

LICENSING PANEL

Wednesday, 28 April 2021

Present: Councillor A Hodson (Chair)
D Mitchell
T Norbury

12 APPOINTMENT OF CHAIR

Resolved – That Councillor A Hodson be appointed Chair for this meeting.

13 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Panel 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.

14 APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003 - LAIRDS SPORTS CLUB, ST PETERS ROAD, ROCK FERRY

The Chair of the Licensing Panel announced that this meeting was being held virtually, was being webcast and a record would be retained.

The Director of Law and Governance reported upon an application that had been received from Lairds Sports Club '93 for a Premises Licence in respect of Lairds Sports Club, St Peters Road, Rock Ferry.

It was reported that the premises previously held a Club Premises Certificate which had been surrendered as the Club had ceased trading in January 2017 and sold to developers and the application was being made for a different site. The hours applied for were set out 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. Members were advised that the proposals set out in the operating schedule may become conditions of the licence should the application be granted. It was reported that following discussions with Merseyside Police and Trading Standards, the applicant had agreed to include a number of conditions on the Premises Licence.

In respect of the application 20 representations had been received from local residents who were objecting to the application. The representations related to concerns of anti-social behaviour and public nuisance being caused to local residents should the application be granted.

Ten representations had also been received from interested parties who considered that the licensing objectives would not be undermined should the application be granted. Copies of all representations were available.

The applicant's representative who was the Secretary of Lairds Sports Club attended the meeting by way of video conference.

Two local residents also attended the meeting by way of telephone call.

The Licensing Manager confirmed that all documentation had been sent and received.

The Licensing Manager outlined the report.

The applicant's representative informed Members of the Licensing Panel that the Club had been established since 1955 and that there had previously been a social club operating from a location on the East side of St Peter's Road, Rock Ferry, however, due to financial circumstances this land had been sold and the proceeds had been put into building a new Club on the football pitch site on the West side of St Peter's Road. Members of the Licensing Panel were advised that in recent years there had been an increase in residential properties within the vicinity of the Club.

The applicant's representative reported that the hours applied for were consistent with the previous licensing hours permitted for the old Club. He further reported that there had been no history of complaints connected to the use of the Club as a social venue. He acknowledged that parking had always been a problem in the area, particularly on match days and that other amenities in the road also caused issues related to parking. Members of the Licensing Panel were made aware that due to a planning restriction, the car park attached to the premises must be closed by 9.00 pm and would be limited to be used by up to 12 vehicles.

The applicant's representative referred to the objections raised and highlighted the fact that although the application had been made to sell alcohol from 11.00 am, the reason for this would be to accommodate events such as funerals or christenings which he anticipated may be booked approximately ten to twelve times a year and that it would not be the intention to regularly serve alcohol from 11.00 am.

The applicant responded to questions from Members of the Licensing Panel and the local residents who were in attendance.

In response to questions from local residents who had expressed concerns regarding noise nuisance and nuisance being caused by customers both inside the premises and within the vicinity of the premises, the applicant's representative confirmed that the Club would be willing to work together with local residents. Following a proposal to mitigate these concerns, the applicant's representative agreed to a number of measures which included having a quarterly forum with local residents, a steward managing customers leaving the premises and prior notification of any big events being provided to local residents.

The local residents in attendance advised that a large number of houses surrounded the Club and that local residents had experienced disturbance from music emanating from the previous Club and from customers leaving the premises late at night. They advised that they had great concerns as the new premises was located in closer proximity to their properties. One local resident emphasised that a compromise would be required to take into consideration the impact of the operation of the premises on the significant number of families who lived in close proximity to the premises. The local residents welcomed the proposal of a quarterly forum and they requested that they be provided with contact details of the Club should they experience any problems.

The local residents accepted that the Club would require a Premises Licence to support the activities on offer, however, they highlighted a number of matters that were of particular concern which included disturbance that may be caused to local residents by customers drinking and smoking outside of the building; music emanating from the fabric of the building as well as music being played outdoors and the number of hours applied for.

In response to the representations made, by the applicant's representative reported that acoustic panels were being installed in the walls of the function room, speakers would be pointing into the room and not directed outside the building and that the door to the Club house serving the conference room would remain closed after 9.00 pm in accordance with planning restrictions. He further advised that no customers would be permitted to take drinks to the outside area after 9.00 pm and emphasised that no music would be played outside of the building.

In determining the application the Licensing Panel had regard to the Licensing Objectives, the Council's Statement of Licensing Policy and the Statutory Guidance issued under Section 182 of the Licensing Act 2003.

In coming to their decision, Members gave consideration to the way in which the premises would be managed and also that the applicant's representative had provided assurances that they would be willing to work with local residents to address any problems that may arise.

In determining the application Members also had regard to the fact that there were no representations from any of the Responsible Authorities, in particular Merseyside Police and Environmental Health and had particular regard to the fact that no evidence had been submitted to support the representations that antisocial behaviour may be caused by the operation of the premises.

Members also took into account Section 11 of the Guidance in respect of the review mechanism provided by the Licensing Act 2003 when problems associated with the Licensing Objectives occur after the grant of a Premises Licence.

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 Lairds Sports Club, St Peters Road, Rock Ferry be granted with the following hours:

Sale by Retail of Alcohol

Monday to Saturday 11:00 to 22:30
Sunday 12:00 to 22:00

Live and Recorded Music

Following deregulation of Regulated Entertainment, Live and Recorded Music is permitted (subject to attendance limitations) until 23:00

Hours Open to the Public

Monday to Saturday 09:00 to 23:00
Sunday 11:00 to 22:30

Non-Standard Timings

Sale By Retail of Alcohol

Bank Holiday Sundays 19:00 to 23:00
Boxing Day 19:00 to 23:00
New Year's Eve 19:00 to 23:00

Hours Open to the Public

Bank Holiday Sundays 19:00 to 23:30

Boxing Day	19:00 to 23:30
New Year's Eve	19:00 to 23:30

(3) That in addition to the conditions set out in the operating schedule and the conditions agreed with Merseyside Police, the following conditions be placed on the Premises Licence:

- **All windows and external doors shall be kept closed except for the immediate access and egress of patrons.**
- **A quarterly forum must be arranged by the Club with local residents. A record of the meetings must be kept by the Club Secretary or their representative and these records be made available for inspection upon request by an authorised officer.**
- **There must be a person employed by or representing the Club located at the exit gate to manage customers leaving the premises 30 minutes before closing time and remain there until all customers have left the premises.**
- **There must be placed at all exits from the premises in a place where they can be seen and easily read by the public, notices requiring customers to leave the premises and the area quietly.**
- **Drinks must not be taken outside of the building after 9.00 pm.**
- **Assessments must be made outside of the building of any noise levels that may be produced by live or recorded music. These assessments must take place at least every 30 minutes and the premises must take steps to reduce the level of noise where it is found that it is likely to cause a disturbance to local residents. A written record shall be made of all assessments in a log book kept for that purpose and shall include, the time and date of the checks, the person making them and the results including any remedial action. These records must be made available for inspection upon request by an authorised officer.**
- **A telephone number must be available for neighbours so they may contact the premises if they consider public nuisance is being caused by the premises.**