

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

25 APRIL 2012

SUBJECT:	APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	CLATTERBRIDGE 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 Harts Pantry Limited and relates to a residential property located at **43 Venables Drive, Bebington**.

2.0 BACKGROUND AND KEY ISSUES

- 2.1 These premises do not currently hold a Premises Licence.

3.0 APPLICATION

- 3.1 An application has been received for the grant of a Premises Licence to enable internet sales of alcohol to take place from these premises. The applicant has requested the following hours:

Supply of Alcohol

Monday to Sunday 24 Hours

Hours Open to the Public

Monday to Sunday 24 Hours

- 3.2 The above hours have been requested to cover the hours when people may place orders via the internet.
- 3.3 In accordance with paragraph 3.6 of the Guidance issued under Section 182 of the Licensing Act 2003 by the Home Office, where internet sales are taking place the point in which alcohol orders are being taken does not require a licence, however, the place in which the alcohol is being stored does require a Premises Licence. Furthermore, the sale of alcohol would not be regarded as having been made where the contract of sale is made (for example, on the internet), but the sale is treated as being made at the premises from which the alcohol is assigned to the purchaser (for example, the garage from which delivery is made).

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 Parties

In respect of this application, three representations have been received from local residents. The representations relate to concerns that if the application was granted this may cause public nuisance to residents who live within the housing estate where the premises (house) is situated. Copies of the representations are available.

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

Wirral Safe Guarding Children Board
Environmental Health
Planning Authority
Fire Authority
Trading Standards
Merseyside Police

6.0 RELEVANT RISKS

- 6.1 There are none arising directly from this report.

7.0 OTHER OPTIONS CONSIDERED

- 7.1 There is no provision for other options to be considered.

8.0 CONSULTATION

- 8.1 Statutory consultation has been undertaken in respect of this application.

9.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 9.1 There are no specific implications arising from this report.

10.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

- 10.1 There are no specific implications arising from this report.

11.0 LEGAL IMPLICATIONS

11.1 A decision of this Committee is subject to Appeal.

12.0 EQUALITIES IMPLICATIONS

12.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No because there is no relevance to equality.

13.0 CARBON REDUCTION IMPLICATIONS

13.1 There are no specific implications arising from this report.

14.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

14.1 There are no Planning implications arising from this report.

15.0 RECOMMENDATION

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

16.0 REASONS FOR RECOMMENDATION

16.1 It is a statutory requirement for this Committee to determine the application due to relevant representations received.

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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

Location Plan of Premises

