



Licensing Act 2003 Sub-Committee

Date:	Thursday, 18 November 2010
Time:	10.00 am
Venue:	Committee Room 3 - Wallasey Town Hall

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AGENDA

1. **APPOINTMENT OF CHAIR**
2. **MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST**

Members are asked to consider whether they have personal or prejudicial interests in connection with any item(s) on this agenda, and, if so, to declare them and state what they are.
3. **NEWS AND BOOZE, BOROUGH ROAD, BIRKENHEAD (Pages 1 - 2)**
4. **TDS CONVENIENCE STORE, 15-17 ALBANY ROAD, ROCK FERRY (Pages 3 - 6)**
5. **ANY OTHER URGENT BUSINESS ACCEPTED BY THE CHAIR**

To consider any other business that the Chair accepts as being urgent.

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WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE

LICENSING ACT 2003 SUB-COMMITTEE – 18 NOVEMBER 2010

REPORT OF THE DIRECTOR OF LAW, HR AND ASSET MANAGEMENT

NAME OF PREMISES: NEWS AND BOOZE, BOROUGH ROAD, BIRKENHEAD

NAME OF APPLICANT: TRADING STANDARDS

1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is to consider an application for the review of a Premises Licence under the provisions of the Licensing Act 2003.

2.0 RELEVANT BACKGROUND

2.1 News and Booze currently have a Premises Licence to allow the following Licensable Activity:

Supply of Alcohol

Monday to Saturday	08:00 to 22:00
Sunday	10:00 to 22:00

Hours Open to the Public

Sunday to Saturday	07:00 to 22:00
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2.2 A copy of the Premises Licence setting out the above hours and conditions attached to the Licence is available.

2.3 The Licensing Act 2003 Sub-Committee may, having regard to the application for review and any relevant representations, take such of the following steps as it considers necessary for the promotion of the licensing objectives:

- Modify the Conditions of the Licence.
- Exclude a licensable activity from the scope of the Licence.
- Remove the Designated Premises Supervisor.
- Suspend the Licence for a period not exceeding three months.
- Revoke the Licence.

The licensing authority may decide that no action is necessary if it finds that the review does not require it to take any steps necessary to promote the licensing objectives.

3.0 APPLICATION

3.1 An application has been received from Trading Standards to review the Premises Licence for the premises known as News and Booze. The Trading Standards Manager has advised that the grounds for review are in relation to the protection of children from harm following the sale of alcohol to persons under the age of 18 years during two test purchase operations at the premises since the licence was granted in February 2008.

3.2 Further information to support the above grounds for review is included within the application which is available.

3.3 There have been no representations received from interested parties or from the following Responsible Authorities:

Wirral Area Child Protection Committee
Environmental Health
Fire Authority
Planning Authority
Merseyside Police

4.0 **FINANCIAL AND STAFFING IMPLICATIONS**

4.1 There are no financial implications and my existing Licensing staff will deal with this application.

5.0 **EQUAL OPPORTUNITIES IMPLICATIONS**

5.1 There are none arising from this report.

6.0 **LOCAL AGENDA 21 IMPLICATIONS**

6.1 There are none arising directly from this report.

7.0 **LOCAL MEMBER SUPPORT IMPLICATIONS**

7.1 The premises are located in the Birkenhead and Tranmere Ward.

8.0 **HUMAN RIGHTS IMPLICATIONS**

8.1 Article 6 and Article 1 of the First Protocol which is concerned with the protection of property is most likely to have a particular impact.

9.0 **COMMUNITY SAFETY IMPLICATIONS**

9.1 Effective control of Licensing Legislation can assist in raising standards and improve the perception of community safety.

10.0 **PLANNING IMPLICATIONS**

10.1 There are no planning implications arising from this report.

11.0 **BACKGROUND PAPERS**

11.1 Application form applying to review a Premises Licence.

12.0 **RECOMMENDATIONS**

12.1 The Licensing Act 2003 Sub-Committee are asked to consider the application for the review of a Premises Licence in respect of the above premises.

Bill Norman
Director of Law, HR and Asset Management

This report was prepared by Richard Leyland who can be contacted on 691 8478.

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE

LICENSING ACT 2003 SUB-COMMITTEE – 18 NOVEMBER 2010

REPORT OF THE DIRECTOR OF LAW, HR AND ASSET MANAGEMENT

**NAME OF PREMISES: TDS CONVENIENCE STORE, 15-17 ALBANY ROAD,
ROCK FERRY**

NAME OF APPLICANT: KANAGASABAI SHATTHIYANANTHAMOORTHY

1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is to consider an application for a Premises Licence under the provisions of the Licensing Act 2003.

2.0 RELEVANT BACKGROUND

2.1 These premises do not currently hold a Premises Licence.

3.0 APPLICATION

3.1 An application has been received for the grant of a Premises Licence for these premises for the following hours:

Supply of Alcohol

Monday to Sunday 08:00 to 23:00

Hours Open to the Public

Monday to Sunday 06:00 to 23:00

3.2 Following consultation with Merseyside Police, the applicant has amended the hours for the Supply of Alcohol. Therefore the hours originally set out in this application have been amended as above.

4.0 PROMOTION OF LICENSING OBJECTIVES

4.1 Applicants are required to submit as part of their application an operating schedule that sets out how they will conduct/manage their business in accordance with the four Licensing Objectives. A copy of the full application is available.

4.2 Members of the Licensing Act 2003 Sub-Committee are advised that the proposals set out in the operating schedule may become conditions of licence should the licence be granted.

5.0 RELEVANT REPRESENTATIONS

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

Interested Party - Local Residents

In respect of this application, two representations have been received from Local Residents. The representations relate to anti-social behaviour and public nuisance which is currently a problem within the vicinity of the premises. A petition has also been received signed by 264 residents who are against the application. The petition relates to anti-social behaviour caused by individuals who are intoxicated by alcohol within the vicinity of the premises. Copies of the representations and petition are available.

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

Wirral Safe Guarding Children Board
Trading Standards
Environmental Health
Planning Authority
Merseyside Police
Fire Authority

6.0 FINANCIAL AND STAFFING IMPLICATIONS

6.1 A statutory fee has been paid in respect of the application, which goes towards administrative and enforcement costs.

7.0 EQUAL OPPORTUNITIES IMPLICATIONS

7.1 There are none arising from this report.

8.0 LOCAL AGENDA 21 IMPLICATIONS

8.1 There are none arising directly from this report.

9.0 LOCAL MEMBER SUPPORT IMPLICATIONS

9.1 The premises are located in the Rock Ferry ward.

10.0 HUMAN RIGHTS IMPLICATIONS

10.1 Article 6, of the First Protocol, concerned with the right to a fair hearing, may be applicable.

11.0 COMMUNITY SAFETY IMPLICATIONS

11.1 Effective control of Licensing Legislation can assist in raising standards and improve the perception of community safety.

12.0 PLANNING IMPLICATIONS

12.1 There are no Planning implications arising from this report.

13.0 **BACKGROUND PAPERS**

13.1 Application form applying for a Premises Licence – Operating Schedule.

13.2 Petition signed by local residents.

14.0 **RECOMMENDATIONS**

14.1 The Licensing Act 2003 Sub-Committee are asked to consider the application for a Premises Licence in respect of the above premises.

Bill Norman
Director of Law, HR and Asset Management

This report was prepared by Richard Leyland who can be contacted on 691 8478

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