

LICENSING ACT 2003**LICENSING ACT 2003 SUB-COMMITTEE****9 JUNE 2016**

REPORT TITLE	APPLICATION TO VARY A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
REPORT OF	ASSISTANT CHIEF EXECUTIVE

REPORT SUMMARY

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 James Demetrios and relates to the Premises known as Paradox, 1-3 Pensby Road, Heswall.

RECOMMENDATION

The Licensing Act 2003 Sub-Committee are asked to consider the application to vary a Premises Licence in respect of the above premises.

SUPPORTING INFORMATION

1.0 REASON FOR RECOMMENDATION

- 1.1 It is a statutory requirement for this Committee to determine the application due to relevant representations received.

2.0 OTHER OPTIONS CONSIDERED

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

3.0 BACKGROUND INFORMATION

- 3.1 These premises currently have a Premises Licence with the following hours:

Sale by Retail of Alcohol

Sunday to Thursday 10:00 to 00:00
Friday and Saturday 10:00 to 01:00

Hours Open to the Public

Sunday to Thursday 08:00 to 00:30
Friday and Saturday 08:00 to 01:30

Recorded Music

Sunday to Thursday 10:00 to 00:00
Friday and Saturday 10:00 to 01:00

Late Night Refreshment

Sunday to Thursday 23:00 to 00:00
Friday and Saturday 23:00 to 01:00

Non-Standard Timings

The above Licensable Activities 10:00 to 01:00 and Hours Open to the Public 08:00 to 01:30 on the following days:

Each Sunday preceding a Bank Holiday Monday, Christmas Eve, Christmas Day, Boxing Day and days of bona-fide pre-booked functions that are planned at least 48 hours in advance in a diary kept for that purpose which is maintained at the premises and available for inspection by an Authorised Officer.

The above Licensable activities 10:00 to 02:00 and Hours Open to the Public 08:00 to 02:30 on New Years Eve

3.2 APPLICATION

- 3.3 The application to vary the Premises Licence is as follows:

Sale by Retail of Alcohol

Sunday to Thursday 10:00 to 01:00
Friday to Saturday 10:00 to 02:00

Hours Open to the Public

Sunday to Thursday 08:00 to 01:30
Friday to Saturday 08:00 to 02:30

Recorded Music

Sunday to Thursday 10:00 to 01:00
Friday to Saturday 10:00 to 02:00

Late Night Refreshment

Sunday to Thursday 23:00 to 01:00
Friday to Saturday 23:00 to 02:00

Non-Standard Timings

The above Licensable Activities and Hours Open to the Public 10:00 to 02:00 on the following days:

Each Sunday preceding a Bank Holiday Monday, Christmas Eve, Christmas Day, Boxing Day and days of bona-fide pre-booked functions that are planned at least 48 hours in advance in a diary kept for that purpose which is maintained at the premises and available for inspection by an Authorised Officer.

The above Licensable activities 10:00 to 02:30 and Hours Open to the Public 10:00 to 03:00 on New Years Eve

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

- A minimum of one SIA registered door supervisor must be employed at the premises on a Friday from 21:30 until close of business.
- A minimum of two SIA registered door supervisors must be employed at the premises on a Saturday, Sundays preceding a Bank Holiday Monday, Boxing Day and New Year's Eve from 21: 30 until close of business.
- On all other occasions when the premises are open for the sale of alcohol after midnight a minimum of one SIA registered door supervisor must be employed at the premises from 21.30 until close of business.

The above conditions are to replace the following condition which is currently imposed on the premises Licence:

- The employment of a minimum of one SIA registered security staff from 21:30 on Friday and Saturday nights and any other occasion when the premises are open for the sale of alcohol beyond midnight.

3.5 **PROMOTION OF LICENSING OBJECTIVES**

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.

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.

3.6 **RELEVANT REPRESENTATIONS**

The following representations have been received in respect of the above application.

Other Persons

In respect of this application, a representation has been received from a Local Resident. A representation has also been received from an individual owns the property adjacent to the premises. The representations relate to concerns of noise from entertainment coming from the premises and anti-social behaviour caused by customers of the Paradox which is currently a problem within the vicinity of the premises. Copies of the representations are available.

There have been no representations received from the following Responsible Authorities:

Wirral Safe Guarding Children Board
Planning Authority
Fire Authority
Licensing Authority
Environmental Health
Public Health
Trading Standards
Merseyside Police

4.1 FINANCIAL IMPLICATIONS

4.2 There are no specific implications arising from this report.

5.0 LEGAL IMPLICATIONS

5.1 A decision of this Committee can be subject to Appeal.

6.2 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

6.1 There are no specific implications arising from this report.

7.0 RELEVANT RISKS

7.1 There are none arising directly from this report.

8.1 ENGAGEMENT/CONSULTATION

8.2 Statutory consultation has been undertaken in respect of this application.

9.0 EQUALITY IMPLICATIONS

9.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No because there is no relevance to equality.

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APPENDICES

None

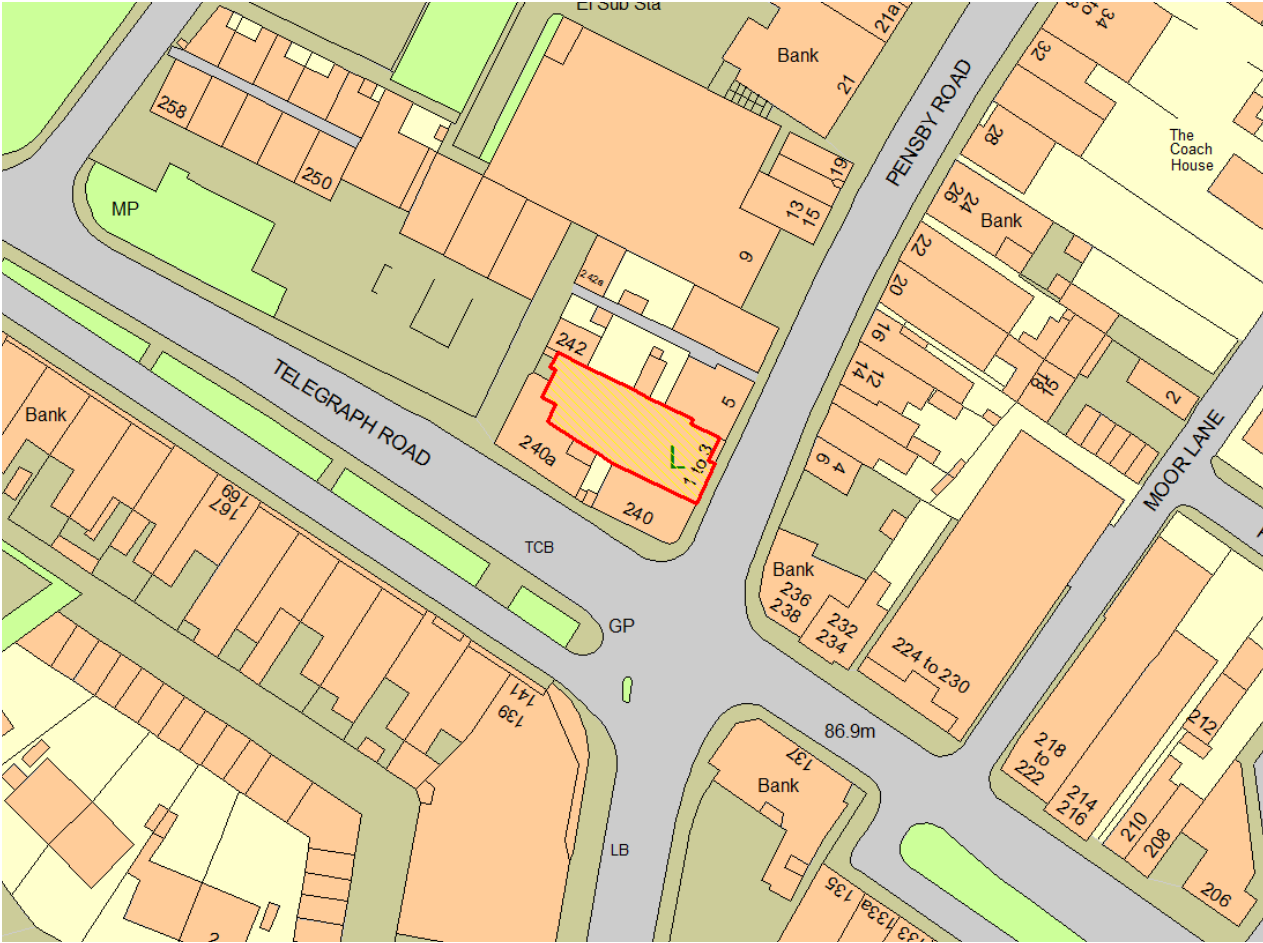
REFERENCE MATERIAL

- Application to vary a Premises Licence
- Representations received from Other Persons

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

Location of premises



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