

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

4 November 2014

SUBJECT:	CONSIDERATION OF AN OBJECTION NOTICE IN RESPECT OF A TEMPORARY EVENT NOTICE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	HOYLAKE AND MEOLS
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 Objection Notice that has been given by Merseyside Police in respect of a Temporary Event Notice under the provisions of the Licensing Act 2003. The proposed Premises User is **Lisa Garside** and relates to the Premises known as **Paloma, 38 Banks Road, West Kirby**

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 00:00

Hours Open to the Public

Sunday to Saturday 10:00 to 00:30

Live Music, Recorded Music and Performance of Dance

Sunday to Saturday 10:00 to 23:30

Late Night Refreshment

Sunday to Saturday 23:00 to 00:30

- 2.2 The proposed Premises User, Lisa Garside, is currently the Designated Premises Supervisor at these premises. The Premises Licence is held by Jams Wirral Limited.

- 2.3 In accordance with the Licensing Act 2003, only the Police and Environmental Health may object to a Temporary on the grounds of any of the four licensing objectives.

3.0 TEMPORARY EVENT NOTICE

- 3.1 In respect of the Temporary Event Notice the following Licensable Activities and hours have been requested:

Sale by Retail of Alcohol and Regulated Entertainment

Friday, 7 November 2014 – 23:30 to 01:00

Saturday, 8 November 2014 – 23:30 to 01:00

- 3.2 The purpose of the Temporary Event Notice is for a private Birthday Party on 7 November 2014 and an extension of hours permitted on the Premises Licence for customers on the 8 November 2014. A copy of the Temporary Event Notice is available.

4.0 RELEVANT OBJECTION NOTICE

- 4.1 An Objection Notice has been received from Merseyside Police. The Objection relates to the Prevention of Crime and Disorder and Public Nuisance following a number of complaints received relating to the premises. Merseyside Police considers that if the premises are permitted to trade in accordance with the Temporary Event Notice, this will increase the possibility of disorder occurring and nuisance being caused. A copy of the Objection Notice is available.
- 4.2 Environmental Health have advised that they do not wish to object to this Temporary Event Notice.

5.0 RELEVANT RISKS

- 5.1 There are none arising directly from this report.

6.0 OTHER OPTIONS CONSIDERED

- 6.1 There is no provision for other options to be considered.

7.0 CONSULTATION

- 7.1 Statutory consultation has been undertaken in respect of this application.

8.0 OUTSTANDING PREVIOUSLY APPROVED ACTIONS

- 8.1 There are no previously approved actions outstanding.

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 AND ENVIRONMENTAL 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 RECOMMENDATIONS

15.1 The Licensing Act 2003 Sub-Committee are asked to consider and Objection Notice in respect of a Temporary Event Notice

16.0 REASONS FOR RECOMMENDATIONS

16.1 It is a statutory requirement for this Committee to determine the Objection Notice.

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APPENDICES

- None

BACKGROUND PAPERS/REFERENCE MATERIAL

- Temporary Event Notice
- Objection Notice received from Merseyside Police

BRIEFING NOTES HISTORY

- None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

Location plan of Premises



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