

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE

LICENSING ACT 2003 SUB-COMMITTEE

3 NOVEMBER 2011

SUBJECT:	APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	NEW BRIGHTON 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 Hajr Hasan and relates to the premises known as **Smilers Pizza, 22 Mount Pleasant Road, New Brighton**.

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 have not previously been licensed and are currently trading as a hot food takeaway.

5.0 APPLICATION

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

Late Night Refreshment

Sunday to Saturday 23:00 to 02:00

Hours Open to the Public

Sunday to Saturday 15:00 to 02:00

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, five representations have been received from Local Residents. The representations relate to noise nuisance emanating from the premises, particularly from the extractor fan at the premises and from staff of the premises whilst making deliveries. The representations also relate to nuisance from smells coming from the premises. Copies of the representations are available.

A representation has also been received from Ward Councillor, Pat Hackett. The representation supports the concerns expressed by 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
Planning Authority
Fire Authority
Merseyside Police

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

12.1 There are no specific implications arising from this report.

13.0 LEGAL IMPLICATIONS

13.1 A decision of this Committee is subject to Appeal.

14.0 EQUALITIES IMPLICATIONS

14.1 There are no specific implications arising from this report.

14.2 Equality Impact Assessment (EIA)

Is an EIA required? No

15.0 CARBON REDUCTION IMPLICATIONS

15.1 There are no specific implications arising from this report.

16.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

16.1 The Director of Technical Services (Development Control) has advised that these premises do not currently have planning consent to operate as a hot food takeaway.

REPORT AUTHOR:

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APPENDICES

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

REFERENCE MATERIAL

- None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
None	