

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

16 OCTOBER 2015

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| SUBJECT: | APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003 |
| WARD AFFECTED: | EASTHAM 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 **Tea Hospitality Limited** and relates to the premises known as **Thyme, 35-37 Eastham Village Road, Eastham**.

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 a Premises Licence is as follows:

Sale by Retail of Alcohol

| | |
|--------------------|----------------|
| Sunday to Saturday | 11:00 to 23:00 |
| Christmas Eve | 11:00 to 01:00 |
| New Years Eve | 11:00 to 01:00 |

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

Hours Open to the Public

| | |
|--------------------|----------------|
| Sunday to Saturday | 09:00 to 00:00 |
| Christmas Eve | 11:00 to 02:00 |
| New Years Eve | 11:00 to 02:00 |

Recorded Music

| | |
|--------------------|----------------|
| Sunday to Saturday | 10:00 to 23:00 |
|--------------------|----------------|

3.2 Following discussions with Merseyside Police, the applicant has agreed to the following conditions to be included on the Premises Licence if the application is granted:

- Alcohol must only be sold or supplied as an ancillary to the provision of substantial table meals and to those persons who are waiting to be seated or those who have finished their meal
- Any entertainment provided will be background music only
- The last orders for food must be taken no later than 22:00
- CCTV must be provided in the form of a recordable system capable of providing pictures of evidential quality and in all lighting conditions particularly facial recognition. Cameras shall encompass all access to and egress from the premises and all areas where the sale/supply of alcohol occurs. Equipment shall be maintained in good working order and correctly timed and dated. Recordings will be available for a period of 31 days and handed to Police on request. The recording equipment being of a digital hard drive system shall be kept in a secure environment under the control of the Premises Licence Holder or other responsible named individual
- Customers must not take alcoholic drinks outside the premises for consumption within the immediate vicinity of the curtilage of the building
- The Premises Licence Holder must take all reasonable steps to prevent annoyance or nuisance by persons leaving the premises and shall provide suitable notices at each egress point. Such notices shall be protected from damage or deterioration

3.3 Following discussions with Trading Standards, the applicant has also agreed for the following conditions to be included on the Premises Licence if the application is granted:

- All staff must receive British Institute of Innkeeping Awarding Body training, Fair Trading Award 'Do You Pass' training or equivalent training in relation to Age Restricted Sales.
- All staff must receive refresher training in relation to age restricted sales every 6 months.
- Training records must be kept in the premise and made available for inspection upon request.
- A Challenge 25 Policy should be implemented and maintained. (Including displaying posters and relevant signage).
- A Refusals Register must be kept and maintained and made available for inspection upon request

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. Amendments to the operating schedule can be found at paragraph 3.2 and 3.3 of this report.
- 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 alcohol related anti-social behaviour within the vicinity of these premises and concerns that if the application is granted this will increase. 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
Environmental Health
Licensing Authority
Merseyside Police
Planning Authority
Fire Authority
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 in relation to this application.

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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