

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

26 JUNE 2014

SUBJECT:	APPLICATION TO VARY A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	HESWALL 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 **Chambers (Wirral) Limited** and relates to the premises known as **Chambers, 1-5 The Mount, Heswall.**

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 Saturday 10:00 to 23:30

Hours Open to the Public

Sunday to Saturday 10:00 to 00:00

Live Music, Recorded Music, Performance of Dance, Exhibition of Films and Indoor Sporting Events

Sunday to Saturday 10:00 to 23:30

Late Night Refreshment

Sunday to Saturday 23:00 to 23:30

3.0 APPLICATION

3.1 The application to vary the Premises Licence is to remove the following conditions from the Premises Licence:

- Staff must be regularly monitored by the Designated Premises Supervisor to ensure proper use of the refusal button on the till system by all staff.
- There must be no drinking outside the front of the building at any time.

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 application be granted.

5.0 RELEVANT REPRESENTATIONS

- 5.1 The following Representations have been received in respect of the above application.

Local Residents

Representations have been received from nine local residents. The representations relate to concerns that if the application is granted in respect of the request to remove the restriction on the outside area, this will cause noise nuisance to local residents. Copies of the representations are available.

Merseyside Police

A representation has been received from Merseyside Police. The representation from Merseyside Police relates to concerns that if the condition relating to the outside area is removed then this will have a negative impact on the prevention of public nuisance, public safety and the prevention of crime and disorder licensing objectives. Merseyside Police also have concerns relating to the request to remove the use of a refusal button on the till system as this will have a negative impact on the protection of children from harm licensing objective. 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
Licensing Authority
Public Health

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.

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APPENDICES

- Application to vary a Premises Licence
- Representations received from local residents
- Representation received from Merseyside Police

REFERENCE MATERIAL

- None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

Location Plan of Premises



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