

LICENSING ACT 2003**LICENSING PANEL****29 APRIL 2021**

REPORT TITLE	APPLICATION FOR 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 Premises Licence under the provisions of the Licensing Act 2003. The application is made by **Wirral Council** and relates to the premises known as **Wirral Sailing Centre, South Parade, West Kirby**.

RECOMMENDATION/S

The Licensing Panel are asked to consider the application for 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 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 do not have a Premises Licence.

3.2 APPLICATION

The application for a Premises Licence is as follows:

Sale by Retail of Alcohol

Sunday to Saturday	12:00 to 23:00
Christmas Eve	12:00 to 02:00
Boxing Day	12:00 to 02:00
New Year's Eve	12:00 to 02:00

Hours Open to the Public

Sunday to Saturday	08:00 to 23:30
Christmas Eve	08:00 to 02:00
Boxing Day	08:00 to 02:00
New Year's Eve	08:00 to 02:00

3.3 PROMOTION OF LICENSING OBJECTIVES

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.

Following discussions with Merseyside Police the applicant has agreed to include the following conditions to be placed on the Premises Licence if the application is granted. Details of these conditions are as follows:

1. Staff shall be trained in the contents of the premises licence including times of operation, licensable activities and all conditions. Training shall be recorded in documentary form that will be available for inspection at the request at all reasonable times by Police Officer or Police Licensing Officer. The records will be retained for at least 12 months.
2. An incident book shall be maintained to record any activity of a violent, criminal or anti-social nature. The record will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident. The incident book shall be available for

inspection at all reasonable times by an authorised Police Officer or Police Licensing Officer. The records will be retained for at least 12 months.

3. CCTV coverage shall be provided in the form of a recordable system, capable of providing clear quality images in all lighting conditions. Cameras shall encompass all entrances and exits to the premises and all areas where the sale/supply/consumption of alcohol occurs and the public have access to. External cameras will cover the immediate front, outside main door area of the premises and any external smoking areas. Equipment shall be maintained in good working order in accordance with the manufacturer's instructions. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a period of 31 days and made available to Police Officers on reasonable written request for evidential purposes, in accordance with the relevant Data Protection Legislation (currently GDPR 2018). The Recording equipment shall be kept in a secure environment under the control of the Premises Licence Holder or other responsible named individual. There shall be sufficient members of trained staff available to be able to download or view CCTV evidence with the minimum of delay at the reasonable request of an authorised officer.
4. Knockback or equivalent Challenge 25 scheme to be in place. All staff to be trained prior to serving any age restricted products. Training records to be kept for inspection by an authorised officer of the local authority. Refusals system in place (till prompt or book) to be monitored by the DPS and to be made available to an authorised officer of the local authority on request.
5. All children must be off the premises by 21.00 unless attending a pre-booked function.
6. The requirement for SIA registered door supervisors will be risk assessed by the management when the premises operate for licensable activities past midnight.
7. A register of all door supervisors will be kept at the premises when employed by the Premises Licence Holder, with recorded details of dates and times on and off duty, full names and full 16 digit SIA numbers, signed on and off by the DPS or deputy. Any incident involving door supervisors will be recorded in the door supervisor register.
8. Signage must be prominently displayed at the exit of the premises requesting customers leaving the premises late at night to do so quietly and with consideration so as not to disturb nearby residents. Customers will be offered taxis if needed.

3.4 **RELEVANT REPRESENTATIONS**

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

Local Residents

In respect of this application, four representations have been received from Local Residents. The representations relate to concerns of anti-social behaviour occurring within the vicinity of the premises and public nuisance being caused to local residents should the application be granted. Copies of the representations are available.

Ward Councillor

A representation has been received from Ward Councillor Alison Wright who supports the representations submitted by Local Residents. A copy of the representation is available.

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

Wirral Safeguarding Children Board
Fire Authority

Environmental Health
Trading Standards
Merseyside Police
Licensing Authority
Public Health

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.

REPORT AUTHOR: *Richard Leyland*
Licensing Team Leader
telephone: (0151) 691 8478
email: richardleyland@wirral.gov.uk

APPENDICES

None

BACKGROUND PAPERS

- Application for a Premises Licence
- Representations received from Local Residents
- Representation received from a Ward Councillor

SUBJECT HISTORY (last 3 years)

Council Meeting	Date