

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

11 JULY 2013

SUBJECT:	APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	MORETON WEST AND SAUGHALL MASSIE
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 **Northern Frontier Pub Rescue and Management Company Limited** and relates to the premises known as **Moreton Sports and Social Club, Pasture Road, Moreton**.

2.0 BACKGROUND AND KEY ISSUES

- 2.1 These premises previously had a Club Premises Certificate which was held by Moreton Royal British Legion and had the following hours:

Supply of Alcohol

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

Hours Open to Members and Guests

Sunday to Saturday 12:00 to 00:00

Regulated Entertainment (Live Music and Recorded Music)

Sunday 19:00 to 23:30
Tuesday 12:00 to 16:00
Friday 19:30 to 00:00
Saturday 19:00 to 00:00

- 2.2 On 17 May 2013, a notice of the withdrawal of the Club Premises Certificate was issued to these premises following a Statement that had been received from Merseyside Police advising the Licensing Authority that the Club no longer satisfied the conditions for being a 'qualifying club' in relation to a qualifying club activity to which the certificate relates, namely:

- The Club was no longer established and conducted in good faith as a club
- Alcohol was no longer being supplied or intended to be supplied to members on the premises otherwise than by or on behalf of the club.

3.0 APPLICATION

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

Sale by Retail of Alcohol

Monday to Thursday	13:00 to 23:00
Friday and Saturday	12:00 to 00:00
Sunday	12:00 to 23:30

Hours Open to the Public

Monday to Thursday	13:00 to 23:30
Friday and Saturday	12:00 to 00:30
Sunday	12:00 to 00:00

Regulated Entertainment (Indoor Sporting Events, Boxing or Wrestling Entertainments, Live Music and Recorded Music)

Monday to Thursday	13:00 to 23:00
Friday and Saturday	12:00 to 00:00
Sunday	12:00 to 23:30

3.2 Members are advised that in accordance with The Live Music Act 2012, Live Music is no longer considered as the provision of regulated entertainment at a premises open for the supply of alcohol if it takes place between 08:00 and 23:00, the Live Music is unamplified or the Live Music is amplified and takes place in present of an audience of no more than 200 persons.

3.3 Following consultation with Merseyside Police, the applicant agreed to amend the application, as detailed within 3.1 of this report, reducing the hours originally applied for.

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 a local resident. A petition has also been received from 11 local residents who are against the application. The

representation and petition relate to noise nuisance from entertainment coming from the premises and nuisance caused by persons leaving the premises. A Copy of the representation and petition are 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
Public Health
Wirral Licensing Authority
Merseyside Police

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
- Representation and Petition

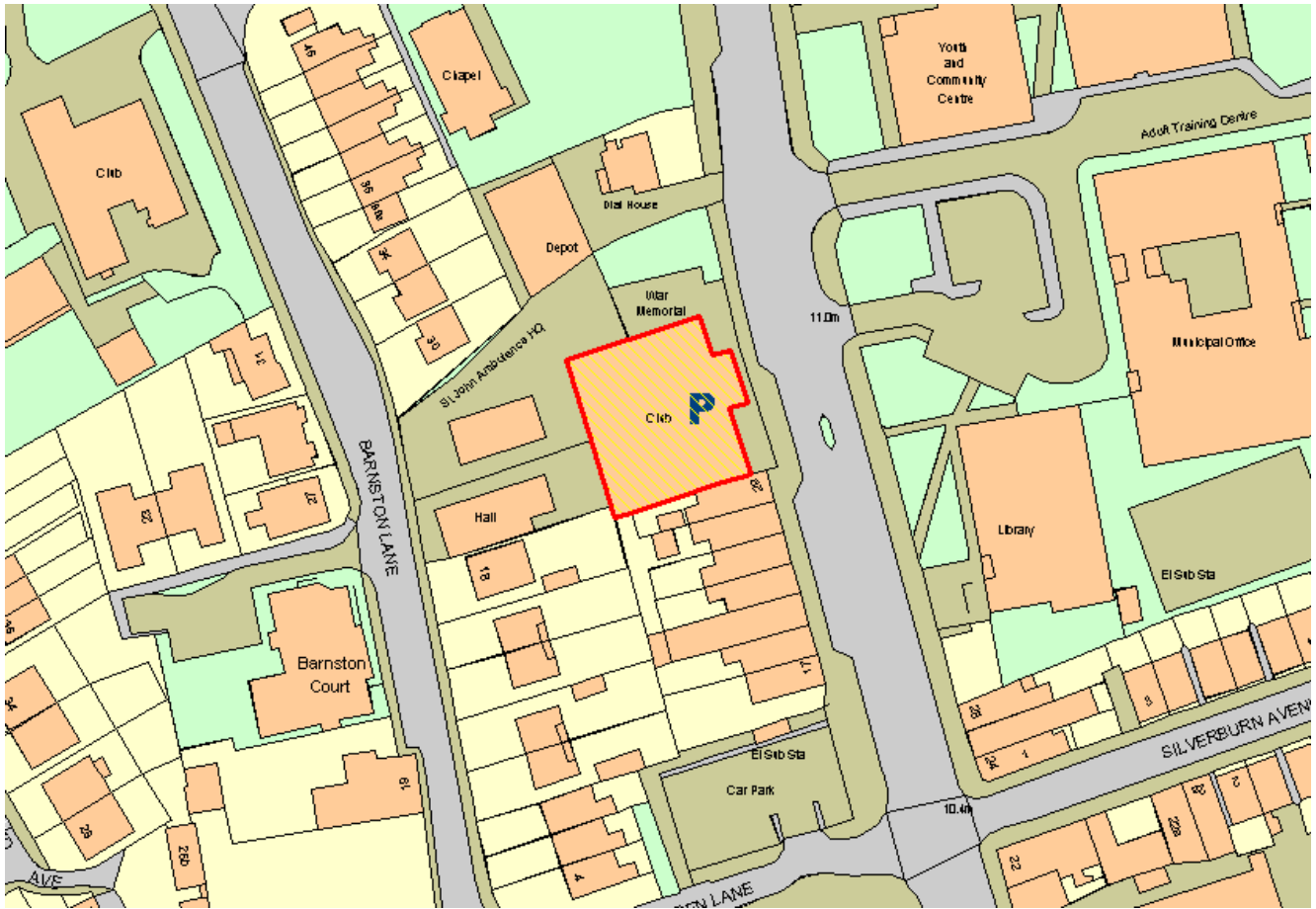
REFERENCE MATERIAL

- None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

Location plan of Premises



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