

# WIRRAL COUNCIL

## LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

8 MARCH 2012

SUBJECT:	APPLICATION TO VARY A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	NEW BRIGHTON 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 **Stephen Cooley** and relates to the premises known as the **Old Tavern Club, Magazine Lane, Wallasey**.

### 2.0 BACKGROUND AND KEY ISSUES

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

#### **Sale by Retail of Alcohol**

Friday and Saturday 20:00 to 02:00

#### **Regulated Entertainment (Recorded Music, Live Music and Performance of Dance)**

Friday and Saturday 20:00 to 02:00

### 3.0 APPLICATION

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

#### **Sale by Retail of Alcohol**

Friday and Saturday 20:00 to 03:00

#### **Hours Open to the Public**

Friday and Saturday 20:00 to 03:00

#### **Regulated Entertainment (Live Music and Performance of Dance)**

Friday and Saturday 20:00 to 02:00 (Unchanged)

## **Regulated Entertainment (Recorded Music)**

Friday and Saturday 20:00 to 03:00

## **Entertainment Facilities (Facilities for Dancing)**

Friday and Saturday 20:00 to 03:00

### **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 is available.
- 4.2 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.

### **5.0 RELEVANT REPRESENTATIONS**

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

#### **Interested Parties**

In respect of this application, three representations have been received from Local Residents. A petition, signed by 86 local residents who are against the application, has also been received. The representations relate to anti-social behaviour and noise nuisance caused by customers of the premises. Copies of the representations are available.

Representations have also been received from Ward Councillors, Councillor Hackett and Councillor Taylor. The representations support the concerns expressed by Local Residents. Copies of the representations are available.

#### **Environmental Health (Pollution Control)**

Environmental Health have made a representation in respect of the application due to a complaint received from a local resident and a subsequent visit made to the premises regarding noise coming from the smoking shelter at the premises. The complaint also related to noise from entertainment escaping from the premises whilst customers open the door leading to the shelter. A copy of the representation is available.

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

Wirral Safe Guarding Children Board  
Trading Standards

Planning Authority  
Fire Authority  
Merseyside Police  
Environmental Health (Health and Safety)

## **6.0 RELEVANT RISKS**

6.1 There are none arising directly from this report.

## **7.0 OTHER OPTIONS CONSIDERED**

7.1 There is no provision for other options to be considered.

## **8.0 CONSULTATION**

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

## **9.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

9.1 There are no specific implications arising from this report.

## **10.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

10.1 There are no specific implications arising from this report.

## **11.0 LEGAL IMPLICATIONS**

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

## **12.0 EQUALITIES 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 CARBON REDUCTION IMPLICATIONS**

13.1 There are no specific implications arising from this report.

## **14.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

14.1 There are no Planning implications arising from this report.

## **15.0 RECOMMENDATION**

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

## **16.0 REASONS FOR RECOMMENDATION**

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

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**APPENDICES**

- Application to vary a Premises Licence
- Representations received from Local Residents and Ward Councillors

**REFERENCE MATERIAL**

- None

**SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
<b>None</b>	