

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

12 SEPTEMBER 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

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 **Marston's PLC** and relates to the premises known as **The Royal Oak, 39 Liscard Village, Liscard.**

2.0 BACKGROUND AND KEY ISSUES

2.1 These premises currently have a Premises Licence with the following hours:

Sale by Retail of Alcohol

Monday to Saturday 10:00 to 00:00
Sunday 11:00 to 00:00

Hours Open to the Public

Monday to Saturday 10:00 to 00:30
Sunday 11:00 to 00:30

Regulated Entertainment (Live Music, Recorded Music, Performance of Dance, Exhibition of Films and Indoor Sporting Events)

Monday to Saturday 10:00 to 00:00
Sunday 11:00 to 00:00

3.0 APPLICATION

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

Sale by Retail of Alcohol

Monday to Thursday 10:00 to 00:00
Friday and Saturday 10:00 to 01:00
Sunday 11:00 to 00:00

Hours Open to the Public

Monday to Thursday 10:00 to 00:30
Friday and Saturday 10:00 to 01:30
Sunday 11:00 to 00:30

Regulated Entertainment (Live Music, Recorded Music, Performance of Dance, Exhibition of Films and Indoor Sporting Events)

Monday to Thursday 10:00 to 00:00
Friday and Saturday 10:00 to 01:00
Sunday 11:00 to 00:00

Late Night Refreshment

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

- 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.

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 by Central Liscard Residents Association. The representation relates to a history of anti-social behaviour associated with these premises and if the application is granted then this will increase resulting in the Crime and Disorder and Public Nuisance Licensing Objectives being undermined. A copy of the representation is available.

Representations have also been received from Ward Councillors, Janette Williamson and Bernie Mooney. The representations support the concerns expressed by Central Liscard Residents Association. Copies of the representations 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
Wirral Licensing Authority
Public Health
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 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:

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APPENDICES

- Application to vary a Premises Licence
- Representations received from a Residents Association and Ward Councillors

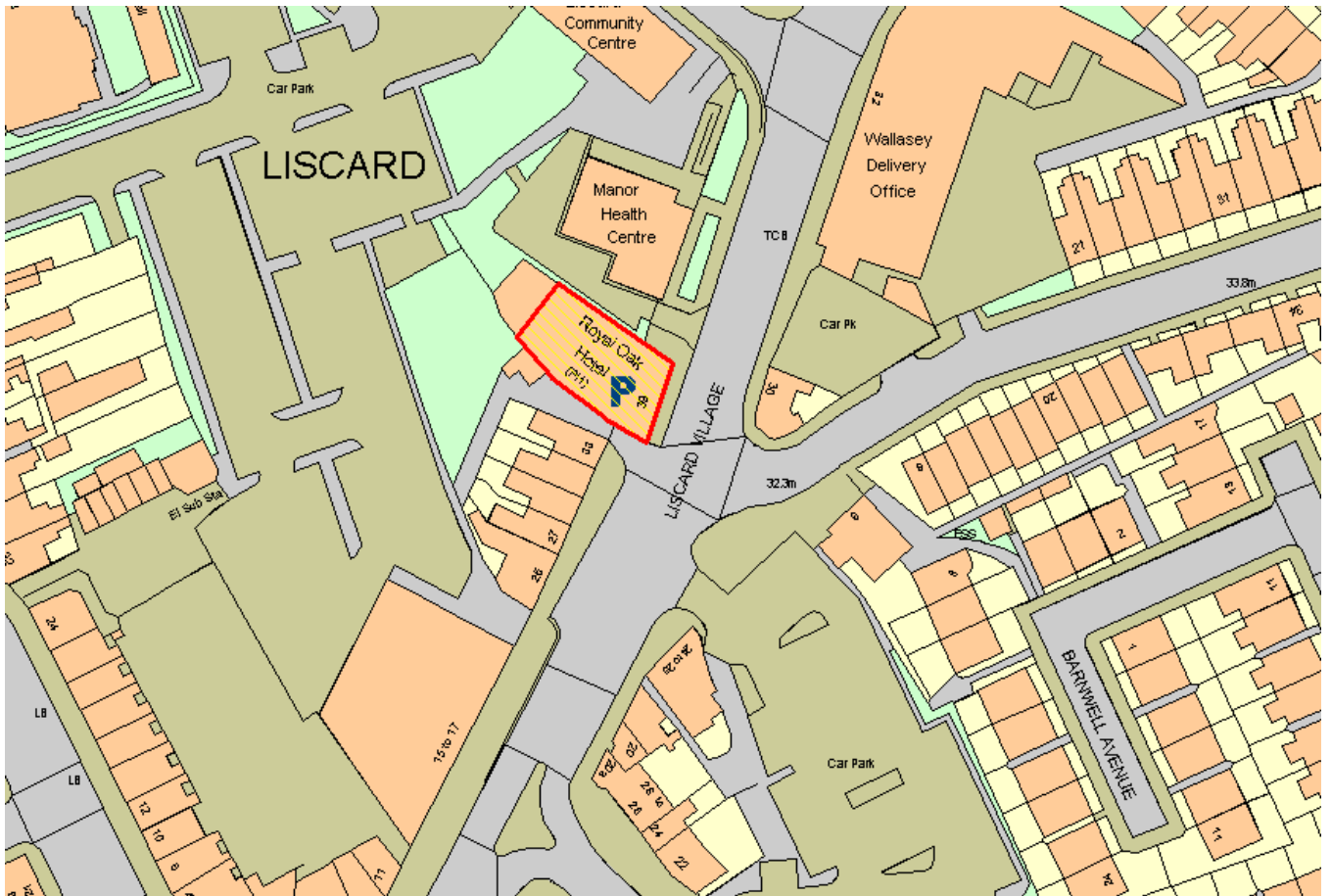
REFERENCE MATERIAL

- None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Licensing Act 2003 Sub-Committee	14/10/2010

Location Plan of Premises



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