be constructed at the main entrance

That the applicant controls designated smoking areas so as to not cause a public nuisance to other neighbouring premises, in particular, The Travelodge.

Any customer who takes a beverage outside to the ground floor area must be seated and must only use a poly carbonate drinking vessel.

Ground floor external seating areas will be closed beyond 10pm.

The roof terraced area must close at 11pm (Monday – Sunday)

That the applicant liaises with Environmental Heath & The Travelodge regarding noise levels to be set.

No glasses or bottles must be disposed of between 22:00pm and 10:00am.