

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

7 November 2014

SUBJECT:	APPLICATION TO VARY A PREMISES LICENCE 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 application to vary a Premises Licence under the provisions of the Licensing Act 2003. The application is made by **Katie Sutton** and relates to the premises known as **Rock Lobster, 3 Grange 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 Anything of a Similar Description

Sunday to Saturday 10:00 to 00:00

Performance of Dance

Sunday to Saturday 10:00 to 00:30

Non-Standard Timings:

All of the above Activities are extended by one hour on New Years Eve and Bank Holidays

3.0 APPLICATION

3.1 The application to vary the Premises Licence, as amended following discussions with Merseyside Police, is as follows:

Sale by Retail of Alcohol

Sunday to Saturday 08:00 to 00:30

Hours Open to the Public

Sunday to Saturday 08:00 to 01:00

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

Sunday to Saturday 08:00 to 00:30

Late Night Refreshment

Sunday to Saturday 23:00 to 00:30

Non-Standard Timings:

All of the above activities has been requested to be extended until 02:00 on all Public Holidays.

3.2 Members should note that following discussions with Merseyside Police, the applicant agreed to reduce the originally requested terminal hour by 30minutes and also agreed for the following conditions to apply to the Premises Licence if this application is granted:

- There must be a minimum of one SIA registered door person on duty from 22:00 until the premises is closed to the public on Friday and Saturday nights.
- There must be no admission to the premises after 00:00.

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, three representations have been received from Local Residents. The representations relate to noise nuisance from entertainment coming from the premises and nuisance caused by customers leaving the premises. These are current problems associated with the premises and if this application is granted, residents have concerns that this will add to the problems. Copies of the representations are available.

Representations have also been received from Hoylake and Meols Ward Councillors, Councillor Hale and Councillor Ellis. The representations support the concerns expressed by local residents. Copies of the representations are available.

Environmental Health (Pollution Control)

A representation has been received from Environmental Health (Pollution Control) due to concerns that if the application is granted, entertainment will cause a nuisance to local residents at a late hour. 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
Licensing Authority
Merseyside Police
Public Health
Environmental Health (Health and Safety)

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 The Planning Authority have advised that the premises is permitted to trade between the hours of 08:00 and 01:00, seven days a week

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.

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APPENDICES

- None

BACKGROUND PAPERS/REFERENCE MATERIAL

- Application to vary a Premises Licence
- Representations received from local residents and Ward Councillors
- Representation received from Environmental Health (Pollution Control)

BRIEFING NOTES HISTORY

- None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

Location plan of Premises



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