

**LICENSING AND REGISTRATIONS**

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**1.0 EXECUTIVE SUMMARY**

1.1 The purpose of this report is to inform the Licensing Act 2003 Committee of the various licences issued since the implementation of the Licensing Act 2003 on 24 November 2005.

**2.0 LICENCES ISSUED**

2.1 The following shows the total number of licences issued from 24 November 2005 to the date of this report being compiled.

<b>Premises Licences</b>	<b>870</b>
<b>Club Premises Certificate</b>	<b>91</b>
<b>Personal Licences</b>	<b>2014</b>

2.2 There have been a total number of 307 applications considered by the Licensing Act 2003 Sub-Committee.

2.3 According to the records of the Licensing Section a total number of seven premises have closed since the implementation of the Licensing Act 2003.

2.4 There have been 15 premises which have been subject to review. Details of these reviews are as follows:

<u>Premises Reference</u>	<u>Council Ward</u>	<u>Date of Licensing Act 2003 Sub-Committee</u>	<u>Decision</u>
A1	Liscard	8 December 2006	Licence suspended for one month and additional conditions attached to Licence
A2	Heswall	4 January 2007	Additional conditions attached to Premises Licence
A3	Birkenhead and Tranmere	20 April 2007	Licence suspended for three months and additional conditions attached to licence
A4	Seacombe	30 April 2007	Licence suspended for three months and additional conditions attached to licence
A5	Liscard	2 July 2007	Licence suspended for six weeks
A6	Birkenhead and	3 August 2007	Licence Revoked

	Tranmere			
A7	Birkenhead and Tranmere	7 September 2007		Licence suspended for 28 days and additional conditions attached to licence
A8	Liscard	10 October 2007		Licence suspended for 28 days and additional conditions attached to licence
A9	Birkenhead and Tranmere	19 October 2007		Licence suspended for ten days and additional conditions attached to licence
A10	Bidston and St James	28 November 2007		Licence suspended for six weeks and additional conditions attached to licence
A11	Hoylake and Meols	19 March 2008		Hours of the licence reduced and additional conditions attached to licence
A12	Birkenhead and Tranmere	15 May 2008		Licence suspended for six weeks, Designated Premises Supervisor removed and additional conditions attached to licence
A13	Pensby and Thingwall	11 August 2008		Additional conditions attached to licence
A14	Oxton	2 September 2008		No action taken
A15	Moreton West and Saughall Massie	13 October 2008		Licence Revoked

2.4 Since the implementation of the Licensing Act 2003 there have been 19 premises which have applied to Wirral Magistrates Court to Appeal against a decision of the Licensing Act 2003 Sub-Committee. Details of these appeals are as follows:

<u>Premises Reference</u>	<u>Council Ward</u>	<u>Date of Appeal</u>	<u>Reason for Appeal</u>	<u>Decision</u>
B1	Birkenhead and Tranmere	25 February 2008	Licence suspended for 28 days and additional conditions attached to licence	Appeal Dismissed
B2	Birkenhead and Tranmere	10 December 2007	Application to vary Licence refused	Appeal Dismissed

B3	Moreton West and Saughall Massie	Appeal withdrawn		
B4	Hoylake and Meols	17 July 2006	Application to vary licence refused	Appeal Dismissed
B5	Hoylake and Meols	27 July 2007	Application to vary licence refused	Appeal Dismissed
B6	Cloughton	Appeal Withdrawn		
B7	Birkenhead and Tranmere	5 September 2008	Application to vary certificate refused	Appeal Dismissed
B8	Moreton West and Saughall Massie	2 July 2008	Application to vary licence refused	Agreement made between all parties at hearing
B9	Birkenhead and Tranmere	11 July 2008	Temporary Event Notice refused	Appeal Dismissed
B10	Moreton West and Saughall Massie	Appeal Withdrawn		
B11	Liscard	Appeal Withdrawn		
B12	Moreton West and Saughall Massie	28 March 2006	Application granted with reduced hours	Appeal Dismissed
B13	Liscard	Appeal Withdrawn		
B14	Moreton West and Saughall Massie	3 & 4 April 2006	Residents Association appealed against decision	Appeal Dismissed
B15	Oxton	18 September 2007	Application to vary licence refused	
B16	Birkenhead and Tranmere	17 December 2007	Licence Revoked	Appeal Dismissed
B17	Oxton	Appeal Withdrawn		
B18	Clatterbridge	Appeal Withdrawn		
B19	Moreton West and Saughall Massie	12 May 2006	Application granted with reduced hours	Appeal Dismissed

### 3.0 FINANCIAL AND STAFFING IMPLICATIONS

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

### 4.0 EQUAL OPPORTUNITIES IMPLICATIONS

4.1 There are none arising from this report.

#### 5.0 **LOCAL AGENDA 21 IMPLICATIONS**

5.1 There are none arising directly from this report.

#### 6.0 **LOCAL MEMBER SUPPORT IMPLICATIONS**

6.1 This report has no implications for specific wards.

#### 7.0 **HUMAN RIGHTS IMPLICATIONS**

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

#### 8.0 **COMMUNITY SAFETY IMPLICATIONS**

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

#### 9.0 **PLANNING IMPLICATIONS**

9.1 There are no planning implications.

#### 10.0 **BACKGROUND PAPERS**

10.1 Relevant Sub-Committee Reports and Minutes

#### 11.0 **RECOMMENDATIONS**

11.1 That the Licensing Act 2003 Committee note this report.

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Director of Regeneration

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