

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

4 September 2014

SUBJECT:	APPLICATION TO VARY A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	OXTON
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 to vary a Premises Licence under the provisions of the Licensing Act 2003. The application is made by **John Mitchell** and relates to the premises known as **The Courtyard, 7-9 Rose Mount, Oxtan**.

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 11:00 to 00:00
Sunday 12:00 to 23:30

Hours Open to the Public

Monday to Saturday 11:00 to 00:30
Sunday 12:00 to 00:00

Late Night Refreshment

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

3.0 APPLICATION

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

Sale by Retail of Alcohol

Monday to Thursday 11:00 to 00:00
Friday and Saturday 11:00 to 01:00
Sunday 12:00 to 23:30

Hours Open to the Public

Monday to Thursday 11:00 to 00:30
Friday and Saturday 11:00 to 01:30
Sunday 12:00 to 00:00

Late Night Refreshment

Monday to Thursday 23:00 to 00:00
Friday and Saturday 23:00 to 01:00
Sunday 23:00 to 23:30

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

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

Monday to Saturday 11:00 to 00:00
Sunday 12:00 to 23:30

UNCHANGED

Non-Standard Timings

Non-Standard Timings

All of the above Licensable Activities
have been extended as follows (with
Late Night Refreshment to commence
from 23:00 and an additional 30
minutes for Hours Open to the Public):

UNCHANGED

09:00 to 01:00 - Christmas Eve
09:00 to 01:00 - Boxing Day
09:00 to 01:00 - Sunday prior to a
Bank Holiday Monday
09:00 to 02:00 - New Years Eve

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, six representations have been received from Local Residents. The representations relate to noise nuisance from customers which is currently a problem and concerns that this will be extended until a later hour if the application is granted. Copies of the representation 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

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 to vary 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.

REPORT AUTHOR: Richard Leyland
Licensing Team Leader
telephone (0151) 691 8478
email richardleyland@wirral.gov.uk

APPENDICES

- Application to vary 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

