

LICENSING ACT 2003

LICENSING PANEL

16 SEPTEMBER 2022

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 **The Craft Union Pub Company Limited** and relates to the premises known as the **Perch Rock Hotel, 7 Grosvenor Road, New Brighton**.

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 10:00 to 00:30 Friday and Saturday 10:00 to 01:00</p> <p>Performance of Dance, Exhibition of Films, Indoor Sporting Events, Performance of Dance, Live Music and Anything of a Similar Description</p> <p>Sunday to Thursday 10:00 to 23:30 Friday and Saturday 10:00 to 00:00</p> <p>Recorded Music</p> <p>Sunday to Thursday 10:00 to 23:30 Friday and Saturday 10:00 to 00:00</p> <p>Late Night Refreshment</p> <p>Sunday to Thursday 23:00 to 00:30 Friday and Saturday 23:00 to 01:00</p> <p>Hours Open to the Public</p> <p>Sunday to Thursday 10:00 to 01:00 Friday and Saturday 10:00 to 01:30</p>	<p>Sale by Retail of Alcohol</p> <p>Sunday to Thursday 10:00 to 00:30 Friday and Saturday 10:00 to 03:00</p> <p>Performance of Dance, Exhibition of Films, Indoor Sporting Events, Performance of Dance, Live Music and Anything of a Similar Description</p> <p>Sunday to Thursday 10:00 to 23:30 Friday and Saturday 10:00 to 00:00</p> <p>Recorded Music</p> <p>Sunday to Thursday 10:00 to 23:30 Friday and Saturday 10:00 to 03:00</p> <p>Late Night Refreshment</p> <p>Sunday to Thursday 23:00 to 00:30 Friday and Saturday 23:00 to 03:00</p> <p>Hours Open to the Public</p> <p>Sunday to Thursday 10:00 to 01:00 Friday and Saturday 10:00 to 03:30</p>

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.

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 public nuisance being caused to local residents by customers outside the premises which the resident advised is currently a problem. The local resident considers that if the application is granted for later hours then public nuisance could be exacerbated. 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 Section 18 of the Licensing Act 2003 provides that, where relevant representations are made in respect of an application for a Premises Licence, the Local Authority must hold a Hearing to consider them unless the Authority, the Applicant and each person who has made such representations agree that a Hearing is unnecessary. In determining the application with a view to promoting the licensing objectives in the overall interest of the local community the Licensing Authority must give appropriate weight to:

- The steps that are appropriate to promote the Licensing Objectives
- The representations (including supporting information) presented by all parties
- The statutory guidance issued under Section 182 of the Licensing Act 2003
- The Council's Statement of Licensing Policy

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.

12.0 COMMUNITY WEALTH IMPLICATIONS

12.1 The Licensing Authority has a duty to ensure that premises are operated in accordance with Licensing Act 2003 Licensing Objectives. If the Licensing Objectives are undermined this could result in the revocation of a Premises Licence to provide licensable activities.

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APPENDICES

None

BACKGROUND PAPERS

- Application to vary a Premises Licence
- Representation received from a Local Resident
- Wirral Council's Licensing Policy
- Statutory Guidance issued under Section 182 of the Licensing Act 2003

SUBJECT HISTORY (last 3 years)

Council Meeting	Date