



## Licensing Act 2003 Sub-Committee

<b>Date:</b>	<b>Thursday, 16 April 2015</b>
<b>Time:</b>	<b>10.00 am</b>
<b>Venue:</b>	<b>Cabinet Briefing Room - Wallasey Town Hall</b>

**Contact Officer:** Anne Beauchamp  
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### AGENDA

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

Members of the Sub-Committee are asked to declare any disclosable pecuniary and non pecuniary interests, in connection with any application on the agenda and state the nature of the interest.
  3. **APPLICATION TO VARY A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003 - NEWS AND BOOZE, 264-266 CONWAY STREET, BIRKENHEAD (Pages 1 - 6)**
- 2.00 PM**
4. **APPLICATION TO REVIEW A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003 - POULTON POP IN, 411-413 POULTON ROAD, WALLASEY (Pages 7 - 10)**
  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

**16 April 2015**

<b>SUBJECT:</b>	<b>APPLICATION TO VARY A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003</b>
<b>WARD AFFECTED:</b>	<b>BIDSTON AND ST JAMES WARD</b>
<b>REPORT OF:</b>	<b>STRATEGIC DIRECTOR OF REGENERATION &amp; ENVIRONMENT</b>
<b>KEY DECISION?</b>	<b>NO</b>

#### **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 **Sukhdeep Thiara** and relates to the premises known as **News and Booze, 264-266 Conway Street, Birkenhead**.

#### **2.0 BACKGROUND AND KEY ISSUES**

2.1 These premises currently have a Premises Licence with the following hours:

##### **Sale by Retail of Alcohol**

Sunday to Saturday                      10:00 to 22:00

The Premises Licence currently permits the sale of alcohol for consumption Off the premises only.

##### **Hours Open to the Public**

Monday to Saturday                      06:30 to 22:00  
Sunday    07:00 to 22:00

#### **3.0 APPLICATION**

3.1 The application to vary the Premises Licence is to remove the following condition :

- Beer or cider with an ABV above 6% must not be sold at the premises.

## **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 application be granted.

## **5.0 RELEVANT REPRESENTATIONS**

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

### **Wirral Licensing Authority**

A representation has been received from the Licensing Authority who state that the removal of this condition would undermine both the Prevention of Crime and Disorder and the Prevention of Public Nuisance Licensing Objectives. A copy of the representation is available.

### **Trading Standards**

A representation has been received from Trading Standards. The representation relates to an underage sale which occurred at the premises in January 2015. The representation also refers to concerns that the premises could become the focus of anti-social behaviour should the application be granted. A copy of the representation is available.

### **Public Health**

A representation has been received from Public Health which relates to concerns that granting the application could lead to an increase of young people and street drinkers access alcohol leading to harm to young people and anti-social behaviour within the vicinity of the premises. A copy of the representation is available.

### **Merseyside Police**

A representation has been received from Merseyside Police. The representation relates to concerns that if the application is granted then these premises will attract individuals who misuse alcohol to obtain high strength alcohol and would lead to all four Licensing Objectives being undermined. A copy of the representation is available.

### **Environmental Health**

A representation has been received from Environmental Health who have concerns that the removal of the condition will undermine the Licensing Objectives. A copy of the representation is available.

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

Wirral Safe Guarding Children Board  
Planning Authority  
Fire Authority

## **6.0 RELEVANT RISKS**

6.1 There are none arising directly from this report.

## **7.0 OTHER OPTIONS CONSIDERED**

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

## **8.0 CONSULTATION**

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

## **9.0 OUTSTANDING PREVIOUSLY APPROVED ACTIONS**

9.1 There are no previously approved actions outstanding.

## **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 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No because there is no relevance to equality.

## **14.0 CARBON REDUCTION AND ENVIRONMENTAL 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.

## **16.0 RECOMMENDATIONS**

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

## 17.0 REASONS FOR RECOMMENDATIONS

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

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### APPENDICES

- None

### BACKGROUND PAPERS/REFERENCE MATERIAL

- Application to vary a Premises Licence
- Representations received from Responsible Authorities

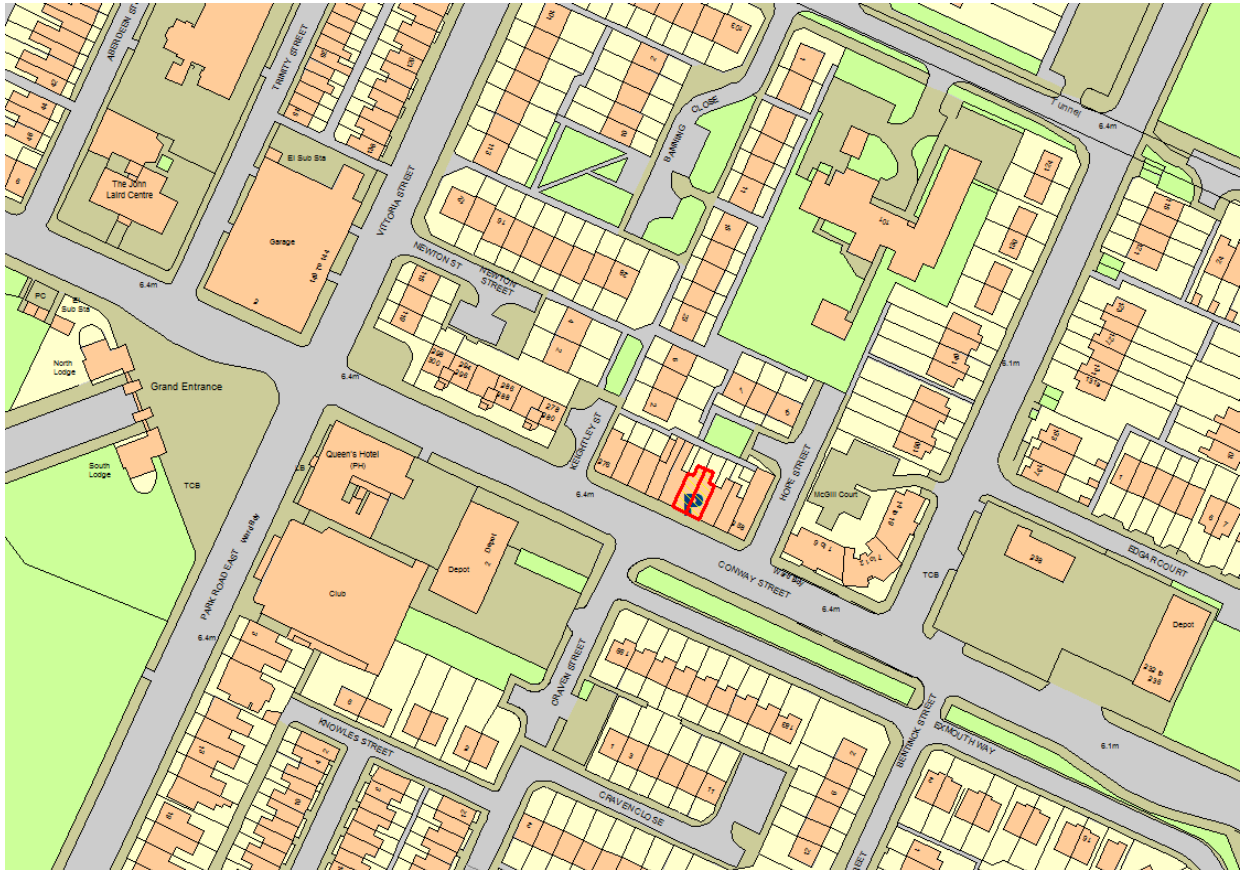
### BRIEFING NOTES HISTORY

- None

### SUBJECT HISTORY (last 3 years)

Council Meeting	Date

## Location plan of Premises



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## WIRRAL COUNCIL

### LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

**16 April 2015**

<b>SUBJECT:</b>	<b>APPLICATION TO REVIEW A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003</b>
<b>WARD AFFECTED:</b>	<b>SEACOMBE WARD</b>
<b>REPORT OF:</b>	<b>STRATEGIC DIRECTOR OF REGENERATION &amp; ENVIRONMENT</b>
<b>KEY DECISION?</b>	<b>NO</b>

#### **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 Merseyside Police and relates to the premises known as the **Poulton Pop In, 411-413 Poulton Road, Wallasey**.

#### **2.0 BACKGROUND AND KEY ISSUES**

2.1 These premises currently have a Premises Licence with the following Licensable Activity:

##### **Sale by Retail of Alcohol**

Sunday to Saturday                      08:00 to 23:00

The Premises Licence currently permits the sale of alcohol for consumption Off the premises only.

##### **Hours Open to the Public**

Sunday to Saturday                      06:00 to 23:00

2.2 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 appropriate 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 appropriate if it finds that the review does not require it to take any steps that are appropriate to promote the licensing objectives.

### **3.0 APPLICATION**

- 3.1 An application has been received from Merseyside Police to review the Premises Licence for the premises known as Poulton Pop In. The Licensing Sergeant has advised that the grounds for review relate to the Premises knowingly employing an individual who cannot lawfully be employed in the UK, which has led to the crime and disorder licensing objective being undermined.
- 3.2 There have been no representations received from the following Responsible Authorities or from any other person.

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

### **4.0 RELEVANT RISKS**

- 4.1 There are none arising directly from this report.

### **5.0 OTHER OPTIONS CONSIDERED**

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

### **6.0 CONSULTATION**

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

### **7.0 OUTSTANDING PREVIOUSLY APPROVED ACTIONS**

- 7.1 There are no previously approved actions outstanding.

### **8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

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

### **9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

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

### **11.0 LEGAL IMPLICATIONS**

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

## **12.0 EQUALITIES IMPLICATIONS**

12.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No because there is no relevance to equality.

## **13.0 CARBON REDUCTION AND ENVIRONMENTAL IMPLICATIONS**

13.1 There are no specific implications arising from this report.

## **14.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

14.1 There are no Planning implications arising from this report.

## **15.0 RECOMMENDATIONS**

15.1 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.

## **16.0 REASONS FOR RECOMMENDATIONS**

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

**REPORT AUTHOR:** Richard Leyland  
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## **APPENDICES**

- None

## **BACKGROUND PAPERS/REFERENCE MATERIAL**

- Application to Review a Premises Licence

## **BRIEFING NOTES HISTORY**

- None

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>

# Location plan of Premises



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