

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

9 FEBRUARY 2012

SUBJECT:	APPLICATION TO VARY A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	MORETON WEST & SAUGHALL MASSIE WARD
REPORT OF:	DIRECTOR OF LAW, HR AND ASSET MANAGEMENT
KEY DECISION?	NO

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. The application is made by JD Wetherspoon Plc and relates to the premises known as **Mockbeggar Hall, 239-241 Hoylake Road, Moreton, CH46 0SL.**

2.0 RECOMMENDATION

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

3.0 REASONS FOR RECOMMENDATION

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

4.0 BACKGROUND AND KEY ISSUES

- 4.1 These premises currently have a premises licence with the following hours:

Sale by Retail of Alcohol

Sunday to Thursday 09:00 to 00:30
Friday and Saturday 09:00 to 01:00

Late Night Refreshment

Sunday to Thursday 23:00 to 00:30
Friday and Saturday 23:00 to 01:00

Hours Open to the Public

Sunday to Thursday 07:00 to 01:30
Friday and Saturday 07:00 to 02:00

Non Standard Timings

Christmas Eve and Boxing Day

Sale Retail of Alcohol until 02:00
Late Night Refreshment until 02:00
Hours Open to the Public until 02:30

An additional hour was granted on the morning of the day the clocks go forward.

Notwithstanding these usual opening times, the premises, in accordance with the converted right, may choose to open to the public at any time for non licensable activities/purposes.

An additional hour for all Licensable Activities on the following days
5th January, 26th January, 1st March, 17th March, 23rd April, 30th November.

An additional 30 minutes has been granted to all finishing times on the following days

Thursday immediately preceding Good Friday.
Sunday immediately preceding Bank holiday Monday.

5.0 APPLICATION

5.1 The application to vary the Premises Licence is as follows:

Sale by Retail of Alcohol

Sunday to Thursday 09:00 to 00:30
Friday and Saturday 09:00 to 02:00

Late Night Refreshment

Sunday to Thursday 23:00 to 00:30
Friday and Saturday 23:00 to 02:00

Hours Open to the Public

Sunday to Thursday 07:00 to 01:30
Friday and Saturday 07:00 to 02:30

Non Standard Timings to remain as existing

6.0 PROMOTION OF LICENSING OBJECTIVES

6.1 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 is available.

- 6.2 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 licence be granted.

7.0 RELEVANT REPRESENTATIONS

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

Interested Parties

In respect of this application, one representation has been received by a local resident. The representation relates to anti-social behaviour and public nuisance caused by customers who use the premises. A copy of the representation is available.

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

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

8.0 RELEVANT RISKS

- 8.1 There are none arising directly from this report.

9.0 OTHER OPTIONS CONSIDERED

- 9.1 There is no provision for other options to be considered.

10.0 CONSULTATION

- 10.1 Statutory consultation has been undertaken in respect of this application.

11.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 11.1 There are no specific implications arising from this report.

12.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

- 12.1 There are no specific implications arising from this report.

13.0 LEGAL IMPLICATIONS

- 13.1 A decision of this Committee can be subject to Appeal.

14.0 EQUALITIES IMPLICATIONS

- 14.1 There are no specific implications arising from this report.

- 14.2 Equality Impact Assessment (EIA)
Is an EIA required? No

15.0 CARBON REDUCTION IMPLICATIONS

15.1 There are no specific implications arising from this report.

16.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

16.1 There are no Planning implications arising from this report.

REPORT AUTHOR: **Richard Leyland**
Licensing Team Leader
telephone: 0151 691 8478
email: richardleyland@wirral.gov.uk

APPENDICES

- Application to vary a Premises Licence
- Representation received from local resident

REFERENCE MATERIAL

None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
None	