

LICENSING ACT SUB-COMMITTEE**12 JANUARY 2024**

REPORT TITLE	APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
REPORT OF	DIRECTOR OF LAW AND CORPORATE SERVICES

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 **Map – Coffee and Lounge Limited** and relates to the premises known as **Map Coffee and Lounge, 7a The Quadrant, Hoylake**.

RECOMMENDATION

The Licensing Act Sub-Committee is asked to determine an application for the grant of a Premises Licence in respect of the above premises having regard to the representation made in respect of the application.

SUPPORTING INFORMATION

1.0 REASON FOR RECOMMENDATION

- 1.1 It is a statutory requirement for this Sub-Committee to determine the application for the grant of a licence due to a relevant representation being received.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 There is no provision for other options to be considered due to a relevant representation having been received.

3.0 BACKGROUND INFORMATION

- 3.1 The Licensing Authority have received an application for a Premises Licence under the provisions of the Licensing Act 2003.

- 3.2 The application is as follows:

Sale of alcohol during the following hours for consumption 'on' and 'off' the premises:

Sunday to Thursday	12:00 to 17:00
Friday and Saturday	12:00 to 22:00

Live Music

Friday	17:00 to 22:00
Saturday	12:00 to 22:00
Sunday	12:00 to 17:00

Hours Open to the Public

Sunday to Thursday	07:00 to 17:00
Friday and Saturday	07:00 to 22:00

- 3.3 As part of the application process applicants are required to submit an operating schedule that sets out how they will conduct/manage their business to promote the four Licensing Objectives. The applicant is also required to submit a plan of the premises showing the area that they are seeking to license. A copy of the full application and plan is available.
- 3.4 Members of the Licensing Act Sub-Committee are advised that the proposals set out in the operating schedule may become conditions of the licence should the application be granted.

4.0 RELEVANT REPRESENTATION

- 4.1 A representation has been received in respect of the application from a local resident. The representation relates to concerns that the operation of the premises will add to public nuisance and anti-social behaviour which they consider is currently a problem within the vicinity of the premises. A copy of the representation is available.

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

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

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 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 having regard to the representations, take such steps as it considers appropriate for the promotion of the licensing objectives.

6.2 Section 4 of the Licensing Act 2003 provides that the Licensing Authority must carry out its functions under this Act with a view to promoting the licensing objectives which are:

- (a) the prevention of crime and disorder;
- (b) public safety;
- (c) the prevention of public nuisance; and
- (d) the protection of children from harm

and that in carrying out its licensing functions the Licensing Authority must have regard to its licensing statement published under section 5 of the Licensing Act 2003, and any Guidance issued by the Secretary of State under section 182 of the Licensing Act 2003.

6.3 The Licensing Authority has a duty to ensure that premises are operated in accordance with the Licensing Act 2003 Licensing Objectives. If the Licensing Objectives are undermined this could result in the Premises Licence being reviewed.

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 In determining the application the Sub-Committee must have regard to the Public Sector Equality Duty under the Equality Act 2010.

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
- Representation received from a Local Resident
- Wirral Council's Statement of Licensing Policy
- Statutory Guidance issued under Section 182 of the Licensing Act 2003
- The Licensing Act 2003
- The Equality Act 2010

TERMS OF REFERENCE

This report is being considered by the Licensing Act Sub-Committee 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)

Council Meeting	Date