

NAME OF PREMISES: SAINSBURYS, 143 PENSBY ROAD, HESWALL

NAME OF APPLICANT: SAINSBURYS SUPERMARKETS LIMITED

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. The premises are currently vacant.

3.0 APPLICATION

- 3.1 An application has been received for the grant of a Premises Licence as follows:

Supply of Alcohol

Sunday to Saturday 06:00 to 00:00

Hours Open to the Public

Sunday to Saturday 24 Hours

Late Night Refreshment

Sunday to Saturday 23:00 to 00:00

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

In respect of this application, 27 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 containing 104 signatures, which also relates to anti-social behaviour and public nuisance. Copies of the representations and petition are available.

Councillor Robert Wilkins has also made a representation as a Councillor representing his constituents within his Ward. The representation supports the concerns expressed by local residents. A copy of the representation is 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 Heswall 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 The Director of Technical Services (Development Control) has advised that these premises do not have planning consent to operate as a Supermarket.

13.0 **BACKGROUND PAPERS**

- 13.1 Application form applying for a Premises Licence – Operating Schedule.
- 13.2 Representations received from Local Residents and a Local Councillor.

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