

NAME OF PREMISES: MOJO'S, 3 DEE LANE, WEST KIRBY
NAME OF APPLICANT: MR ANDREW MCCREADY

1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is to consider an application to vary a Premises Licence under the provisions of the Licensing Act 2003.

2.0 RELEVANT BACKGROUND

2.1 These premises currently have a premises licence with the following hours:

Supply of Alcohol

Sunday to Thursday	11:00 to 00:00
Friday and Saturday	11:00 to 01:00

Hours Open to the Public

Sunday to Thursday	11:00 to 00:30
Friday and Saturday	11:00 to 01:30

Regulated Entertainment (Recorded Music)

Sunday to Saturday	11:00 to 00:00
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Regulated Entertainment (Live Music)

Thursday to Sunday	20:00 to 23:00
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3.0 APPLICATION

3.1 The applicant has requested to vary the Premises Licence to extend the licensed area to include the first floor for the Licensable Activities currently permitted on the licence. A copy of the proposed plan, showing the first floor of the premises, is available.

3.2 The applicant has also requested to remove the following conditions from the Premises Licence:

- The premises must adopt a policy of no admission to under 21 year olds and in order to meet this requirement a 'Think 21 Policy' is to be adopted.
- Whenever live entertainment is taking place, one SIA registered door person must be on duty from 20.00hrs until closing and that door person must be equipped with a hi-viz fluorescent jacket.

The applicant has proposed to include the following conditions on the Premises Licence if the variation is granted:

- One SIA registered door person to be on duty from 22:00hrs on Thursdays
- Two SIA registered door persons to be on duty from 22:00hrs on Fridays and Saturday
- Implement a 'Think 25' policy

4.0 PROMOTION OF LICENSING OBJECTIVES

- 4.1 Applicants are required to submit as part of their application an operating schedule that sets out how they will conduct/manage their business in accordance with the four Licensing Objectives. A copy of the full application detailing the steps proposed by the applicant is available.
- 4.2 Members of the Licensing Act 2003 Sub-Committee are advised that the proposals set out in the operating schedule would become conditions of licence should the licence be granted.

5.0 RELEVANT REPRESENTATIONS

- 5.1 The following Representations have been received in respect of the above application.

Interested Parties - Local Residents

In respect of this application, a representation has been received from a Local Resident. The representation relates to noise nuisance from entertainment coming from the premises. The representation also relates to nuisance being caused by customers leaving the premises at a late hour. A copy of the representation is available.

Ward Councillors, Gerry Ellis and John Hale, have also made a representation. The representations support the concerns expressed by the local resident. Copies of the representations are available.

- 5.2 There have been no other representations received from the following Responsible Authorities:

Wirral Area Child Protection Committee
Trading Standards
Environmental Health
Planning Authority
Fire Authority
Merseyside Police

6.0 FINANCIAL AND STAFFING IMPLICATIONS

- 6.1 A statutory fee has been paid in respect of the application, which goes towards administrative and enforcement costs.

7.0 EQUAL OPPORTUNITIES IMPLICATIONS

7.1 There are none arising from this report.

8.0 **LOCAL AGENDA 21 IMPLICATIONS**

8.1 There are none arising directly from this report.

9.0 **LOCAL MEMBER SUPPORT IMPLICATIONS**

9.1 The premises are located in the Hoylake and Meols ward.

10.0 **HUMAN RIGHTS IMPLICATIONS**

10.1 Article 6, of the First Protocol, concerned with the right to a fair hearing, may be applicable.

11.0 **COMMUNITY SAFETY IMPLICATIONS**

11.1 Effective control of Licensing Legislation can assist in raising standards and improve the perception of community safety.

12.0 **PLANNING IMPLICATIONS**

12.1 There are no Planning implications.

13.0 **BACKGROUND PAPERS**

13.1 Application form applying to vary a Premises Licence – Operating Schedule.

13.2 Representations received from a Local Resident and Ward Councillors.

14.0 **RECOMMENDATIONS**

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

Bill Norman
Director of Law, HR and Asset Management

This report was prepared by Richard Leyland who can be contacted on 691 8478