

**LICENSING SUB-COMMITTEE**

**MEETING HELD AT THE BIRKDALE ROOM - SOUTHPORT TOWN  
HALL, LORD STREET, SOUTHPORT, PR8 1DA  
ON 8 APRIL 2024**

PRESENT: Councillor Thomas (in the Chair)  
Councillors Morris and Corcoran

**15. APPOINTMENT OF CHAIR**

RESOLVED:

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

**16. DECLARATIONS OF INTEREST**

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

**17. LICENSING ACT, 2003 - PREMISES LICENCE - GRANT  
PENELOPE'S, ROTTEN ROW, SOUTHPORT PR8 2BZ**

The Sub-Committee considered the report of the Assistant Director of Place (Highways and Public Protection) regarding an application by Rebel Restaurants Southport Ltd for the Grant of a Premises Licence in respect of Penelope's, Rotten Row, Southport PR8 2BZ.

Five letters of objection had been received from local residents and this necessitated a hearing for which the Sub-Committee had been convened.

The Sub-Committee heard representations from Mr Karl Barry (Applicant's Representative) and representatives from the applicant in support of the application. The Sub-Committee also heard representations from local residents in objection to the application.

All parties agreed the issues that were in contention and the procedure that was to be followed.

At the end of the representations, all parties 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 gave its decision in public.

Decision

RESOLVED: That

That the Application for the Grant of a Premises Licence in respect of Penelope's, Rotten Row, Southport, PR8 2BZ, be granted subject to the following hours:

**The sale of alcohol by retail (off the premises)**

| <b>Days of Operation</b> | <b>Hours of Operation</b> |
|--------------------------|---------------------------|
| Sunday to Thursday       | 09:00 – 23:00             |
| Friday to Saturday       | 09:00 – 00:00             |

**Hours open to the public**

| <b>Days of Operation</b> | <b>Hours of Operation</b> |
|--------------------------|---------------------------|
| Sunday to Thursday       | 09:00 – 23:00             |
| Friday to Saturday       | 09:00 – 00:00             |

**Non-standard timings as set out below:**

An extension to take into account the start of British Summer Time.

Extended terminal hours on New Year's Day until 02.00.

**For the Provision of Alcohol and Opening Hours:**

An earlier commencement time of 07.00 shall be permitted for the three days of the Grand National Event.

**For Provision of Live Music:**

In the form of a bagpiper, shall be permitted on New Year's Eve from 23.30 until 00.30 on New Year's Day.

**Reasons:**

The Sub-Committee had heard from the Applicant and their representative and had considered the written and oral representations of local residents objecting to the application.

The Sub-Committee was cognisant of the fact that no representations were received in response to the application from any of the other Responsible Authorities.

The Sub-Committee noted that this application was for the grant of a new Premises Licence, and they are 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.

Whilst the Sub-Committee had sympathy for the local residents' concerns it had not heard or received any evidence that these concerns would occur as a result of the alcohol licence being granted.

The Sub-Committee was satisfied that the Applicant has sufficient knowledge and experience of the licensing trade and have shown their respect for local residents and community in attempts to engage with the interested parties at today's meeting. The Sub-Committee was pleased to note this and hoped that this would continue into the future.

The Sub-Committee in considering the potential increase in public nuisance in the area are directed by statutory guidance to look to the Police as their main source of advice and note that the applicant had agreed to the conditions proposed by Merseyside Police.

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.