



Licensing Act 2003 Sub-Committee

Date:	Friday, 18 September 2020
Time:	10.00 a.m.
Venue:	Virtual

Contact Officer: Anne Beauchamp
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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. **10.00 AM - APPLICATION TO VARY A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003 - MARINE STREET SOCIAL, MARINE POINT, KINGS PARADE, NEW BRIGHTON (Pages 1 - 6)**
4. **2.00 PM - APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003 - THE SPORTS BAR, 60-62 ARGYLE STREET, BIRKENHEAD (Pages 7 - 10)**

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LICENSING ACT 2003

LICENSING ACT 2003 SUB-COMMITTEE

18 SEPTEMBER 2020

REPORT TITLE	APPLICATION TO VARY A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
REPORT OF	DIRECTOR OF LAW AND GOVERNANCE

REPORT SUMMARY

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 **Robert Casson** and relates to the premises known as **Marine Street Social, Marine Point, Kings Parade, New Brighton**

RECOMMENDATION/S

The Licensing Act 2003 Sub-Committee are asked to consider the application to vary 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	4.0	APPLICATION
3.1	<p>These premises currently have a Premises Licence with the following permitted hours:</p> <p>Sale by Retail of Alcohol</p> <p>Sunday to Thursday 08:00 to 23:30 Friday and Saturday 08:00 to 01:30</p> <p>Live Music</p> <p>Sunday to Saturday 23:00 to 00:00</p> <p>Recorded Music</p> <p>Sunday to Thursday 23:00 to 00:00 Friday and Saturday 23:00 to 02:00</p> <p>Late Nigh Refreshment</p> <p>Sunday to Thursday 23:00 to 00:00 Friday and Saturday 23:00 to 02:00</p> <p>Hours Open to the Public</p> <p>Sunday to Thursday 08:00 to 00:00 Friday and Saturday 08:00 to 02:00</p> <p>Non-Standard Timings:</p> <p>Sale by retail of Alcohol</p> <p>An extension from the terminal hour on New Year's Day until 08:00.</p> <p>To commence at 07:00 for the three days of The Grand National Event.</p>	4.1	<p>The application for a Premises Licence is as follows:</p> <p>Sale by Retail of Alcohol</p> <p>Sunday to Thursday 08:00 to 00:00 Friday and Saturday 08:00 to 02:30</p> <p>Live Music (unchanged)</p> <p>Sunday to Saturday 23:00 to 00:00</p> <p>Recorded Music</p> <p>Sunday to Thursday 23:00 to 00:00 Friday and Saturday 23:00 to 02:30</p> <p>Late Nigh Refreshment</p> <p>Sunday to Thursday 23:00 to 00:00 Friday and Saturday 23:00 to 02:30</p> <p>Hours Open to the Public</p> <p>Sunday to Thursday 08:00 to 00:00 Friday and Saturday 08:00 to 02:30</p> <p>Non-Standard Timings:</p> <p>Sale by retail of Alcohol</p> <p>Christmas Eve 08:00 to 02:30</p> <p>Boxing Day 08:00 to 03:00</p> <p>An extension from the terminal hour on New Year's Day until 08:00.</p> <p>To commence at 07:00 for the three days of The Grand National Event.</p> <p>Bank Holiday Sundays 08:00 to 03:00</p>

<p>Live Music</p> <p>An extension from the terminal hour on New Year's Day until 08:00.</p> <p>Recorded Music</p> <p>An extension from the terminal hour on New Year's Day until 08:00.</p> <p>Late Night Refreshment</p> <p>An extension from the terminal hour on New Year's Day until 05:00.</p> <p>Hours Open to the Public</p> <p>An extension from the terminal hour on New Year's Day until 08:00.</p> <p>To commence at 07:00 for the three days of The Grand National Event.</p>	<p>Live Music (unchanged)</p> <p>An extension from the terminal hour on New Year's Day until 08:00.</p> <p>Recorded Music</p> <p>Christmas Eve 23:00 to 02:30</p> <p>Boxing Day 23:00 to 03:00</p> <p>An extension from the terminal hour on New Year's Day until 08:00.</p> <p>Bank Holiday Sundays 23:00 to 03:00</p> <p>Late Night Refreshment</p> <p>Christmas Eve 23:00 to 02:30</p> <p>Boxing Day 23:00 to 03:00</p> <p>An extension from the terminal hour on New Year's Day until 05:00.</p> <p>Bank Holiday Sundays 23:00 to 03:00</p> <p>Hours Open to the Public</p> <p>Christmas Eve 08:00 to 02:30</p> <p>Boxing Day 08:00 to 03:00</p> <p>An extension from the terminal hour on New Year's Day until 08:00.</p> <p>To commence at 07:00 for the three days of The Grand National Event.</p>
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5.0 PROMOTION OF LICENSING OBJECTIVES

- 5.1 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.
- 5.2 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 application be granted.

6.0 RELEVANT REPRESENTATIONS

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

Local Resident

In respect of this application, a representation has been received from a Local Resident. The representation relates to concerns of anti-social behaviour which could be caused by customers of the premises leaving at a late hour. 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 states that customers of the Travelodge currently suffer a material disturbance from the premises due to the level of noise generated from the property, in particular the level of base and vibrations from music being played at the premises. It is a concern therefore that the level of disturbance will increase should the application be granted. The concerns also relate to the potential for anti-social behaviour to take place within the immediate vicinity of the Travelodge and for the safety of guests staying at the Hotel to be put at risk. A copy of the representation is available.

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

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

7.0 FINANCIAL IMPLICATIONS

7.1 There are no specific implications arising from this report.

8.0 LEGAL IMPLICATIONS

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

9.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

9.1 There are no specific implications arising from this report.

10.0 RELEVANT RISKS

10.1 There are none arising directly from this report.

11.0 ENGAGEMENT/CONSULTATION

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

12.0 EQUALITY 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 ENVIRONMENT AND CLIMATE IMPLICATIONS

13.1 There are none arising from the content of this report.

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APPENDICES

None

BACKGROUND PAPERS

- Application to vary a Premises Licence
- Representations received from a Local Resident and Travelodge Hotels Limited

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

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LICENSING ACT 2003

LICENSING ACT 2003 SUB-COMMITTEE

18 SEPTEMBER 2020

REPORT TITLE	APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
REPORT OF	DIRECTOR OF LAW AND GOVERNANCE

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 **Lewis Holdgate** and relates to the premises known as **The Sports Bar, 60-62 Argyle Street, Birkenhead**.

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 previously held a Premises Licence however this licence lapsed as the Premises Licence Holder, Chevron Leisure Ltd dissolved.

<p>3.2 The hours permitted under the previous licence were as follows:</p> <p>Sale by Retail of Alcohol (for consumption on and off the premises)</p> <p>Sunday to Thursday 10:00 to 00:00 Friday and Saturday 10:00 to 02:00</p> <p>Recorded Music</p> <p>Sunday to Thursday 10:00 to 00:00 Friday and Saturday 10:00 to 02:00</p> <p>Hours Open to the Public</p> <p>Sunday to Thursday 10:00 to 01:00 Friday and Saturday 10:00 to 03:00</p> <p>Non-Standard Timings:</p> <p>New Years Eve and Boxing Day Sale by Retail of Alcohol until 04:00 Hours Open to the Public until 05:00</p>	<p>3.3 The application for a Premises Licence is as follows:</p> <p>Sale by Retail of Alcohol (for consumption on the premises)</p> <p>Sunday to Thursday 10:00 to 00:00 Friday and Saturday 10:00 to 02:00</p> <p>Recorded Music</p> <p>Sunday to Thursday 10:00 to 00:00 Friday and Saturday 10:00 to 02:00</p> <p>Hours Open to the Public</p> <p>Sunday to Thursday 10:00 to 01:00 Friday and Saturday 10:00 to 03:00</p> <p>Non-Standard Timings:</p> <p>Christmas Eve, Boxing Day and New Years Eve Sale by Retail of Alcohol until 04:00 Recorded Music until 04:00 Hours Open to the Public until 04:00</p>
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3.4 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 the Licensing Authority, the applicant agreed to amend the operating schedule.

3.5 RELEVANT REPRESENTATIONS

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

Local Residents

In respect of this application, nine representations have been received from Local Residents. The representations relate to a history of anti-social behaviour caused by customers of the premises and noise nuisance from entertainment coming from the premises at a late hour. Copies of the representations are available.

Ward Councillors

Representations have also been received from Ward Councillors, Pat Cleary and Steve Hayes, who support the representations made by Local Residents. Copies of these representations are available.

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

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

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.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 There are none arising from the content of this report.

REPORT AUTHOR: *Richard Leyland*
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APPENDICES

None

BACKGROUND PAPERS

- Application for a Premises Licence
- Representations received from Local Residents
- Representations received from Ward Councillors

SUBJECT HISTORY (last 3 years)

Council Meeting	Date