

# WIRRAL COUNCIL

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

27 August 2014

<b>SUBJECT:</b>	<b>APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003</b>
<b>WARD AFFECTED:</b>	<b>HOYLAKE AND MEOLS WARD</b>
<b>REPORT OF:</b>	<b>STRATEGIC DIRECTOR OF REGENERATION &amp; ENVIRONMENT</b>
<b>KEY DECISION?</b>	<b>NO</b>

### 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 **Westbourne Hall Community Trust** and relates to the premises known as **Westbourne Hall, Westbourne Road, West Kirby**.

### 2.0 BACKGROUND AND KEY ISSUES

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

**Performance of a Play, Exhibition of Films, Live Music, Recorded Music, Performance of Dance and Anything of a Similar Description**

Monday to Saturday      09:00 to 23:30  
Sunday                      09:00 to 21:00

**Hours Open to the Public**

Monday to Saturday      09:00 to 23:30  
Sunday                      09:00 to 21:00

### 3.0 APPLICATION

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

**Sale by Retail of Alcohol**

Sunday to Saturday      09:00 to 23:00

**Hours Open to the Public**

Sunday to Saturday      09:00 to 23:30

**Performance of a Play, Exhibition of Films, Indoor Sporting Events, Live Music, Recorded Music, Performance of Dance and Anything of a Similar Description**

Sunday to Saturday                      09:00 to 23:00

**Late Night Refreshment**

Sunday to Saturday                      23:00 to 23:30

- 3.2 Due to the nature of the changes proposed and the conditions attached to the Licence which are no longer appropriate, the applicant considered it appropriate to submit an application for the grant of a Premises Licence.
- 3.3 The applicant also submitted an application for the mandatory condition requiring a Designated Premises Supervisor to be disapplied. Following no representations from Merseyside Police, this application has been granted. Therefore, in accordance with the Licensing Act 2003, if the application for this Premises Licence is granted an alternative mandatory condition will be imposed on the Licence stating that every supply of alcohol under the licence must be made or authorised by the Management Committee.

**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**

In respect of this application 12 representations have been received from Local Residents. The representations relate to noise nuisance and anti-social behaviour which is currently a problem within the vicinity of the premises. Local Residents are concerned that if this application is granted then noise nuisance and anti-social behaviour will increase. 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  
Licensing Authority  
Merseyside Police  
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 OUTSTANDING PREVIOUSLY APPROVED ACTIONS**

9.1 There are no previously approved actions outstanding.

## **10.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

10.1 There are no specific implications arising from this report.

## **11.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

11.1 There are no specific implications arising from this report.

## **12.0 LEGAL IMPLICATIONS**

12.1 A decision of this Committee can be subject to Appeal.

## **13.0 EQUALITIES IMPLICATIONS**

13.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No because there is no relevance to equality.

## **14.0 CARBON REDUCTION AND ENVIRONMENTAL IMPLICATIONS**

14.1 There are no specific implications arising from this report.

## **15.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

15.1 There are no Planning implications arising from this report.

## **16.0 RECOMMENDATIONS**

16.1 The Licensing Act 2003 Sub-Committee are asked to consider the application for a Premises Licence in respect of the above premises.

## 17.0 REASONS FOR RECOMMENDATIONS

17.1 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

## BACKGROUND PAPERS/REFERENCE MATERIAL

- None

## BRIEFING NOTES HISTORY

- None

## SUBJECT HISTORY (last 3 years)

Council Meeting	Date

# Location plan of Premises

