

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

4 APRIL 2013

SUBJECT:	APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	WEST KIRBY AND THURSTASTON 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 for a Premises Licence under the provisions of the Licensing Act 2003. The application is made by **Cocktails Un Limited** and relates to the premises known as **The Moby Dick, 1 Village Road, West Kirby.**

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 10:00 to 23:30
Friday and Saturday 10:00 to 00:00

Hours Open to the Public

Sunday to Thursday 09:00 to 00:00
Friday and Saturday 09:00 to 00:30

Regulated Entertainment (Recorded Music and Live Music)

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

Late Night Refreshment

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

- 2.2 The applicant is seeking a substantial variation to the Premises Licence including the introduction of an outside area. In these circumstances it is a requirement under the Licensing Act 2003 that an application is made for the grant of a licence. A copy of the existing Premises Licence is available.

3.0 APPLICATION

3.1 The application for the grant of a new Premises Licence is as follows:

Sale by Retail of Alcohol

Sunday to Thursday 10:00 to 23:30

Friday and Saturday 10:00 to 00:00

Hours Open to the Public

Sunday to Thursday 09:00 to 00:00

Friday and Saturday 09:00 to 00:30

Regulated Entertainment (Recorded Music)

Sunday to Thursday 10:00 to 23:00

Friday and Saturday 10:00 to 23:30

Late Night Refreshment

Sunday to Thursday 23:00 to 23:30

Friday and Saturday 23:00 to 00:00

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.

Eight Representations have been received from local residents. The representations relate to noise nuisance being caused by customers at a late hour. Concerns have also been made regarding the use of the outside area with the potential of noise being caused by customers. Copies of the representations are available.

A representation has also been received from Ward Councillor, Geoffrey Watt. 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
Planning Authority
Fire Authority
Environmental Health
Merseyside Police
Wirral PCT
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 for a 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.

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APPENDICES

- Application for a Premises Licence
- Representations received from Local Residents and a Ward Councillor.

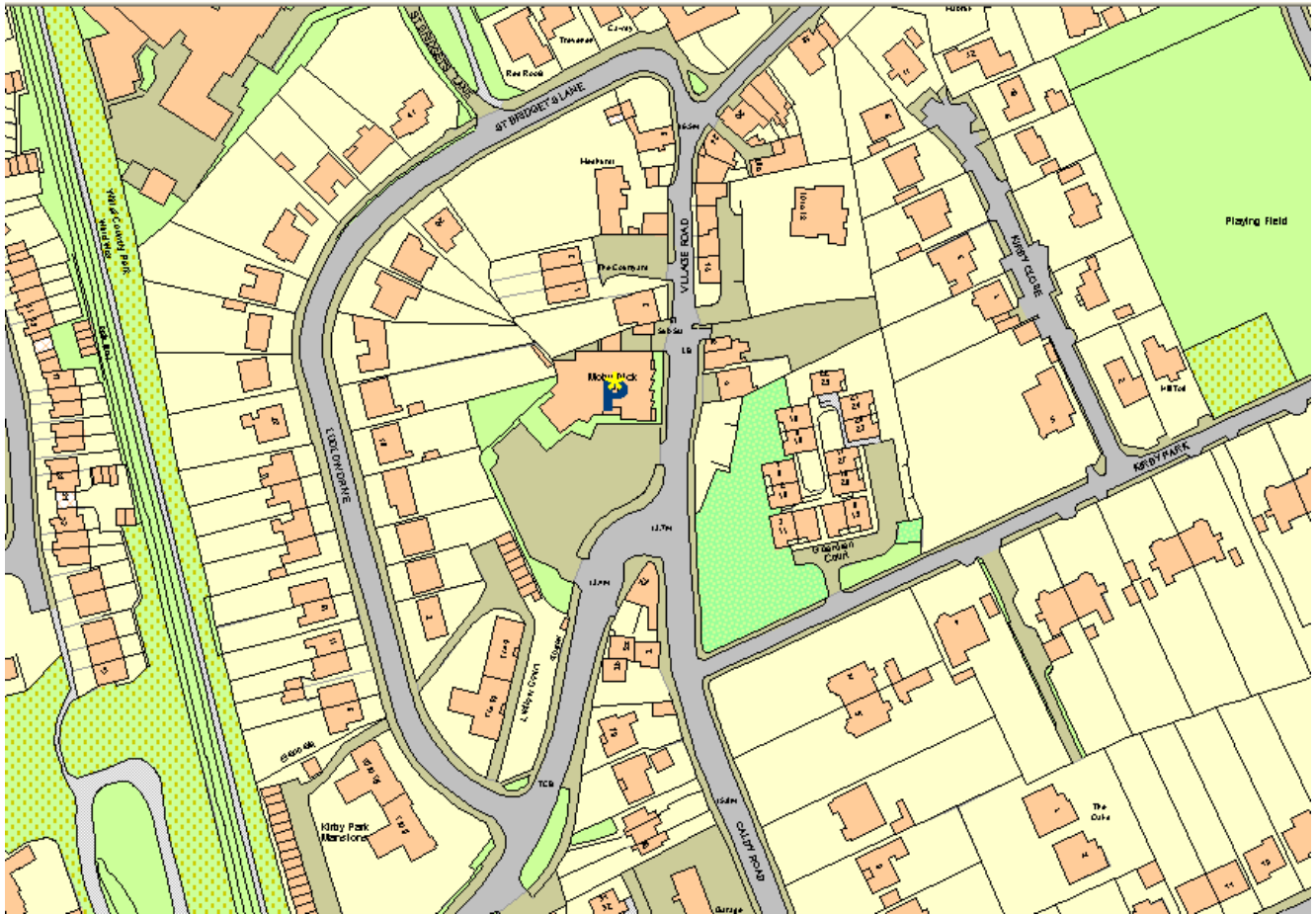
REFERENCE MATERIAL

- None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
None	

Location plan of Premises



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