

# WIRRAL COUNCIL

## LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

18 SEPTEMBER 2013

SUBJECT:	APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	LISCARD
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 **Birkenhead School** and relates to the premises known as **Birkenhead School, 58 Beresford Road, Oxton.**

### 2.0 BACKGROUND AND KEY ISSUES

- 2.1 These premises do not currently have a Premises Licence.

### 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 Saturday 18:00 to 00:00

The applicant has indicated that the sale of alcohol will be for consumption on the premises only.

#### **Hours Open to the Public**

Monday to Saturday 18:00 to 00:00

Sunday 18:00 to 21:00

#### **Regulated Entertainment (Performance of Plays)**

Monday to Saturday 18:00 to 22:00

#### **Regulated Entertainment (Live Music and Recorded Music)**

Monday to Saturday 18:00 to 23:00

#### **Late Night Refreshment**

Monday to Saturday 23:00 to 00:00

## **Non-standard Timings**

The applicant has requested that all of the above Licensable Activities be extended to 01:00 and Hours Open to the Public be extended to 01:30 for special events, eg WIN Annual Awards Ceremony, giving the Licensing Authority 5 working days notice prior to the event.

- 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.

Seven representations have been received from local residents. The representations relate to noise nuisance caused by persons leaving the premises at a late hour at times when functions have taken place at the premises under Temporary Event Notices. 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  
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.

### **REPORT AUTHOR:**

**Richard Leyland**

Licensing Team Leader

telephone: 0151 691 8478

email: [richardleyland@wirral.gov.uk](mailto:richardleyland@wirral.gov.uk)

### **APPENDICES**

- Application for a Premises Licence
- Representations received from Local Residents

**REFERENCE MATERIAL**

- None

**SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>

