



LICENSING SUB-COMMITTEE

Date: 14 August 2019

Report of: Director Of Leisure And Environment

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SUBJECT: APPLICATION TO VARY A PREMISES LICENCE IN RESPECT OF THE COACH HOUSE BAR & FUNCTION ROOMS, 144 LIVERPOOL ROAD, SKELMERSDALE WN8 8BX

Borough wide interest

1.0 PURPOSE OF REPORT

1.1 To consider an application under the Licensing Act 2003 (the Act) to vary a premises licence in respect of the Coach House Bar & Function Rooms, 144 Liverpool Road, Skelmersdale WN8 8BX.

2.0 RECOMMENDATIONS

2.1 The Sub-Committee's instructions are requested.

3.0 PREMISES INFORMATION

3.1 Address of Premises: Coach House Bar & Function Rooms
144 Liverpool Road
Skelmersdale
WN8 8BX

3.2 Premises Licence Holder: David Vella

4.0 THE APPLICATION

4.1 An application for the variation of the Premises Licence held in respect of the above premises was received on 25 June 2019. A copy of the application is attached as Appendix 1 to this report.

4.2 A copy of the current Premises Licence is attached as Appendix 2 to this report. A location plan is also attached at Appendix 3.

- 4.3 Relevant representations against the grant of the application have been received from two members of the public. Copies are attached at Appendix 4.
- 4.4 A further representation against the grant of the application has been submitted by three Borough Councillors. A copy of the representation is provided at Appendix 5.

5.0 RELEVANT REPRESENTATIONS

- 5.1 The representations from members of the public and Borough Councillors raise concerns regarding anti-social behaviour and noise nuisance. The representations are made under the Prevention of Public Nuisance Licensing Objective.

6.0 LICENSING POLICY AND LEGAL CONSIDERATIONS

- 6.1 The Local Authority must have regard to the provisions of the Licensing Act 2003. In addition Section 4 of the Licensing Act 2003 provides that a Licensing Authority must have regard to its Statement of Licensing Policy and to the guidance issued by the Secretary of State under Section 182 of the Act.
- 6.2 As Members will be aware, the four licensing objectives are as follows:
- The Prevention of Crime and Disorder
 - Public Safety
 - Prevention of Public Nuisance
 - The Protection of Children from Harm
- 6.3 The Act provides that before determining the application, the Licensing Authority must hold a hearing to consider it and relevant representations.
- 6.4 The Licensing Authority in determining the application, having had regard to the application and any representations, may take the following steps if it considers it necessary for the promotion of the licensing objective:
- (i) Modify/Add conditions in respect of the Variation application
 - (ii) Refuse a licensable activity from the Variation application
- 6.5 In deciding which of the powers to use it is expected that the Licensing Authority should, as far as possible, seek to establish the causes of the concerns that the representations identify. Any action the Committee may wish to take should generally be directed at these causes and should always be no more than an appropriate response in the cause of promoting the licensing objectives.
- 6.6 In particular, Members' attention is drawn to the following sections of the Policy, which must be read in conjunction with this report:

7.0 SUSTAINABILITY IMPLICATIONS

7.1 The Sub-Committee decision has the potential to impact upon the local community affected by the operation of the business. However, the Council's Licensing Policy (required under the Licensing Act 2003), which underpins the Committee's decision, impacts upon many areas within the Community.

8.0 FINANCIAL AND RESOURCE IMPLICATIONS

8.1 No additional financial or other resources are required.

9.0 RISK ASSESSMENT

9.1 The Council has a legal duty to administer the Licensing Act 2003 and is under a legal duty to determine the matter contained in this report. A failure to determine this matter would result in potential legal challenge.

Background Documents

There are no background documents (as defined in Section 100 D (5) of the Local Government Act 1972) have been relied on to a material extent in the preparation of this report.

Equality Impact Assessment

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore no Equality Impact Assessment is required.

Appendices

Premises licence application	(Appendix 1)
Premises Licence	(Appendix 2)
Location plan	(Appendix 3)
Representations: Members of the public	(Appendix 4)
Representation: Borough Councillors	(Appendix 5)