

LICENSING ACT 2003**LICENSING ACT 2003 SUB-COMMITTEE****28 FEBRUARY 2019**

REPORT TITLE	APPLICATION TO VARY A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
REPORT OF	CORPORATE DIRECTOR FOR BUSINESS MANAGEMENT

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 **Hideaway Lakes (Wirral) Ltd** and relates to the premises known as **The White Owl, Station Road, Thurstaston**.

RECOMMENDATION/S

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

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 It is a statutory requirement for this Committee to determine the application due to relevant representations being 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 Saturday 11:00 to 18:30

Hours Open to the Public

Sunday to Saturday 09:00 to 18:30

3.2 APPLICATION

The application to vary the Premises Licence as follows:

Sale by Retail of Alcohol

Sunday to Tuesday 11:00 to 21:00
Wednesday to Saturday 11:00 to 22:30

Hours Open to the Public

Sunday to Tuesday 09:00 to 21:00
Wednesday to Saturday 09:00 to 22:30

- 3.3 The applicant has also requested that the following condition be removed from the licence:

- The Sale by Retail of Alcohol and Hours Open to the Public must cease no later than the times specified on the licence, or 30 minutes before sunset.

- 3.4 The Planning Authority have advised that the following restriction is currently imposed on the Planning Permission:

- The café hereby permitted shall be closed between 21:00 hours and 09:00 hours Sundays, Monday and Tuesday and 22:30 hours and 09:00 hours any other day.

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 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.

3.6 RELEVANT REPRESENTATIONS

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

Local Residents

In respect of this application a representation has been received from a local resident. A representation has also been received from the Irby, Thurstaston & Pensby Amenity Society. The representations relate to concerns regarding noise nuisance being caused by music coming from the premises and customers leaving the premises. The representations also relate to concerns in relation to the potential disturbance to sensitive wildlife. Copies of the representations are available.

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

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

4.0 FINANCIAL IMPLICATIONS

4.1 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.

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APPENDICES

None

REFERENCE MATERIAL

- Application for a Premises Licence
- Representations received from local residents

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

Location of premises



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