

**LICENSING PANEL****6 JANUARY 2023**

<b>REPORT TITLE</b>	<b>APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003</b>
<b>REPORT OF</b>	<b>HEAD OF LEGAL SERVICES AND INTERIM MONITORING OFFICER</b>

**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 **Caldy Sports Club Limited** and relates to the premises known as **Caldy Sports Club, Paton Field, Telegraph Road, Caldby, CH48 1NX**.

**RECOMMENDATION/S**

The Licensing Panel are asked to determine an application for a Premises Licence in respect of the above premises having regard to the representations made in respect of the application.

## 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 currently have a Club Premises Certificate which permits the following hours:

#### Supply of Alcohol

Monday to Saturday	11:00 to 23:00
Sunday	12:00 to 22:30

#### Non-Standard Timings

The following extended hours to be used on no more than 14 occasions per year within the club house and an additional 14 occasions per year within the marquee:

#### Supply of Alcohol

Monday to Thursday	11:00 to 23:00
Friday	11:00 to 01:00
Saturday	11:00 to 00:00
Sunday	12:00 to 22:30

#### Hours Open to Members and Guests

Monday to Thursday	11:00 to 23:30
Friday	11:00 to 01:30
Saturday	11:00 to 00:30
Sunday	12:00 to 23:00

#### Regulated Entertainment (Live Music and Recorded Music)

Friday and Saturday	19:00 to 00:00
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#### Regulated Entertainment (Indoor Sporting Events) – excluding marquee

Monday to Friday	18:00 to 22:00
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- 3.2 The application for a Premises Licence is as follows:

#### Sale by Retail of Alcohol (For consumption 'On' and 'Off' the Premises)

Monday to Thursday	11:00 to 23:00
Friday and Saturday	11:00 to 00:00
Sunday	12:00 to 23:00

## **Exhibition of Films, Live Music, Recorded Music, Performance of Dance and Anything of a Similar Description**

Monday to Thursday	11:00 to 23:00
Friday and Saturday	11:00 to 00:00
Sunday	12:00 to 23:00

### **Late Night Refreshment**

Friday and Saturday	23:00 to 01:00
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### **Hours Open to the Public**

Monday to Thursday	08:00 to 00:00
Friday and Saturday	08:00 to 01:00
Sunday	08:00 to 00:00

## **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 the licence should the application be granted.

## **4.2 RELEVANT REPRESENTATIONS**

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

### **Local Residents**

In respect of this application, three representations have been received from Local Residents as well as a petition signed by 20 Local Residents which supports the representations that have been made. The representations relate to noise nuisance from entertainment coming from the premises, and nuisance caused by customers consuming alcohol on the premises and leaving the premises at a late hour which residents advise is currently a problem. Copies of the representations and the petition are 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(3) of The Licensing Act 2003 provides that where relevant representations are made, the authority must—

- (a) 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, and
- (b) having regard to the representations, take such of the steps mentioned in subsection (4) (if any) as it considers appropriate for the promotion of the licensing objectives.

6.2 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.

## **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 There are no community wealth implications arising directly from this report.

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## **APPENDICES**

None

## **BACKGROUND PAPERS**

- Application for a Premises Licence
- Representations received from Local Residents
- Wirral Council's Licensing Policy
- Statutory Guidance issued under Section 182 of the Licensing Act 2003

**TERMS OF REFERENCE**

This report is being considered by the Licensing Panel who are delegated to determine such matters in accordance with Section 9.3 of the Licensing Act Committee's Terms of Reference referred to in Part 3, Section B of the Council's constitution.

**SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>