

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

17 AUGUST 2012

SUBJECT:	APPLICATION TO REVIEW A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	HOYLAKE AND MEOLS WARD
REPORT OF:	ACTING 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 for the review of a Premises Licence under the provisions of the Licensing Act 2003. The application is made by Merseyside Police and relates to the premises known as **Liberty, 3-3A Grange Road, West Kirby.**

2.0 BACKGROUND AND KEY ISSUES

- 2.1 Liberty currently has a Premises Licence, to allow the following Licensable Activities:

Sale by Retail of Alcohol

Monday to Sunday 10:00 to 00:00

Hours Open to the Public

Monday to Sunday 10:00 to 00:30

Regulated Entertainment (Live Music, Recorded Music and Anything of a Similar Description)

Monday to Sunday 10:00 to 00:00

Regulated Entertainment (Performance of Dance)

Monday to Sunday 10:00 to 00:30

Entertainment Facilities (Facilities for Making Music)

Monday to Sunday 10:00 to 00:00

Entertainment Facilities (Facilities for Dancing and Anything of a Similar Description)

Monday to Sunday 10:00 to 00:30

2.2 The Licensing Act 2003 Sub-Committee may, having regard to the application for review and any relevant representations, take such of the following steps as it considers necessary for the promotion of the licensing objectives:

- Modify the Conditions of the Licence.
- Exclude a licensable activity from the scope of the Licence.
- Remove the Designated Premises Supervisor.
- Suspend the Licence for a period not exceeding three months.
- Revoke the Licence.

The licensing authority may decide that no action is necessary if it finds that the review does not require it to take any steps necessary to promote the licensing objectives.

3.0 APPLICATION

3.1 An application has been received from Merseyside Police to review the Premises Licence for the premises known as Liberty. The Licensing Sergeant has advised that the grounds for review are in relation to the Prevention of Crime and Disorder and Public Safety due to unlicensed activities at the premises which resulted in a serious assault taking place.

3.2 Further information to support the above grounds for review is included within the application which is available.

3.3 A written response to the application has been received from the Premises Licence Holder Mr Christian Saverimutto. A copy of this response is available.

4.0 RELEVANT REPRESENTATIONS

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

A representation has been received from a local resident who is in support of the application made by Merseyside Police. The representation relates to anti-social behaviour being caused by customers of the premises and noise from entertainment coming from the premises.

Five representations have also been received; these include representations from local residents, from persons that have used the premises for functions and a local business. The representations state that there is no concern by these individuals regarding the management of the premises or that the Licensing Objectives are being undermined.

Copies of these representations are available.

4.2 There have been no representations received from the following Responsible Authorities:

Wirral Safe Guarding Children Board
Environmental Health

Fire Authority
Planning Authority
Trading Standards
Primary Care Trust
Wirral Licensing Authority

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 can be 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 for the review of 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.

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APPENDICES

- Application to Review the Premises Licence.
- Representations received in respect of the application.

REFERENCE MATERIAL

None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

Local plan of Premises

