

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

19 DECEMBER 2012

SUBJECT:	APPLICATION TO VARY A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	BROMBOROUGH 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 to vary a Premises Licence under the provisions of the Licensing Act 2003. The application is made by **Greene King Retailing Limited** and relates to the premises known as **The Bromborough, 2 Bromborough Village Road, Bromborough.**

2.0 BACKGROUND AND KEY ISSUES

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

Sale by Retail of Alcohol

Sunday to Thursday 11:00 to 23:00
Friday and Saturday 11:00 to 00:00

Hours Open to the Public

Sunday to Thursday 11:00 to 23:30
Friday and Saturday 11:00 to 00:30

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

Sunday to Thursday 11:00 to 23:00
Friday and Saturday 11:00 to 00:00

Late Night Refreshment

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

3.0 APPLICATION

- 3.1 The application to vary the Premises Licence is to remove the following conditions:

- Children must not be allowed on site after 20:00
- No tables and chairs shall be available in the smoking area.

- To remove all conditions listed in the Public Entertainment Licence conditions.

3.2 Following consultation with Environmental Health (Pollution Control), the applicant has agreed to retain the following condition on the Premises Licence which was requested to be removed:

- The Licence holder or his representative shall conduct regular assessments of the noise coming from the premises on every occasion the premises are used for regulated entertainment and shall take steps to reduce the level of noise where it is likely to cause a disturbance to local residents. A written record shall be made of those assessments in a log book kept for that purpose and shall include, the time and date of the checks, the person making them and the results including any remedial action.

3.3 The applicant also agreed to include the following condition following consultation with Environmental Health (Pollution Control).

- There shall be no drinking permitted in the external smoking shelter after 22:30

3.4 A copy of the Premises Licence detailing the conditions of the Premises Licence is available.

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.

A representation has been received from The Bromborough Society. Representations have also been received from the Diocese of Chester and St Barnabas with St Matthew Bromborough Church. The representations relate to the fact that if the conditions were removed from the Licence they consider that this will cause noise nuisance by customers of the premises. Copies of the representations are 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
Primary Care Trust
Wirral Licensing Authority

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.

REPORT AUTHOR: **Richard Leyland**
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APPENDICES

- Application to vary a Premises Licence
- Representations

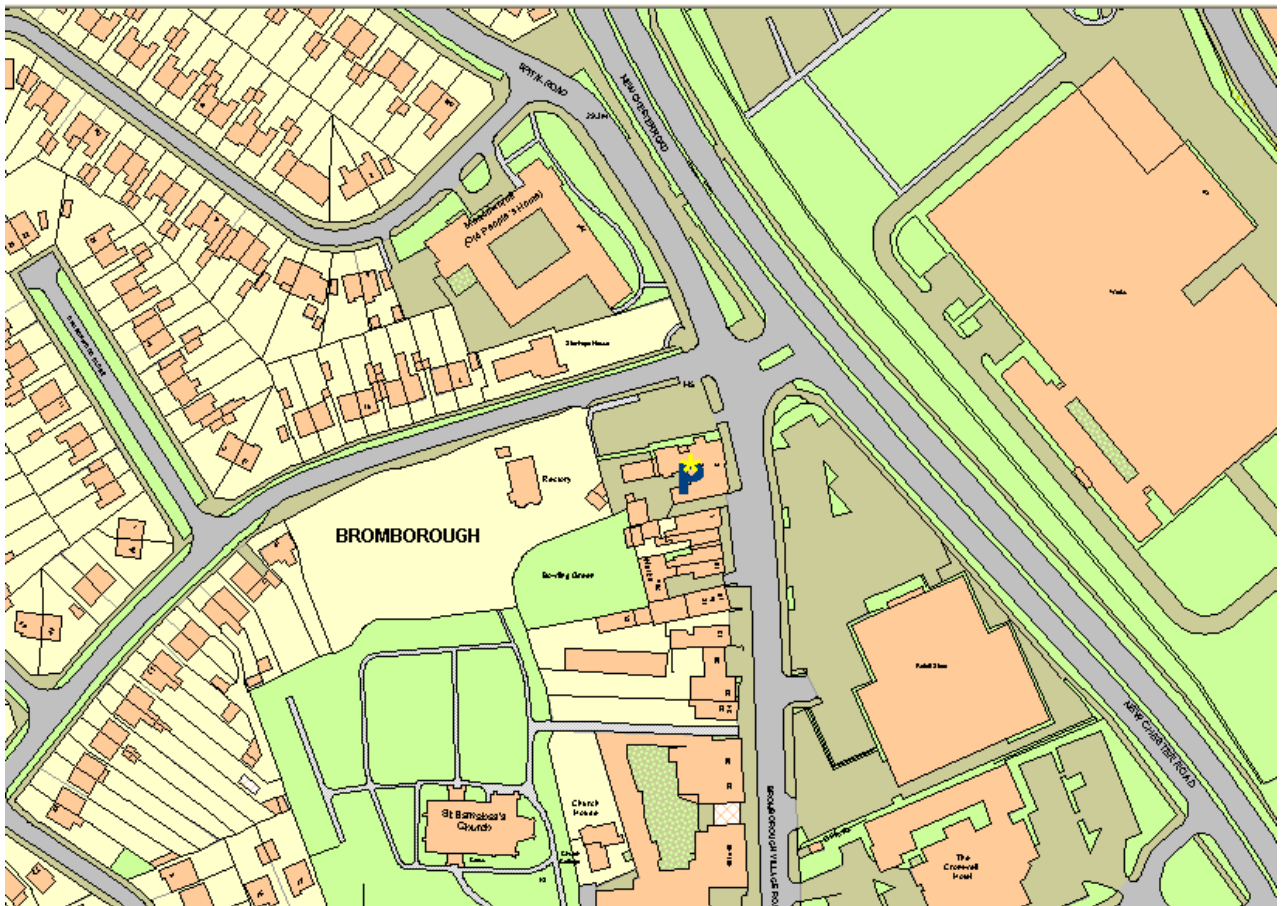
REFERENCE MATERIAL

- None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

Location Plan of Premises



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