

LICENSING ACT 2003 SUB-COMMITTEE

Thursday, 6 July 2017

Present:

Councillors D Burgess-Joyce
 C Meaden
 P Stuart

48 **APPOINTMENT OF CHAIR**

Resolved - That Councillor P Stuart be appointed Chair for this meeting.

49 **MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST**

Members were 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.

No such declarations were made.

50 **APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003 - BIDSTON CONVENIENCE STORE, 34 HOYLAKE ROAD, BIDSTON CH41 7BX**

The Managing Director for Delivery reported upon an application that had been received from Mr Sivarasa Vinayagarmoorthy for a Premises Licence in respect of Bidston Convenience Store, 34 Hoylake Road, Bidston, under the provisions of the Licensing Act 2003.

It was reported that these premises were not currently trading and do not currently have a Premises Licence. The application was for a Premises Licence and the hours requested were outlined within the report.

The applicant had submitted an operating schedule setting out how the business would be conducted/managed in accordance with the four licensing objectives. A copy of the full application was available. Members were advised that the proposals set out in the operating schedule may become conditions of the licence should the application be granted.

Members were informed that following discussions with Merseyside Police, the applicant had agreed to include a number of conditions on the Premises Licence should it be granted.

Two petitions had been submitted by local businesses containing a total number of 208 signatures. The residents who had signed the petitions had concerns with the application due to alcohol related crime and disorder which they considered was currently a problem within the vicinity of the premises. The residents also had concerns with the potential for adults buying alcohol on behalf of persons under the

age of 18 years and an increase in drunk and disorderly incidents caused by young persons. Copies of the petitions were available.

The applicant attended the meeting together with a friend and his representative, Mr Edge.

Councillor L Rowlands was in attendance at the meeting as an observer.

The Licensing Manager confirmed that all documentation had been sent and received and that further to discussions with Merseyside Police and Trading Standards the hours originally applied for had been amended and a number of additional conditions had been agreed should the Premises Licence be granted. The Licensing Manager also confirmed that there was nobody in attendance to speak in relation to the petitions.

Mr Edge addressed Members and advised that further to discussions with Trading Standards and Public Health the applicant had subsequently agreed to amend the hours for the sale of alcohol to 8.00 am and had also agreed to a number of conditions to be attached to the Premises Licence should it be granted in order to attempt to prevent crime and disorder which could be associated with the sale of alcohol. He advised that the concerns raised by residents had been understood, however, he outlined the measures that would be put in place to prevent alcohol being sold in such a way that it would be detrimental to the community and to ensure that the Licensing Objectives would be promoted.

Mr Edge informed Members that these measures included additional CCTV being installed within the area surrounding the premises in order that staff could monitor potential proxy sales. Staff would receive training before being permitted to sell alcohol in respect of the licensing objectives, the Challenge 25 Policy and proxy sales. They would also be required to pass a test relating to the training before being allowed to sell alcohol. Members were further informed that the applicant was content for a condition to be applied to the licence that would require staff to undertake online training. Mr Edge also advised that staff working in the premises would discourage the congregation of people outside the premises.

Members were also advised that the premises had been refurbished and that the applicant was willing to work with the community and run the premises in a responsible manner.

Mr Edge and the applicant responded to questions from Members of the Sub-Committee.

In determining the application the Licensing Act 2003 Sub-Committee had regard to the Licensing Objectives, the Council's Statement of Licensing Policy and the Statutory Guidance issued under section 182 of the Licensing Act 2003.

Members took into consideration the fact that the applicant had agreed to the conditions and the reduction in hours for the sale of alcohol proposed by Trading Standards and Merseyside Police prior to the Hearing. Members also had regard to the fact that there were no representations from the Responsible Authorities.

Resolved -

(1) That in accordance with Regulation 14(2) of the Licensing Act 2003, the public be excluded from the meeting during consideration of the application.

(2) That the application for a Premises Licence in respect of Bidston Convenience Store, 34 Hoylake Road, Bidston, be granted with the following hours:

Sale by Retail of Alcohol

Sunday to Saturday 08:00 to 22:00

Hours Open to the Public

Sunday to Saturday 06:00 to 23:00

(3) That in addition to the appropriate conditions proposed in the operating schedule and further conditions agreed with Trading Standards and Merseyside Police the following conditions be applied to the licence:

- No person may be allowed to sell alcohol at the premises unless they have received training relating to the Licensing Objectives, Challenge 25, proxy sales and serving to intoxicated persons. Evidence of this training must be provided to an authorised officer on request.**
- All staff must complete the online training modules in respect of the responsible sale of alcohol as directed by Wirral Licensing Authority.**