



**LICENSING ACT 2003**

**LICENSING PANEL**

**11 AUGUST 2022**

<b>REPORT TITLE</b>	<b>APPLICATION TO REVIEW 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 for a Review of a Premises Licence under the provisions of the Licensing Act 2003. The application is made by Merseyside Police and relates to the premises known as Platinum Bar, Conway Street, Birkenhead, CH41 6JD.

**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**

Monday to Thursday 12:00 to 03:30

Friday to Sunday 12:00 to 04:00

#### **Live Music and Recorded Music**

Monday to Thursday 12:00 to 03:30

Friday to Sunday 12:00 to 04:00

#### **Late Night Refreshment**

Monday to Thursday 23:00 to 03:30

Friday to Sunday 23:00 to 04:00

#### **Hours Open to the Public**

Monday to Thursday 12:00 to 04:00

Friday to Sunday 12:00 to 04:30

3.2 On 5 November 2021 an application for a Summary Review of the Premises Licence in respect of Platinum Bar was made by Merseyside Police. The grounds for the review related to serious crime and disorder occurring at the premises. Following receipt of the Review application the Licensing Panel considered it necessary to suspend the Premises Licence with immediate effect as an interim step to prevent any further serious crime and disorder occurring at the premises.

3.3 On 26 November 2021 the Licensing Panel considered the full review of the Premises Licence. The Panel determined that the suspension of the Premises Licence be lifted and determined that the Premises Licence be modified as follows:

- The terminal hour for the conduct of licensable activities shall be 04:00 for Friday, Saturday and Sunday nights, with the premises closing at 04:30
- Monday to Thursday the terminal hour for licensable activities shall be 03:30, with the premises closing at 04:00.
- No person will be admitted to the premises wearing tracksuits or sports shorts.

- During trading times, the Designated Premises Supervisor will not substitute any job role for that of supervising the premises.
- On occasions when the Designated Premises Supervisor will not be present at the premises, they must provide written authorisation to an individual with a Personal Licence to undertake responsibility for operating the premises in their absence.
- Knife wands must be used by door staff on a random and frequent basis in order to deter people entering the premises with a knife or other bladed weapon.
- Searches will be carried out by door staff on a random and frequent basis in order to detect and prevent drugs or weapons being brought into the premises.
- Door staff must be employed at the premises at all times when the premises is open and trading.
- All door staff must wear body cameras which must be used to record any incidents of disorder.
- All door staff must be equipped with hand held radio equipment to communicate with each other and staff inside the premises.
- All door staff must wear hi vis fluorescent jackets when working at the premises.

### 3.3 **APPLICATION**

3.4 An application has been received from Merseyside Police to review the Premises Licence for Platinum Bar, Conway Street, Birkenhead. The grounds for the review are in relation to Merseyside Police receiving a considerable number of reports of violence occurring at the premises since the determination of the Summary Review on 26 November 2021. Merseyside Police consider that the occurrence of these incidents is undermining the prevention of crime and disorder, public safety and the prevention of public nuisance Licensing Objectives.

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

3.6 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.

### 3.7 **REPRESENTATION**

#### **LICENSING AUTHORITY**

A representation has been received from the Licensing Authority who support the application to review the Premises Licence by Merseyside police due to a number of concerns relating to the premises including breaches of the Premises Licence conditions. A copy of the representation is available.

3.8 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 Section 51 of the Licensing Act 2003 provides that where a premises licence has effect, an interested party or a responsible authority, may apply to the relevant licensing authority for a review of the licence.

#### **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
- Representation received from the Licensing Authority
- Wirral Council's Licensing Policy
- Statutory Guidance issued under Section 182 of the Licensing Act 2003

## SUBJECT HISTORY (last 3 years)

<b>Council Meeting</b>	<b>Date</b>
Licensing Panel	5 November 2021
Licensing Panel	26 November 2021