

NAME OF PREMISES: IRBY KEBAB HOUSE, 10 THINGWALL ROAD, IRBY

NAME OF APPLICANT: YUSUF DUZEN

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to consider an application for the grant of a Premises Licence under the provisions of the Licensing Act 2003.

2.0 RELEVANT BACKGROUND

- 2.1 These premises have not previously been licensed.

3.0 APPLICATION

- 3.1 The application for the grant of a Premises Licence is as follows:

Late Night Refreshment

Sunday to Thursday	23:00 to 00:00
Friday & Saturday	23:00 to 01:00

Hours Open to the Public

Sunday to Thursday	15:00 to 00:00
Friday & Saturday	15:00 to 01:00

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 detailing the steps proposed by the applicant is available.
- 4.2 Members of the Licensing Act 2003 Sub-Committee are advised that the proposals set out in the operating schedule would 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 – Local Residents

In respect of this application 11 representations have been received from Local Residents. The representations relate to public nuisance and anti-social behaviour. A petition, lead by Wirral West Conservatives, has also been received signed by 23 local residents who

are against the application in respect of anti-social behaviour. Copies of the representations and petition are available.

Barry Holland, Solicitor, has also made a representation on behalf of a group of residents and enclosed further representations written individually by residents in relation to Crime and Disorder and Public Nuisance. A further petition signed by 52 local residents who are against the application has also been received which relates to public nuisance and noise nuisance. A copy of Mr Holland's representation and the enclosures are available.

Representations have also been received from Irby Dental Practice and Da Piero Italian Restaurant as local businesses which relate to anti-social behaviour. Copies of the representations are available.

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

Merseyside Police
Fire Authority
Wirral Area Child Protection Committee
Trading Standards
Environmental Health
Planning 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 Greasby, Frankby and Irby 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 of the following condition attached to the Planning Permission:

‘The premises shall be closed between the hours of 2300 hours and 1200 hours’.

13.0 **ANTI-POVERTY IMPLICATIONS**

13.1 There are none arising from this report.

14.0 **SOCIAL INCLUSION IMPLICATIONS**

14.1 There are none arising from this report.

15.0 **BACKGROUND PAPERS**

15.1 Application form applying for a Premises Licence – Operating Schedule.

15.2 Representations received from Local Residents.

16.0 **RECOMMENDATIONS**

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

Alan Stennard
Director of Regeneration

This report was prepared by Richard Leyland who can be contacted on 691 8478