

LICENSING ACT 2003

LICENSING PANEL

28 APRIL 2021

REPORT TITLE	APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
REPORT OF	DIRECTOR OF LAW AND GOVERNANCE

REPORT SUMMARY

The purpose of this report is to consider an application for a Premises Licence under the provisions of the Licensing Act 2003. The application is made by **Lairds Sports Club '93** and relates to the premises known as **Lairds Sports Club, St Peters Road, Rock Ferry**.

RECOMMENDATION/S

The Licensing Panel are asked to consider the application for 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 Panel 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 previously held a Club Premises Certificate which was surrendered as the Club ceased trading in January 2017 and sold to developers.

3.2 APPLICATION

The application for a Premises Licence, for a different site, is as follows:

Sale by Retail of Alcohol

Monday to Saturday	11:00 to 23:00
Sunday	12:00 to 22:00

Live Music and Recorded Music

Monday to Thursday	19:00 to 23:00
Friday and Saturday	15:00 to 23:00
Sunday	13:00 to 16:00 & 19:00 to 22:30

Hours Open to the Public

Monday to Saturday	09:00 to 23:00
Sunday	11:00 to 22:30

Non-Standard Timings

Sale by Retail of Alcohol, Live and Recorded Music and Hours Open to the Public:

Bank Holiday Sundays	19:00 to 00:00
Boxing Day	19:00 to 01:00
New Years Eve	19:00 to 01:00

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 Panel are advised that the proposals set out in the operating schedule may become conditions of licence should the application be granted.

Following discussions with Merseyside Police the applicant has agreed to include the following conditions to be placed on the Premises Licence if the application is granted. Details of these conditions are as follows:

1. Staff shall be trained in the contents of the premises licence including times of operation, licensable activities and all conditions. Training shall be recorded in documentary form that will be available for inspection at the request at all reasonable times by Police Officer or Police Licensing Officer. The records will be retained for at least 12 months.
2. An incident book shall be maintained to record any activity of a violent, criminal or anti-social nature. The record will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident. The incident book shall be available for inspection at all reasonable times by an authorised Police Officer or Police Licensing Officer. The records will be retained for at least 12 months.
3. CCTV coverage shall be provided in the form of a recordable system, capable of providing clear quality images in all lighting conditions. Cameras shall encompass all entrances and exits to the premises and all areas where the sale/supply/consumption of alcohol occurs and the public have access to. External cameras will cover the immediate front, outside main door area of the premises and any external smoking areas. Equipment shall be maintained in good working order in accordance with the manufacturer's instructions. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a period of 31 days and made available to Police Officers on reasonable written request for evidential purposes, in accordance with the relevant Data Protection Legislation (currently GDPR 2018). The Recording equipment shall be kept in a secure environment under the control of the Premises Licence Holder or other responsible named individual. There shall be sufficient members of trained staff available to be able to download or view CCTV evidence with the minimum of delay at the reasonable request of an authorised officer.
4. No bottles or glasses are to be taken off the premises. Any alcohol for consumption in the outside area, will be dispensed into plastic drinking vessels.
5. A function book will be kept at the premises recording all details of function, including name and address and contact telephone number of organiser.
6. Knockback or equivalent Challenge 25 scheme to be in place. All staff to be trained prior to serving any age restricted products. Training records to be kept for inspection by an authorised officer of the local authority. Refusals system in place (till prompt or book) to be monitored by the DPS and to be made available to an authorised officer of the local authority on request.
7. A zero tolerance drugs policy will be implemented by the Premises Licence Holder. The Premises Licence Holder or nominated person shall ensure that security arrangements are in place where toilet areas and other similar areas are regularly checked for evidence of drugs. The date and times of all checks to be recorded in a bound book kept for that purpose and be available on request from an authorised officer of the Licensing Authority or Merseyside Police. Signage shall also be placed in the toilet areas advising patrons that checks are conducted regularly.
8. All children must be off the premises by 21.00 unless attending a pre-booked function.

9. The requirement for SIA registered door supervisors will be risk assessed by the management.
10. A register of all door supervisors employed by the management will be kept at the premises, with recorded details of dates and times on and off duty, full names and full 16 digit SIA numbers, signed on and off by the DPS or deputy. Any incident involving door supervisors will be recorded in the door supervisor register.
11. Signage must be prominently displayed at the exit of the premises requesting customers leaving the premises late at night to do so quietly and with consideration so as not to disturb nearby residents. Customers will be offered taxis if needed.

The applicant has also agreed for the following conditions to be placed on the Premises Licence if the application is granted as suggested by Trading Standards:

1. Notices shall be displayed in the premises where they can be seen clearly to advise customers that it is unlawful for persons under 18 to purchase alcohol or for any persons to purchase alcohol on behalf of a person under 18 years of age.
2. All staff selling alcohol must be trained on the prevention of underage sales. Training will be delivered on a regular basis (every 12 months) and records will be made available for inspection by Authorised Officers.

3.4 RELEVANT REPRESENTATIONS

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

Local Residents – Against Application

In respect of this application, 20 representations have been received from Local Residents. The representations relate to concerns of anti-social behaviour and public nuisance being caused to local residents. Copies of the representations are available.

Interested Parties – Supporting Application

In respect of this application, 10 representations have been received from interested parties. The interested parties consider that the licensing objectives will not be undermined if the application is granted. Copies of the representations are available.

- 3.5 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

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.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

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

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

APPENDICES

None

BACKGROUND PAPERS

- Application for a Premises Licence
- Representations received from Local Residents
- Representation received from Interested Parties

SUBJECT HISTORY (last 3 years)

Council Meeting	Date