

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

11 December 2014

SUBJECT:	APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	BIRKENHEAD AND TRANMERE WARD
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 a Premises Licence under the provisions of the Licensing Act 2003. The application is made by **Michael Yates** and relates to the premises known as **Mr Whites, 60-62 Argyle Street, Birkenhead**

2.0 BACKGROUND AND KEY ISSUES

2.1 These premises do not have a Premises Licence and are not currently trading.

3.0 APPLICATION

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

Sale by Retail of Alcohol

Sunday to Thursday	11:00 to 23:00
Friday and Saturday	11:00 to 02:00
New Years Eve	11:00 to 04:00

The applicant has indicated that the sale of alcohol will be for consumption on the premises only.

Hours Open to the Public

Sunday to Thursday	11:00 to 23:30
Friday and Saturday	11:00 to 02:30
New Years Eve	11:00 to 04:00

Recorded Music

Sunday to Thursday	11:00 to 23:30
Friday and Saturday	11:00 to 02:30
New Years Eve	11:00 to 04:00

3.2 Following discussions with Merseyside Police, the applicant has agreed to amend the application to include the following conditions in the Operating Schedule:

- A Challenge 25 Policy must be implemented. Posters must be displayed relating to this Policy.
- All staff must receive training in underage sales, refusing to serve alcohol to drunks, drug awareness, conflict management and the Challenge 25 Policy. All training must be recorded and made available to an Authorised Officer on request.
- A minimum of two Door Supervisors must be on duty from 22:00 on Friday and Saturday nights.
- Staff must conduct regular checks of the interior of the premises.
- Staff must ensure that any queues or persons gathering outside the premises are managed appropriately.
- All drinking vessels must be made of toughened glass.

3.3 Merseyside Police have advised that they have no objection to the removal of the following proposed condition in the Operating Schedule if the above additional conditions were implemented:

- All staff to obtain a BIIAB Level 2 Award for Personal Licence Holders.

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 representation has been received in respect of the above application.

Local Resident

In respect of this application a representation has been received from a Local Resident. The representation relates to concerns that should the application be granted then public nuisance would be caused by music emanating from the premises and there would be an increase in disorder within the vicinity of the premises. 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
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

- None

BACKGROUND PAPERS/REFERENCE MATERIAL

- Application for a Premises Licence
- Representation received from a Local Resident

BRIEFING NOTES HISTORY

- None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

Location plan of Premises



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