

**LICENSING ACT 2003****LICENSING ACT 2003 SUB-COMMITTEE****4 AUGUST 2016**

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

**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 **Daniel Barnes** and relates to the Premises known as **Nancie Henry, 50 Grange Road, West Kirby**.

**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 which are currently trading as a clothes store also has a Premises Licence for the café which is situated within the premises. The hours permitted under the Premises Licence are as follows:

#### **Sale by Retail of Alcohol**

Sunday to Saturday 12:00 to 23:30

#### **Hours Open to the Public**

Monday to Saturday 08:00 to 23:30

Sunday 10:00 to 23:30

#### **Live Music and Recorded Music**

Monday to Saturday 08:00 to 23:30

Sunday 10:00 to 23:30

### **3.2 APPLICATION**

This application is to increase the Licensed area to include the external area to the rear of the premises. If granted, the applicant has requested the outside area be used no later than 22:00. The proposed plan of the premises is available.

### **3.3 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 to promote 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.

### **3.4 RELEVANT REPRESENTATIONS**

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

#### **Local Residents**

In respect of this application, two representations have been received from Local Residents. The representations relate to concerns that if the application is granted noise nuisance will be caused by customers of the premises using the outside area which is close to their properties. The residents have advised that the premises are currently causing a nuisance. 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.

#### **6.0 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.

#### **8.0 ENGAGEMENT/CONSULTATION**

8.1 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.

**REPORT AUTHOR:** *Richard Leyland*  
*Licensing Team Leader*  
telephone: (0151) 691 8478  
email: [richardleyland@wirral.gov.uk](mailto:richardleyland@wirral.gov.uk)

#### **APPENDICES**

None

#### **REFERENCE MATERIAL**

- Application to vary a Premises Licence
- Representations received from Local Residents

#### **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>

Location of premises



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