

LICENSING SUB-COMMITTEE

**MEETING HELD AT THE ASSEMBLY HALL - BOOTLE TOWN HALL,
TRINITY ROAD, BOOTLE, L20 7AE
ON TUESDAY 24TH AUGUST, 2021**

PRESENT: Councillor John Kelly (in the Chair)
Councillors Bradshaw and Lynne Thompson

7. APPOINTMENT OF CHAIR

RESOLVED:

That Councillor Kelly be appointed as Chair for this meeting of the Sub-Committee.

8. DECLARATIONS OF INTEREST

No declarations of any disclosable pecuniary interests or personal interests were received.

9. LICENSING ACT, 2003 - APPLICATION FOR THE GRANT OF A PREMISES LICENCE - 213 LORD STREET, SOUTHPORT PR8 1PF

The Sub-Committee considered the report of the Head of Highways and Public Protection, regarding an application by Pub Invest Group for the Grant of a Premises Licence in respect of the above premises, as follows:

- The sale of alcohol by retail (on and off the premises)
- The provision of regulated entertainment – live music
- The provision of regulated entertainment – recorded music
- The provision of regulated entertainment – performance of dance

<u>Days of Operation</u>	<u>Hours of Operation</u>
Sunday to Thursday	10.00 to 00.30
Friday and Saturday	10.00 to 01.00

- Provision of late-night refreshment:

<u>Days of Operation</u>	<u>Hours of Operation</u>
Sunday to Thursday	23.00 to 00.30
Friday and Saturday	23.00 to 01.00

- Hours premises to be open to public:

<u>Days of Operation</u>	<u>Hours of Operation</u>
Sunday to Thursday	10.00 to 00.30

LICENSING SUB-COMMITTEE- TUESDAY 24TH AUGUST, 2021

Friday and Saturday

10.00 to 01.00

The applicant also applied for the following non-standard timings to be applicable for all licensable activities and the hours that the premises are open to the public:

- New Year's Eve – from the end of permitted hours until the beginning of permitted hours the next day.

Objections to the application had been received and this necessitated a hearing, for which the Sub-Committee had been convened.

The Chair advised the Sub-Committee that additional conditions had been agreed following representations from Merseyside Police and that as a result of these agreements, representations had been formally withdrawn.

The Sub-Committee heard representations from Mr Michael Edwards, Designated Premises Supervisor on behalf of the applicant and considered the written and oral representations of 3 local residents in objection to the application and another local resident who was called as witness.

All parties agreed the issues that were in contention and the procedure that was to be followed. There were no preliminary issues raised, and at the end of their representations, everyone confirmed they were satisfied that they had said all they wished to say.

The Sub-Committee retired under Regulation 14(2) of the Licensing Act (Hearings) Regulations 2005 (as amended) and thereby excluded the press and public whilst they reached their decision on the application. The Sub-Committee returned to give its decision in public.

Decision:

RESOLVED:

That the Application for the Grant of a Premises Licence in respect of 213 Lord Street, Southport, PR8 1PF, be granted subject to the following hours:

- **The sale of alcohol by retail (on and off the premises);**
- **The provision of regulated entertainment – live music;**
- **The provision or regulated entertainment – recorded music;**
and
- **The provision of regulated entertainment – performance of dance:**

Days of Operation
Sunday to Thursday

Hours of Operation
10:00 to 00:00

Friday and Saturday 10:00 to 00:30

- **The provision of late-night refreshment:**

<u>Days of operation</u>	<u>Hours of Operation</u>
Sunday to Thursday	23:00 to 00:00
Friday and Saturday	23:00 to 00:30

- **Hours open to the public:**

<u>Days of operation</u>	<u>Hours of Operation</u>
Sunday to Thursday	10:00 to 00:30
Friday and Saturday	10:00 to 01:00

Reasons:

The Sub-Committee has heard from Mr Edwards on behalf of the Applicant and has considered the written and oral representations of local residents and their witness, objecting to the application.

The Sub-Committee has also noted that the applicant agreed today to reduce the hours for the sale of alcohol by retail, the provision of regulated entertainment, and the provision of late-night refreshment.

The applicant has agreed to the additional conditions put forward by Merseyside Police, and the Sub-Committee is cognisant of the fact that no representations were received in response to the application from any of the other Responsible Authorities, for example environmental health.

The Sub-Committee notes that this application is for the grant of a new Premises Licence and is bound to have regard to the appropriate legislation, Guidance and to Sefton Council's own Statement of Licensing Policy.

The Sub-Committee cannot impose conditions that are, or could be considered disproportionate, overly burdensome or purely aspirational. In addition, the Sub-Committee cannot address issues that are dealt with by other statutory regimes such as planning or highways legislation. The Sub-Committee reminds residents of their ability to make representations to this effect to the appropriate committee when appropriate.

Whilst the Sub-Committee has sympathy for the local resident's concerns, it has not heard or received any evidence that these concerns will occur as a result of the alcohol licence being granted and cannot impose purely aspirational conditions in the absence of any evidence.

The Sub-Committee is satisfied that the Applicants have sufficient knowledge and experience of the licensing trade.

The Sub-Committee concluded that should any concerns come to fruition, in respect of this premises, the interested parties would have the right to request a Review of the Premises Licence.