

**LICENSING ACT 2003****LICENSING ACT 2003 SUB-COMMITTEE****14 AUGUST 2020**

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| <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>DIRECTOR OF LAW AND GOVERNANCE</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 **Robert Casson** and relates to the premises known as **Marine Street Social, Marine Point, Kings Parade, New Brighton**

**RECOMMENDATION/S**

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/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  | 4.0 | APPLICATION  |
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| 3.1 | <p>These premises currently have a Premises Licence with the following permitted hours:</p> <p><b>Sale by Retail of Alcohol</b></p> <p>Sunday to Thursday 08:00 to 23:30<br/>Friday and Saturday 08:00 to 01:30</p> <p><b>Live Music</b></p> <p>Sunday to Saturday 23:00 to 00:00</p> <p><b>Recorded Music</b></p> <p>Sunday to Thursday 23:00 to 00:00<br/>Friday and Saturday 23:00 to 02:00</p> <p><b>Late Nigh Refreshment</b></p> <p>Sunday to Thursday 23:00 to 00:00<br/>Friday and Saturday 23:00 to 02:00</p> <p><b>Hours Open to the Public</b></p> <p>Sunday to Thursday 08:00 to 00:00<br/>Friday and Saturday 08:00 to 02:00</p> <p><b>Non-Standard Timings:</b></p> <p><b>Sale by retail of Alcohol</b></p> <p>An extension from the terminal hour on New Year's Day until 08:00.</p> <p>To commence at 07:00 for the three days of The Grand National Event.</p> | 4.1 | <p>The application for a Premises Licence is as follows:</p> <p><b>Sale by Retail of Alcohol</b></p> <p>Sunday to Thursday 08:00 to 00:00<br/>Friday and Saturday 08:00 to 02:30</p> <p><b>Live Music (unchanged)</b></p> <p>Sunday to Saturday 23:00 to 00:00</p> <p><b>Recorded Music</b></p> <p>Sunday to Thursday 23:00 to 00:00<br/>Friday and Saturday 23:00 to 02:30</p> <p><b>Late Nigh Refreshment</b></p> <p>Sunday to Thursday 23:00 to 00:00<br/>Friday and Saturday 23:00 to 02:30</p> <p><b>Hours Open to the Public</b></p> <p>Sunday to Thursday 08:00 to 00:00<br/>Friday and Saturday 08:00 to 02:30</p> <p><b>Non-Standard Timings:</b></p> <p><b>Sale by retail of Alcohol</b></p> <p>Christmas Eve 08:00 to 02:30</p> <p>Boxing Day 08:00 to 03:00</p> <p>An extension from the terminal hour on New Year's Day until 08:00.</p> <p>To commence at 07:00 for the three days of The Grand National Event.</p> <p>Bank Holiday Sundays 08:00 to 03:00</p> |

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| <p><b>Live Music</b></p> <p>An extension from the terminal hour on New Year's Day until 08:00.</p> <p><b>Recorded Music</b></p> <p>An extension from the terminal hour on New Year's Day until 08:00.</p> <p><b>Late Night Refreshment</b></p> <p>An extension from the terminal hour on New Year's Day until 05:00.</p> <p><b>Hours Open to the Public</b></p> <p>An extension from the terminal hour on New Year's Day until 08:00.</p> <p>To commence at 07:00 for the three days of The Grand National Event.</p> | <p><b>Live Music (unchanged)</b></p> <p>An extension from the terminal hour on New Year's Day until 08:00.</p> <p><b>Recorded Music</b></p> <p>Christmas Eve 23:00 to 02:30</p> <p>Boxing Day 23:00 to 03:00</p> <p>An extension from the terminal hour on New Year's Day until 08:00.</p> <p>Bank Holiday Sundays 23:00 to 03:00</p> <p><b>Late Night Refreshment</b></p> <p>Christmas Eve 23:00 to 02:30</p> <p>Boxing Day 23:00 to 03:00</p> <p>An extension from the terminal hour on New Year's Day until 05:00.</p> <p>Bank Holiday Sundays 23:00 to 03:00</p> <p><b>Hours Open to the Public</b></p> <p>Christmas Eve 08:00 to 02:30</p> <p>Boxing Day 08:00 to 03:00</p> <p>An extension from the terminal hour on New Year's Day until 08:00.</p> <p>To commence at 07:00 for the three days of The Grand National Event.</p> |
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## 5.0 PROMOTION OF LICENSING OBJECTIVES

- 5.1 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.
- 5.2 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.

## 6.0 RELEVANT REPRESENTATIONS

- 6.1 The following representations have 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 concerns of anti-social behaviour which could be caused by customers of the premises leaving at a late hour. A copy of the representation is available.

## **Local Business**

A representation has been received from Travelodge Hotels Limited who operate a Travelodge which is located opposite these premises. The representation states that customers of the Travelodge currently suffer a material disturbance from the premises due to the level of noise generated from the property, in particular the level of base and vibrations from music being played at the premises. It is a concern therefore that the level of disturbance will increase should the application be granted. The concerns also relate to the potential for anti-social behaviour to take place within the immediate vicinity of the Travelodge and for the safety of guests staying at the Hotel to be put at risk. A copy of the representation is available.

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

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

## **7.0 FINANCIAL IMPLICATIONS**

7.1 There are no specific implications arising from this report.

## **8.0 LEGAL IMPLICATIONS**

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

## **9.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS**

9.1 There are no specific implications arising from this report.

## **10.0 RELEVANT RISKS**

10.1 There are none arising directly from this report.

## **11.0 ENGAGEMENT/CONSULTATION**

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

## **12.0 EQUALITY IMPLICATIONS**

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

No because there is no relevance to equality.

## **13.0 ENVIRONMENT AND CLIMATE IMPLICATIONS**

13.1 There are none arising from the content of this report.

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**APPENDICES**

None

**BACKGROUND PAPERS**

- Application to vary a Premises Licence
- Representations received from a Local Resident and Travelodge Hotels Limited

**SUBJECT HISTORY (last 3 years)**

| Council Meeting | Date |
|-----------------|------|
|                 |      |