

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

31 MAY 2012

SUBJECT:	APPLICATION FOR THE GRANT OF 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 a Premises Licence under the provisions of the Licensing Act 2003. The application is made by **Ali Yesildag** and relates to the premises known as the **Paradise Pizza and Kebab Shop, 110 Wallasey Road, Wallasey**.

2.0 BACKGROUND AND KEY ISSUES

- 2.1 These premises currently have a premises licence with the following hours:

Late Night Refreshment

Sunday to Thursday 23:00 to 01:00
Friday and Saturday 23:00 to 03:00

Hours Open to the Public

Monday to Thursday 15:00 to 01:00
Friday and Saturday 15:00 to 03:00
Sunday 16:00 to 01:00

3.0 APPLICATION

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

Sale by Retail of Alcohol

Sunday to Thursday 17:00 to 01:00
Friday and Saturday 17:00 to 04:00

Alcohol sales made after 23:00 would be for delivery orders only

Hours Open to the Public

Sunday to Thursday 17:00 to 01:00
Friday and Saturday 17:00 to 04:00

Late Night Refreshment

Sunday to Thursday 23:00 to 01:00

Friday and Saturday 23:00 to 04:00

- 3.2 Due to the change in the way these premises are to be operated the applicant has applied for the grant of a new Premises Licence. If this application is granted, the existing Licence will be surrendered.

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, a representation has been received from Central Liscard Area Residents Association. A petition has also been received signed by 52 local residents. Two representations have also been from local residents. The representations relate to anti-social behaviour and noise nuisance caused by customers of the premises. Copies of the representations and petition are available.

A representation has also been received from Ward Councillor, Bernadette Mooney. The representation support the concerns expressed by Local Residents. A copy of the representation is available.

Merseyside Police

Following consultation with Merseyside Police, the applicant has agreed that the following conditions be imposed on the Premises Licence if the application is granted:

- The premises must operate a refusals book which must be available for inspection by an Authorised Officer.
- A 'Challenge 25' Policy must be implemented and notices must be prominently displayed relating to this policy.

- CCTV must be installed at the premises which includes recording facilities which must be retained for seven days and which can be viewed by an Authorised Officer.
- Sales of alcohol must only be made when meal(s) are purchased.
- Proof of age must be requested upon delivery.
- There must be no sale of strong strength alcohol on the premises with an ABV of 7% and above.
- Staff must be fully trained and updated in respect of the Licensing Laws and records of this training must be recorded for inspection by an Authorised Officer.

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

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

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 can be 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 to vary the 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 to vary a Premises Licence
- Representations received from Local Residents and a Ward Councillor

REFERENCE MATERIAL

- None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
None	

