

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

7 November 2014

SUBJECT:	APPLICATION TO REVIEW A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	NEW BRIGHTON
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 the review of a Premises Licence under the provisions of the Licensing Act 2003. The application is made by a Local Resident and relates to the premises known as the **Old Tavern Club, Magazine Lane, New Brighton**.

2.0 BACKGROUND AND KEY ISSUES

2.1 These premises currently have a Premises Licence with the following Licensable Activities:

Sale by Retail of Alcohol

Friday and Saturday 20:00 to 02:00

Recorded Music, Live Music and Performance of Dance

Sunday to Saturday 20:00 to 02:00

2.2 The Licensing Act 2003 Sub-Committee may, having regard to the application for review and any relevant representations, take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- Modify the Conditions of the Licence.
- Exclude a licensable activity from the scope of the Licence.
- Remove the Designated Premises Supervisor.
- Suspend the Licence for a period not exceeding three months.
- Revoke the Licence.

The licensing authority may decide that no action is appropriate if it finds that the review does not require it to take any steps that are appropriate to promote the licensing objectives.

3.0 APPLICATION

- 3.1 An application has been received from a Local Resident to review the Premises Licence for the premises known as the Old Tavern Club. The grounds for review are that the premises are linked to illegal activities, public nuisance is being caused to local residents and that disorder is occurring on a regular basis.
- 3.2 In response to the application, the Premises Licence Holder has submitted a Neighbourhood Charter and Dispersal Policy together with a statement on his position in relation to the application. A copy of these documents are available.

4.0 RELEVANT REPRESENTATION

- 4.1 In respect of this application, the following representations have been received:

Local Residents

In respect of this application, 14 representations have been received from local residents. A petition containing 108 signatures has also been received. The representations and petition support the application to Review the Premises Licence. Copies of the representations are available.

Merseyside Police

A representation has been received from Merseyside Police which provides 16 Police reports since January 2013 where it has been alleged that the Licensing Objectives have been undermined. A copy of the representation is available.

Wirral Licensing Authority

A representation has been received from the Licensing Authority which supports the application to Review the Premises Licence due to a number of complaints received from residents who live within the vicinity of the premises. A copy of the representation is available.

Environmental Health (Pollution Control)

Environmental Health (Pollution Control) have provided information for Members of the Sub-Committee on the number of complaints received from local residents within the last three years. This information is available.

- 4.2 There have been no representations received from the following Responsible Authorities or from any other person.

Wirral Safe Guarding Children Board
Trading Standards
Planning Authority
Fire Authority
Public Health
Environmental Health (Health and Safety)

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 an application for the review of a Premises Licence in respect of the above premises.

16.0 REASONS FOR RECOMMENDATIONS

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

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APPENDICES

- None

BACKGROUND PAPERS/REFERENCE MATERIAL

- Application to Review a Premises Licence
- Representations received from Local Residents, Merseyside Police, Environmental Health and the Licensing Authority
- Response to application submitted by Premises Licence Holder

BRIEFING NOTES HISTORY

- None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

Location plan of Premises



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