

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

4 MAY 2011

SUBJECT:	APPLICATION TO REVIEW A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	LISCARD 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 Merseyside Police and relates to the premises known as **Peninsula Mini Mart, 208 Liscard Road, Wallasey.**

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 Peninsula Mini Mart currently has a Premises Licence, to allow the following Licensable Activity:

Supply of Alcohol

Sunday to Saturday 07:00 to 22:30

Hours Open to the Public

Sunday to Saturday 07:00 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.

- 4.2 On 17 February 2011 Members of the Licensing Act 2003 Sub-Committee considered an application to Review the Premises Licence for Peninsula Mini Mart following alcohol being sold to an underage person. Members resolved to impose conditions on the Premises Licence relating to underage sales of alcohol.

5.0 APPLICATION

- 5.1 An application has been received from Merseyside Police to review the Premises Licence for the premises known as Peninsula Mini Mart. The Licensing Sergeant has advised that the grounds for review are in relation to the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm due to illicit alcohol being sold at the premises.
- 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 Trading Standards who support the application made by Merseyside Police. 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

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 Trading Standards.

REFERENCE MATERIAL

None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Please see 4.2 of this report	