



Licensing Act 2003 Sub-Committee

Date: Tuesday, 3 April 2018

Time: 10.00 am

Venue: Committee Room 3 - Wallasey Town Hall

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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. APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003 - MARINE STREET SOCIAL, 6 MARINE POINT, KINGS PARADE, NEW BRIGHTON.
(Pages 1 - 6)**

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LICENSING ACT 2003

LICENSING ACT 2003 SUB-COMMITTEE

3 APRIL 2018

REPORT TITLE	APPLICATION FOR A PREMISES LICENCE 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 application for a Premises Licence under the provisions of the Licensing Act 2003. The application is made by **Robert Casson** and relates to the premises known as **Marine Street Social, 6 Marine Point, Kings Parade, New Brighton**.

RECOMMENDATION/S

The Licensing Act 2003 Sub-Committee are asked to consider the application for a Premises Licence in respect of the above premises.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 It is a statutory requirement for this Committee to determine the application due to relevant representations being received.

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 do not currently have a premises licence and are not currently operating.

3.2 APPLICATION

The application for a Premises Licence is as follows:

Sale by Retail of Alcohol

Monday to Sunday 08:00 to 02:00

Live Music

Monday to Sunday 23:00 to 00:00

Recorded Music

Monday to Sunday 23:00 to 02:00

Late Night Refreshment

Monday to Sunday 23:00 to 02:00

Hours Open to the Public

Monday to Sunday 08:00 to 02:00

Non-Standard Timings:

All of the above Licensable Activities, and Hours Open to the Public from the terminal hour on New Years Day until 08:00 (Late Night Refreshment until 05:00).

Sale by Retail of Alcohol and Hours Open to the Public to commence from 07:00 for the three days of the Grand National Event.

- 3.3 Members will note that Live Music and Recorded Music as detailed within Paragraph 3.2 of this report commences from 23:00. This is due to the fact that no licence is required for Live Music and Recorded Music between the hours of 08:00 and 23:00 on a premises licensed to supply alcohol during these times.
- 3.4 The applicant has indicated that Live Music will be provided indoors only and that recorded music will be provided both indoors and outdoors.

3.5 PROMOTION OF LICENSING OBJECTIVES

Applicants are required to submit as part of their application an operating schedule that sets out how they will conduct/manage their business to promote the four Licensing Objectives. A copy of the full application is available.

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 application be granted.

Following discussions with Environmental Health, the applicant has agreed that recorded music will cease at 23:00 within the outside areas of the premises.

Following discussions with Merseyside Police, the applicant has agreed to include a number of conditions to be placed on the Premises Licence if the application is granted. Details of these conditions are as follows:

- CCTV coverage shall be provided in the form of a recordable system, capable of providing clear quality images of evidential quality in all lighting conditions. Cameras shall encompass all entrances and exits, the immediate front outside main door area and all areas where the sale/supply of alcohol occurs within the premises. Equipment shall be maintained in good working order and checked on a regular basis. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a period of 31 days and made available to the police officers on reasonable written request for evidential purposes, in accordance with Data Protection Legislation. The Recording equipment shall be kept in a secure environment under the control of the Premises Licence Holder or other responsible named individual.
- All drinks for consumption on roof terrace area will be dispensed into plastic/polycarbonate drinking vessels at all times.
- An incident book must be kept on the premises, staff will record any incidents of crime and disorder at the premises and will be made available for inspection by police officers. The Police Officer will endeavour to endorse all records/logs at the time of the request.
- A Refusals Book/log must be kept on the premises and staff must record any refusals for the sale of alcohol. The refusals book/log must be made available for inspection by police officers on reasonable request. The Police Officer will endeavour to endorse all records/logs at the time of the request.
- All bar staff will be fully trained in relation to the prevention of underage sales of alcohol and legislation in respect of serving to customers who are drunk. Staff training will be updated on a regular basis. Records of staff training will be made available for inspection by police officers on reasonable request. The Police Officer will endeavour to endorse all records / logs at the time of the request.
- Persons under the age of 18years must be off the premises by 2200
- A Challenge 25 policy must be implemented at the premises. All occasions when a person has been refused must be recorded in writing.
- Best endeavours must be made to stop open vessels, glass, bottles or alcohol containers being allowed to be taken beyond the delineated licensed area as indicated on the deposited plan or any area covered by a Pavement Cafe Licence.
- On any day when the premises are open after midnight the minimum number of SIA security staff on duty from 22.00 until the premises close shall be 2 (Two)

- All door staff to sign on and off duty in a register kept specifically for that purpose. All entries to be countersigned by the DPS or their nominated deputy.
- A register shall be kept with the full name, date of birth, current home address, SIA badge number and a current photo of all persons performing security or door duties at the premises.

3.6 RELEVANT REPRESENTATIONS

The following representations have been received in respect of the above application.

Local Resident

A representation has been received from a Local Resident who has concerns regarding customers leaving the premises at a late hour causing a public nuisance. Concerns are also raised regarding noise nuisance from entertainment coming from the premises. A copy of the representation is available.

Local Business

A representation has been received from Travelodge Hotels Limited who operate a Travelodge which is located opposite these premises. The representation relates to concerns that late night music at these premises may cause a disturbance to the hotel guests. The representation also relates to concerns that customers of these premises will cause a public nuisance whilst leaving the premises. A copy of the representation is available.

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

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

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.

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APPENDICES

None

REFERENCE MATERIAL

- Application for a Premises Licence
- Representations received from a Local Resident and Travelodge Hotels Limited.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

Location of premises

