



Licensing Act 2003 Sub-Committee

Date:	Thursday, 21 April 2011
Time:	10.00 am
Venue:	Committee Room 3 - Wallasey Town Hall

Contact Officer: Anne Beauchamp
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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. **82 - 84 GRANGE ROAD WEST, BIRKENHEAD (Pages 1 - 4)**
 4. **STEADMANS CONVENIENCE STORE, 224-226 REEDS LANE, MORETON (Pages 5 - 8)**
- = B R E A K =**
5. **THE COURTYARD, 9 ROSE MOUNT, OXTON (Pages 9 - 12)**
 6. **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

21 APRIL 2011

SUBJECT:	APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	CLAUGHTON WARD
REPORT OF:	DIRECTOR OF LAW, HR AND ASSET MANAGEMENT
KEY DECISION?	NO

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. The application is made by Kamaleswari Rajenthiram and relates to the premises located at **82-84 Grange Road West, Birkenhead, CH41 4DB**.

2.0 RECOMMENDATION

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

3.0 REASONS FOR RECOMMENDATION

- 3.1 It is a statutory requirement for this Committee to determine the application due to relevant representations received.

4.0 BACKGROUND AND KEY ISSUES

- 4.1 These premises do not hold a Premises Licence but are currently trading as a convenience store.

5.0 APPLICATION

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

Supply of Alcohol

Sunday to Saturday 07:00 to 00:00

Hours Open to the Public

Sunday to Saturday 07:00 to 00:00

6.0 PROMOTION OF LICENSING OBJECTIVES

- 6.1 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.
- 6.2 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.

7.0 RELEVANT REPRESENTATIONS

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

Interested Parties

In respect of this application, a representation has been received by a Local Resident. The representation relates to anti-social behaviour, public nuisance and underage drinking which is currently a problem within the vicinity of the premises. A copy of the representation is available.

Representations have also been received from Ward Councillors, Jean Stapleton and George Davies. The representation supports the concerns expressed by the local resident. Copies of the representations are available.

Merseyside Police

Following representations from Merseyside Police the following conditions have been agreed by the applicant:

- The premises must adopt a Think 21 Policy and display the appropriate posters regarding this Policy
- The premises must maintain a refusal log with regular checks
- Staff working at the premises must receive training in respect of preventing the sale of alcohol to persons under 18 years of age and training records must be kept and maintained
- CCTV must be installed at the premises. Tapes and visual images recorded shall be retained for a period of 31 days

Merseyside Police have now withdrawn their representation.

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

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

8.0 RELEVANT RISKS

8.1 There are none arising directly from this report.

9.0 OTHER OPTIONS CONSIDERED

9.1 There is no provision for other options to be considered.

10.0 CONSULTATION

10.1 Statutory consultation has been undertaken in respect of this application.

11.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

11.1 There are no specific implications arising from this report.

12.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

13.1 There are no specific implications arising from this report.

14.0 LEGAL IMPLICATIONS

14.1 A decision of this Committee is subject to Appeal.

15.0 EQUALITIES IMPLICATIONS

15.1 There are no specific implications arising from this report.

15.2 Equality Impact Assessment (EIA)

Is an EIA required? No

16.0 CARBON REDUCTION IMPLICATIONS

16.1 There are no specific implications arising from this report.

17.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

17.1 There are no Planning implications arising from this report.

REPORT AUTHOR:

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Licensing Team Leader

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APPENDICES

- Application for the grant of a Premises Licence
- Representation received from local resident
- Representation received from Ward Councillors

REFERENCE MATERIAL

- Application for the grant of a Premises Licence
- Representations received from local residents
- Representation received from Ward Councillors

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
None	

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

21 APRIL 2011

SUBJECT:	APPLICATION TO REVIEW A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	LEASOWE AND MORETON EAST WARD
REPORT OF:	DIRECTOR OF LAW, HR AND ASSET MANAGEMENT
KEY DECISION?	NO

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. The application is made by Trading Standards and relates to the premises known as **Steadmans Convenience Store, 224-226 Reeds Lane, Moreton.**

2.0 RECOMMENDATION

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

3.0 REASONS FOR RECOMMENDATION

- 3.1 It is a statutory requirement for this Committee to determine the application.

4.0 BACKGROUND AND KEY ISSUES

- 4.1 Steadmans Convenience Store currently has a Premises Licence, to allow the following Licensable Activity:

Supply of Alcohol

Monday to Saturday	08:00 to 23:00
Sunday	10:00 to 22:30

- 4.2 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.

5.0 APPLICATION

5.1 An application has been received from Trading Standards to review the Premises Licence for the premises known as Steadmans. 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 test purchase operations at the premises on the following dates:

15 May 2007
14 November 2007
3 June 2010

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

6.0 RELEVANT REPRESENTATIONS

6.1 In respect of this application, a representation has been received from Ward Councillor Ian Lewis who supports the application made by Trading Standards due to concerns that young people have easy access to alcohol from licensed premises within the area. A copy of the representation is available.

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

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

7.0 RELEVANT RISKS

7.1 There are none arising directly from this report.

8.0 OTHER OPTIONS CONSIDERED

8.1 There is no provision for other options to be considered.

9.0 CONSULTATION

9.1 Statutory consultation has been undertaken in respect of this application.

10.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

10.1 There are no specific implications arising from this report.

11.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

11.1 There are no specific implications arising from this report.

12.0 LEGAL IMPLICATIONS

12.1 A decision of this Committee can be subject to Appeal.

13.0 EQUALITIES IMPLICATIONS

13.1 There are no specific implications arising from this report.

13.2 Equality Impact Assessment (EIA)
Is an EIA required? No

14.0 CARBON REDUCTION IMPLICATIONS

14.1 There are no specific implications arising from this report.

15.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

15.1 There are no Planning implications arising from this report.

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APPENDICES

Application to Review the Premises Licence.

Representation received from Councillor Ian Lewis.

REFERENCE MATERIAL

None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
NONE	

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WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

21 APRIL 2011

SUBJECT:	APPLICATION TO VARY A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	OXTON WARD
REPORT OF:	DIRECTOR OF LAW, HR AND ASSET MANAGEMENT
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to consider an application to vary a Premises Licence under the provisions of the Licensing Act 2003. The application is made by John Francis Mitchell and relates to the premises known as **The Courtyard, 7-9 Rose Mount, Oxton, CH43 5SG.**

2.0 RECOMMENDATION

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

3.0 REASONS FOR RECOMMENDATION

- 3.1 It is a statutory requirement for this Committee to determine the application due to relevant representations received.

4.0 BACKGROUND AND KEY ISSUES

- 4.1 These premises currently have a premises licence with the following hours:

Sale by Retail of Alcohol

Monday to Saturday 11:00 to 00:00
Sunday 12:00 to 23:30

Late Night Refreshment

Monday to Saturday 23:00 to 00:00
Sunday 23:00 to 23:30

- 4.2 These premises were previously known as Villa Jazz and traded as a restaurant.
- 4.3 On 9 February 2011 applications were received to transfer the Premises Licence and to vary the Designated Premises Supervisor into the name of John Mitchell. Following no representations from Merseyside Police these applications were granted.

5.0 APPLICATION

5.1 The application to vary the Premises Licence is as follows:

Sale by Retail of Alcohol

Sunday to Thursday 09:00 to 00:00
Friday and Saturday 09:00 to 01:00

Hours Open to the Public

Sunday to Thursday 09:00 to 00:30
Friday and Saturday 09:00 to 01:30

Late Night Refreshment

Sunday to Thursday 23:00 to 00:00
Friday and Saturday 23:00 to 01:00

Regulated Entertainment (Live Music)

Monday to Sunday 09:00 to 00:00

Regulated Entertainment (Recorded Music, Performance of Dance and Entertainment of a Similar Description)

Sunday to Thursday 09:00 to 00:00
Friday and Saturday 09:00 to 01:00

Entertainment Facilities (Facilities for Making Music, Facilities for Dancing and Anything of a Similar Description)

Sunday to Thursday 09:00 to 00:00
Friday and Saturday 09:00 to 01:00

6.0 PROMOTION OF LICENSING OBJECTIVES

- 6.1 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.
- 6.2 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.

7.0 RELEVANT REPRESENTATIONS

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

Interested Parties

In respect of this application, 22 representations have been received by local residents. A representation has also been received by The Oxton Society. A petition has been received signed by 62 local residents. The representations relate to anti-social behaviour and public nuisance caused by customers of the premises leaving the premises at a late hour and relate to noise nuisance from entertainment being provided at the premises. The representations also relate to concerns that the outside seating area will cause a nuisance by customers. Copies of the representations are available.

Environmental Health (Pollution Control)

Environmental Health have made a representation regarding this application as they consider that music from these premises will cause a nuisance to local residents. A copy of the representation is available.

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

Wirral Safe Guarding Children Board
Trading Standards
Environmental Health (Health and Safety)
Planning Authority
Merseyside Police
Fire Authority

8.0 RELEVANT RISKS

- 8.1 There are none arising directly from this report.

9.0 OTHER OPTIONS CONSIDERED

- 9.1 There is no provision for other options to be considered.

10.0 CONSULTATION

- 10.1 Statutory consultation has been undertaken in respect of this application.

11.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 11.1 There are no specific implications arising from this report.

12.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

- 13.1 There are no specific implications arising from this report.

14.0 LEGAL IMPLICATIONS

- 14.1 A decision of this Committee can be subject to Appeal.

15.0 EQUALITIES IMPLICATIONS

15.1 There are no specific implications arising from this report.

15.2 Equality Impact Assessment (EIA)
Is an EIA required? No

16.0 CARBON REDUCTION IMPLICATIONS

16.1 There are no specific implications arising from this report.

17.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

17.1 There are no Planning implications arising from this report.

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APPENDICES

- Application to vary a Premises Licence
- Representations received from local residents

REFERENCE MATERIAL

- Application to vary a Premises Licence
- Representations received from local residents

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
These premises have not been before the Licensing Act 2003 Sub-Committee within the last three years.	