

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

25 JULY 2012

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| SUBJECT: | APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003 |
| WARD AFFECTED: | BIDSTON AND ST JAMES 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 Transfer a Premises under the provisions of the Licensing Act 2003. The application is made by **Mr Colin Fox** and relates to a premises known as the **North Star, 294 Laird Street, Birkenhead**.

2.0 BACKGROUND AND KEY ISSUES

- 2.1 The premises currently has a Premises Licence for the following hours:

Supply of Alcohol

Monday to Saturday 10:00 to 00:00
Sunday 10:00 to 23:00

Regulated Entertainment (Live Music)

Monday to Thursday 16:00 to 23:00
Friday and Saturday 16:00 to 00:00
Sunday 16:00 to 22:00

Regulated Entertainment (Recorded Music)

Monday to Thursday 10:00 to 23:00
Friday and Saturday 10:00 to 00:00
Sunday 10:00 to 22:00

Entertainment Facilities (Facilities for Making Music)

Monday to Thursday 10:00 to 23:00
Friday and Saturday 10:00 to 00:00
Sunday 10:00 to 22:00

Late Night Refreshment

Monday to Saturday 23:00 to 00:00

- 2.2 Under the provisions of the Licensing Act 2003 only Merseyside Police can object to applications to Transfer a Premises Licence if they are satisfied that granting the application would undermine the crime prevention objective.

3.0 APPLICATION

- 3.1 An application has been received to Transfer the Premises Licence from Gerard Wilson into the name of Colin Fox.
- 3.2 The Licensing Act 2003 provides a mechanism which allows the transfer to come into immediate interim effect as soon as the application is received by the Licensing Authority and the Premises Licence has effect during the application period as if the applicant were the holder of the licence.

4.0 OBJECTION NOTICE

- 4.1 An Objection has been received from Merseyside Police in respect of the application to Transfer the Premises Licence. The Licensing Sergeant considers that if this application is granted the crime prevention objective will be undermined due to an assault which took place at the premises during the time when unlicensed activities have been taking place. A copy of the objection is available.

5.0 RELEVANT RISKS

- 5.1 There are none arising directly from this report.

6.0 OTHER OPTIONS CONSIDERED

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

7.0 CONSULTATION

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

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

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

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

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

10.0 LEGAL IMPLICATIONS

- 10.1 A decision of this Committee is subject to Appeal.

11.0 EQUALITIES IMPLICATIONS

11.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No because there is no relevance to equality.

12.0 CARBON REDUCTION IMPLICATIONS

12.1 There are no specific implications arising from this report.

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 There are no Planning implications arising from this report.

14.0 RECOMMENDATION

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

15.0 REASONS FOR RECOMMENDATION

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

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APPENDICES

- Application to Transfer a Premises Licence
- Objection Notice received from Merseyside Police

REFERENCE MATERIAL

- None

SUBJECT HISTORY (last 3 years)

| Council Meeting | Date |
|---|-------------------|
| Licensing Act 2003 Sub-Committee | 22/02/2012 |
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Location Plan of Premises

