

LICENSING ACT 2003

LICENSING PANEL

8 JUNE 2022

REPORT TITLE	APPLICATION TO REVIEW 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 Review of a Premises Licence under the provisions of the Licensing Act 2003. The application is made by Environmental Health and relates to the premises known as Wild Inn, Banks Road, West Kirby.

RECOMMENDATION/S

The Licensing Panel are asked to Review 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.

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 which permits the following Licensable Activities:

Sale by Retail of Alcohol

Sunday to Saturday 10:00 to 00:00

Live Music, Recorded Music and Performance of Dance

Sunday to Saturday 10:00 to 23:30

Late Night Refreshment

Sunday to Saturday 23:00 to 00:30

Hours Open to the Public

Sunday to Saturday 10:00 to 00:30

Non-Standard Timings

An additional hour has been granted for the supply of alcohol, the provision of late night refreshment and the hours the premises are open to the public on the following days:

Christmas Eve, Boxing Day, Friday, Saturday and Sunday of Bank Holiday weekends and the Thursday before Good Friday.

3.2 The Licensing Panel may, having regard to the application for a Review and any relevant representations, take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- Modify the Conditions of the Licence.
- Exclude a licensable activity from the scope of the Licence.
- Remove the Designated Premises Supervisor.
- Suspend the Licence for a period not exceeding three months.
- Revoke the Licence.

The Licensing Authority may decide that no action is appropriate if it finds that the Review does not require it to take any steps that are appropriate to promote the licensing objectives.

3.3 APPLICATION

3.4 An application has been received from Environmental Health to review the Premises Licence for the premises known as Wild Inn. The grounds for the review are in relation to music emanating from the premises and causing public nuisance to Local Residents.

3.5 Further information to support the above grounds for the Review is included within the application which is available.

3.6 REPRESENTATIONS

LOCAL RESIDENTS

In respect of the review application, six representations have been received from Local Residents who support the application to review the Premises Licence. Copies of the representations are available.

WARD COUNCILLOR

A representation has been received from Ward Councillor, Alison Wright who supports the application from Environmental Health and the representations made by Local Residents. A copy of the representation is available

LICENSING AUTHORITY

A representation has been received from the Licensing Authority who have reported that complaints have been received from local residents relating to noise emanating from the premises. As a result of these complaints, the premises have been visited a number of times by a Licensing Enforcement Officer who deemed that the noise coming from the premises undermined the prevention of public nuisance licensing objective. A copy of the representation is available.

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

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

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.

11.0 COMMUNITY WEALTH IMPLICATIONS

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

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APPENDICES

None

BACKGROUND PAPERS

- Application for a Review of the Premises Licence
- Representations received from Local Residents
- Representation received from Ward Councillor
- Representation received from the Licensing Authority

SUBJECT HISTORY (last 3 years)

Council Meeting	Date