

# Public Document Pack

## LICENSING ACT 2003 SUB-COMMITTEE

Tuesday, 17 July 2018

Present: Councillors A Hodson D Mitchell  
AER Jones

### 7 APPOINTMENT OF CHAIR

**Resolved – That Councillor A Hodson be appointed Chair for this meeting.**

### 8 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Sub-Committee were asked to declare any disclosable pecuniary and non pecuniary interests in connection with the application on the agenda and to state the nature of the interest.

No such declarations were made.

### 9 APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003 - ROCKVILLA HOTEL, 329 OLD CHESTER ROAD, ROCK FERRY

The Assistant Chief Executive reported upon an application that had been received from Michael Yates for a premises licence in respect of the Rockvilla Hotel, 329 Old Chester Road, Rock Ferry, under the provisions of the Licensing Act 2003.

Members were advised that the premises previously had a Premises Licence which was surrendered by the Premises Licence Holder, Enterprise Inns Plc, on 17 February 2016 and that the premises was not currently operating . The hours permitted by the previous licence were set out within the report.

The applicant submitted an operating schedule setting out how the business would be conducted/ managed in accordance with the four licensing objectives. A copy of the full application was available.

Following discussions with Merseyside Police, the applicant had agreed to amend the original proposed sale by retail of alcohol hours and removed the request for non standard timings for Christmas Eve, Boxing Day and Bank Holiday weekends. The Applicant also agreed to include a number of conditions to be placed on the Premises Licence if the application were to be granted.

In respect of the application, three representations had been received from local residents and were in relation to a history of anti social behaviour caused from customers of the premises. Copies of the representations were available.

No local residents were in attendance at the meeting.

The Licensing Manager confirmed that all documentation had been sent and received and that Members now had access to an aerial photograph of the premises. Mr Yates presented a further letter in response to residents objections.

The Licensing Manager then outlined the report.

Mr Yates addressed the Committee and advised Members of his plans to operate the premises as a Hotel. He further advised that he would not allow any sportswear after 7pm and that drinking would not be permitted outside of the premises and agreed for Officers to amend the plan of the premises to relate only to the fabric of the building and not to include the area immediately outside the premises. He explained to Members how there would not be any music outside and would ensure that taxis will use call back facility within the premises.

Mr Yates responded to questions from Members of the Sub Committee and Mr A Bayatti, Legal Advisor to the Sub Committee.

In determining the application, the Licensing Act 2003 Sub Committee had regard to the Licensing Objectives, the Council's Statement of Licensing Policy and the Statutory Guidance issues under Section 182 of the Licensing Act 2003.

Members gave careful consideration to the submissions made by the Applicant and the representations made in writing from three local residents. who had concerns regarding the proximity of the premises to their properties and the noise and disturbance they experienced when the premises operated under a previous owner. In considering these representations Members did have regard to the proximity of the premises to local residents but could not hold the applicant responsible for disturbance caused when the premises was operated by a different owner.

In determining the application, Members had regard to the experience of the Applicant and the measures that were proposed to ensure that the premises operated in such a way so as not to cause disturbance to local residents or individuals staying at the hotel. Members also took into consideration the fact that the applicant had agreed to the conditions proposed by Merseyside Police prior to the Hearing and that there were no representations from any of the other Responsible Authorities. Members also noted that the applicant was content for the plan of the premises to relate only to the fabric of the building and not to include the area immediately outside the premises.

**Resolved –**

**(1) That in accordance with Regulation 14(2) of the Licensing Act 2003, the public be excluded from the meeting during consideration of the application.**

**(2) That the application for a Premises Licence in respect of Rockvilla Hotel, 329 Old Chester Road, Rock Ferry, be granted with the following hours:**

**Sale by Retail of Alcohol**

Sunday to Thursday 11:00 to 23:00  
Friday and Saturday 11:00 to 00:30

**Hours Open to the Public**

Sunday to Thursday 10:00 to 00:30  
Friday and Saturday 10:00 to 01:30

Non –standard timings

**New Years Eve**

Supply of alcohol until 03:00  
Hours open to the public until 04:00

**(3) That in addition to the appropriate conditions proposed in the operating schedule and those proposed by Merseyside Police, the following conditions be placed on the Premises Licence:**

- **No drinks may be consumed in the areas outside the fabric of the building beyond 7.00pm.**
- **There must be notices in the outside areas to advise customers that they must not consume drinks in those areas beyond 7.00pm.**
- **Notices must be displayed in the premises advising customers to use a call back facility when booking taxis.**
- **The Licence holder or his representative must conduct regular assessments of the noise coming from the premises and must take steps to reduce the level of noise where it is likely to cause a disturbance to local residents. A written record must be made of those assessments in a log book kept for that purpose and must include, the time and date of the checks, the person making them and the results including any remedial action. This book must be made available for inspection by an Authorised Officer upon request.**
- **Bottles or broken glasses must not be disposed of from the premises between the hours of 9.00pm and 11.00am so as not to cause a disturbance to residents in the vicinity of the premises.**

This page is intentionally left blank