

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

18 JANUARY 2013

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 a Summary 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 **Mojo's, 3 Dee Lane, West Kirby.**

2.0 BACKGROUND AND KEY ISSUES

- 2.1 Mojo's currently has a Premises Licence, to allow the following Licensable Activities:

Sale by Retail of Alcohol

Sunday to Thursday 11:00 to 00:00
Friday and Saturday 11:00 to 01:00

Hours Open to the Public

Sunday to Thursday 11:00 to 00:30
Friday and Saturday 11:00 to 01:30

Regulated Entertainment (Recorded Music)

Sunday to Saturday 11:00 to 00:00

Regulated Entertainment (Live Music)

Thursday to Sunday 20:00 to 23:00

- 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 appropriate 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 appropriate if it finds that the review does not require it to take any steps that are appropriate to promote the licensing objectives.

- 2.3 The Licensing Authority must decide which interim steps (if there are any) cease to have effect or become the subject of any steps which it considers are appropriate when making its determination on the Review.

3.0 APPLICATION

- 3.1 In accordance with the Licensing Act 2003, Merseyside Police have applied to review the Premises Licence in respect of Mojo's, 3 Dee Lane, West Kirby, by way of a Summary Review as Merseyside Police consider that these premises are associated with serious disorder.

- 3.2 On 28 December 2012, Members of the Licensing Act 2003 Sub-Committee considered whether interim steps should be taken following receipt of the application received from Merseyside Police for the Summary Review of the Premises Licence. At this time Members deemed that it was appropriate as an interim step to suspend the Premises Licence pending the determination of the Review. The suspension of the Premises Licence took immediate effect. The Sub-Committee considered that this step was appropriate due to evidence provided by Merseyside Police that the premises was associated with serious disorder.

- 3.3 In considering the application the Licensing Act 2003 Sub-Committee took into account the Senior Police Officer's Certificate that accompanied the application and representations received from Merseyside Police. Members also had regard to the Summary Licence Review Guidance issued by the Home Office and considered that the interim step was appropriate to prevent serious disorder occurring at or in the vicinity of the premises.

- 3.4 Further information to support the above grounds for the Summary Review is included within the application which is available.

4.0 RELEVANT REPRESENTATIONS

- 4.1 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.

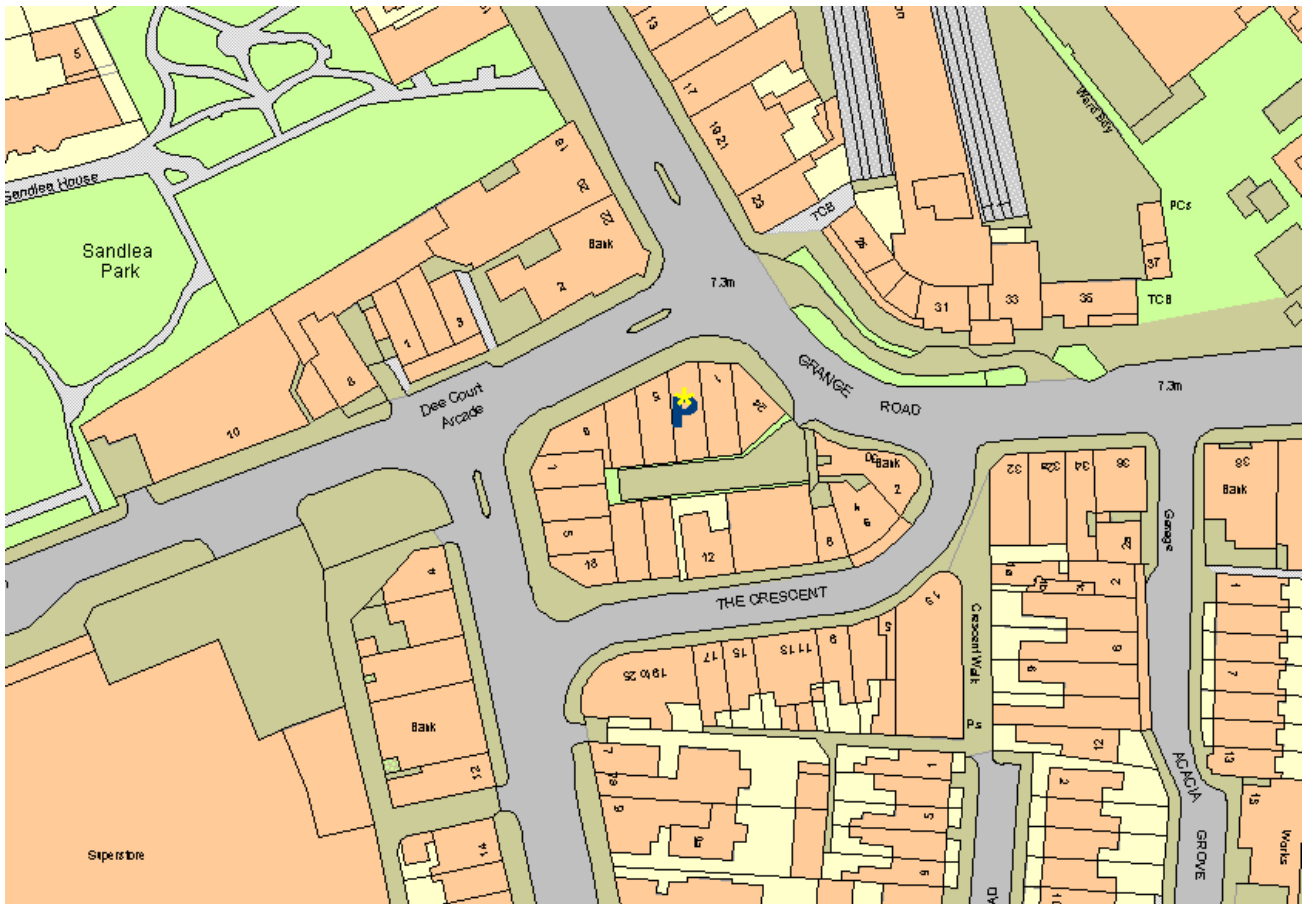
REFERENCE MATERIAL

None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Licensing Act 2003 Sub-Committee	28 December 2012

Local plan of Premises



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