

LICENSING ACT 2003

LICENSING PANEL

27 AUGUST 2021

REPORT TITLE	APPLICATION TO VARY 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 to vary a Premises Licence under the provisions of the Licensing Act 2003. The application is made by **Charlynnne Blackburn** and relates to the premises known as **Charlie's Bar, 16 Bebington Road, New Ferry**.

RECOMMENDATION/S

The Licensing Panel 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

3.1 The table below shows the hours permitted under the current Premises Licence and details of the application in terms of hours for licensable activities to take place.

Current Hours:	Hours applied for:
<p>Sale by Retail of Alcohol</p> <p>Sunday to Thursday 09:00 to 23:30 Friday and Saturday 09:00 to 00:30</p> <p>Recorded Music</p> <p>Sunday to Thursday 09:00 to 23:30 Friday and Saturday 09:00 to 00:30</p> <p>Hours Open to the Public</p> <p>Sunday to Thursday 09:00 to 00:00 Friday and Saturday 09:00 to 01:00</p> <p>Non Standard Timings:</p> <p>Sale by Retail of Alcohol</p> <p>Boxing Day until 04:00 New Years Eve until 04:00</p> <p>Hours Open to the Public</p> <p>Boxing Day until 04:30 New Years Eve until 04:30</p>	<p>Sale by Retail of Alcohol</p> <p>Sunday to Thursday 09:00 to 01:00 Friday and Saturday 09:00 to 02:00</p> <p>Recorded Music</p> <p>Sunday to Thursday 09:00 to 01:00 Friday and Saturday 09:00 to 02:00</p> <p>Live Music</p> <p>Sunday to Thursday 09:00 to 01:00 Friday and Saturday 09:00 to 02:00</p> <p>Late Night Refreshment</p> <p>Sunday to Thursday 23:00 to 01:00 Friday and Saturday 23:00 to 02:00</p> <p>Hours Open to the Public</p> <p>Sunday to Thursday 09:00 to 01:00 Friday and Saturday 09:00 to 02:00</p> <p>Non Standard Timings (unchanged):</p> <p>Sale by Retail of Alcohol</p> <p>Boxing Day until 04:00 New Years Eve until 04:00</p> <p>Hours Open to the Public</p> <p>Boxing Day until 04:30 New Years Eve until 04:30</p>

3.2 Following discussions with Merseyside Police, the hours requested for licensable activities and hours open to the public have been reduced by the applicant.

4.0 **PROMOTION OF LICENSING OBJECTIVES**

4.1 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.

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.

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

- 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 officer of relevant responsible authority and/or Police Officer. The records will be retained for at least 12 months.
- On Friday's and Saturday's there shall be a minimum of 1 SIA registered door supervisor on duty from at least 1800 hrs. On Sunday to Thursday when licensable activities take place after midnight a door supervisor must be on duty. At all other times the premises licence holder/ designated premises supervisor shall risk assess the need of door staff. In all cases they shall remain on duty until the premises close. Door supervisors must clearly display their SIA badges at all times.
- The Premises Licence Holder and/or Designated Premises Supervisor shall ensure that the following details for each door supervisor are contemporaneously entered into a bound register kept for that purpose:
 - a. Full name,
 - b. SIA Certificate number and or badge number, or registration number of any accreditation scheme recognised by the Licensing Authority (including expiry date of that registration or accreditation),
 - c. The time they began their duty
 - d. The time they completed their duty
 - e. The full details of any agency through which they have been allocated to work at the premises if appropriate
 - f. The register shall be available at all reasonable times to an authorised officer of the Licensing Authority or Merseyside Police. This register is to be kept at the premises at all times and shall be so maintained as to enable an authorised officer or Merseyside Police to establish the particulars of all door supervisors engaged at the premises during the period of not less than 12 months prior to the request.
- CCTV shall be installed at the Premises in the form of a recordable system, capable of providing clear, good quality images in all lighting conditions. Cameras shall

encompass all entrances and exits to the premises, any external seating or smoking areas, all areas where the sale, supply or consumption of alcohol occurs and all other areas where licensable activity takes place. Equipment shall be maintained in good working order and checked on a regular basis to ensure it displays the correct time and date. The system shall record in real time and operate whilst the premises are open to the public. The recordings shall be retained for a period of 31 days and made available to any authorised officer on reasonable request for evidential purposes, in accordance with Data Protection Legislation. 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. If the CCTV equipment (Including any mobile units in use at the premises) breaks down the Premises Licence Holder shall ensure the Designated Premises Supervisor, or in his/her absence other responsible person, verbally informs the Licensing Authority as soon as is reasonably practicable. This information shall be contemporaneously recorded in the incident report register and shall include the time, date and means this was done and to whom the information was reported. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. The Licensing Authority shall be informed when faults are rectified.

4.2 RELEVANT REPRESENTATIONS

The following representation has 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 crime and disorder, and public nuisance being caused to local residents should the application be granted. A copy of the representation is available.

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

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

5.0 FINANCIAL IMPLICATIONS

5.1 There are no specific implications arising from this report.

6.0 LEGAL IMPLICATIONS

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

7.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

7.1 There are no specific implications arising from this report.

8.0 RELEVANT RISKS

8.1 There are none arising directly from this report.

9.0 ENGAGEMENT/CONSULTATION

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

10.0 EQUALITY IMPLICATIONS

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

No because there is no relevance to equality.

11.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

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

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APPENDICES

None

BACKGROUND PAPERS

- Application to vary a Premises Licence
- Representation received from a Local Resident

SUBJECT HISTORY (last 3 years)

Council Meeting	Date