

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

4 APRIL 2013

SUBJECT:	APPLICATION TO VARY A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	LISCARD WARD
REPORT OF:	STRATEGIC DIRECTOR OF REGENERATION & ENVIRONMENT
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 **Mr Gary Laycock** and relates to the premises known as **The Boot, 55 Wallasey Road, 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

Sunday to Wednesday 10:00 to 23:30
Thursday 08:00 to 23:30
Friday and Saturday 08:00 to 00:30

Hours Open to the Public

Sunday to Wednesday 10:00 to 00:00
Thursday 08:00 to 00:00
Friday and Saturday 08:00 to 01:30

Regulated Entertainment (Recorded Music, Performance of a Play, Exhibition of films and Indoor Sporting Events)

Sunday to Wednesday 10:00 to 23:30
Thursday 08:00 to 23:30
Friday and Saturday 08:00 to 00:30

Regulated Entertainment (Live Music)

Sunday to Wednesday 12:00 to 23:30
Thursday 12:00 to 23:30
Friday and Saturday 12:00 to 00:30

Late Night Refreshment

Sunday to Thursday 23:00 to 00:00
Friday and Saturday 23:00 to 01:00

Non-Standard Timings

The above Licensable Activities and Hours Open to the Public are permitted from 08:00 on New Years Eve until 08:00 on New Years Day.

Friday and Saturday of Bank Holiday Weekends, Christmas Eve and Boxing Day:

Sale by Retail of Alcohol	12:00 to 01:00
Regulated Entertainment	08:00 to 01:00
Late Night Refreshment	23:00 to 01:00
Hours Open to the Public	08:00 to 02:00

3.0 APPLICATION

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

Sale by Retail of Alcohol

Monday to Wednesday	10:00 to 00:00
Thursday to Saturday	08:00 to 01:00
Sunday	10:00 to 01:00

Hours Open to the Public

Monday to Wednesday	10:00 to 00:30
Thursday to Saturday	08:00 to 01:30
Sunday	10:00 to 01:30

Regulated Entertainment (Performance of a Play, Exhibition of films and Indoor Sporting Events)

Sunday to Wednesday	10:00 to 23:30 (unchanged)
Thursday	08:00 to 23:30 (unchanged)
Friday and Saturday	08:00 to 00:30 (unchanged)

Regulated Entertainment (Recorded Music)

Monday to Wednesday	10:00 to 00:00
Thursday to Saturday	08:00 to 01:00
Sunday	10:00 to 01:00

Regulated Entertainment (Live Music)

Monday to Wednesday	12:00 to 23:30 (unchanged)
Thursday	12:00 to 00:30
Friday and Saturday	12:00 to 00:30 (unchanged)
Sunday	12:00 to 00:30

Late Night Refreshment

Sunday to Thursday	23:00 to 00:00 (unchanged)
Friday and Saturday	23:00 to 01:00 (unchanged)

Non-Standard Timings

The following non-standard timings have also been requested:

Sale by Retail of Alcohol

10:00 to 01:00 on any day preceding a Bank Holiday (excluding Christmas Day)
10:00 to 02:00 on Christmas Eve and Boxing Day

Live Music

12:00 to 00:30 on any day preceding a Bank Holiday (excluding Christmas Day)

Recorded Music

12:00 to 01:00 on any day preceding a bank holiday (excluding Christmas Day)
10:00 to 02:00 on Christmas Eve and Boxing Day

Hours Open to the Public

10:00 to 01:30 on any day preceding a Bank Holiday (excluding Christmas Day)
10:00 to 02:30 on Christmas Eve and Boxing Day

All other Non-Standard Timings to remain the same.

3.2 The applicant has also requested to amend the following condition which is currently imposed on the Premises Licence from:

- Beer Garden must be cleared by 9.00pm.

to:

- There will be no consumption of alcohol, food or drinks in the beer garden after 10.00pm.

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.

Two representations have been received from local residents who are against the application. A representation has also been received by Central Liscard Residents Association together with a petition signed by 53 local residents. The representations relate to noise from entertainment coming from the premises and

nuisance being caused by customers leaving the premises at a late hour. Concerns have also been made in relation to the increase of anti-social behaviour which is currently a problem within the vicinity of the premises. Copies of the representations and the petition are available.

A representation has also been received from Ward Councillor, Bernadette Mooney. The representation supports the concerns expressed by Local Residents. A copy of the representation is available.

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

Wirral Safe Guarding Children Board
Trading Standards
Merseyside Police
Planning Authority
Fire Authority
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 received from local residents and a Ward Councillor

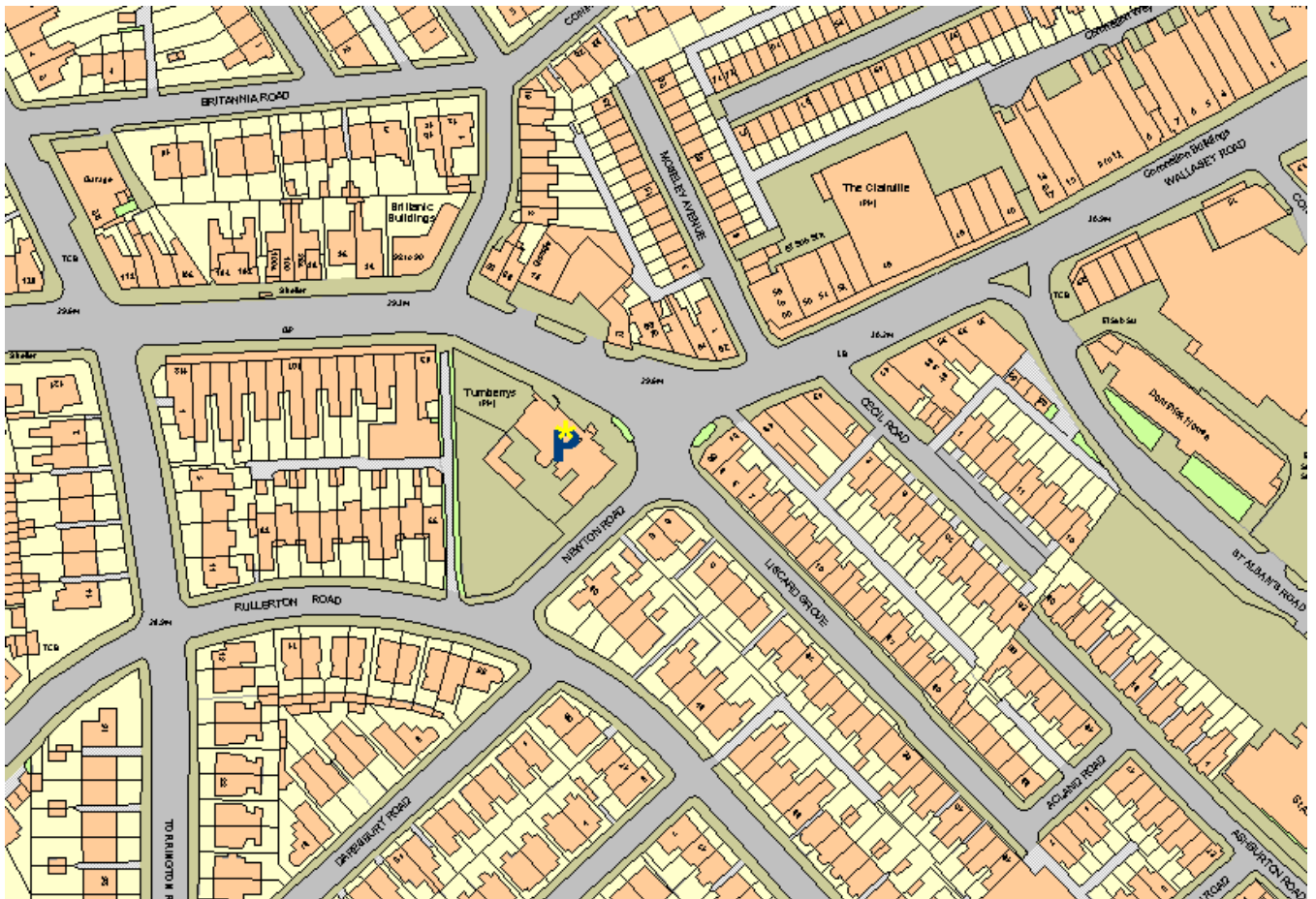
REFERENCE MATERIAL

- None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

Location Plan of Premises



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