

LICENSING ACT SUB COMMITTEE

Monday, 29 July 2024
10.00 - 11.57 a.m.

Present: Councillor A Hodson (Chair)
Councillors P Basnett G Davies

In attendance: Councillors

Apologies Councillors J Stewart Laing

8 APPOINTMENT OF CHAIR

Resolved – That Councillor Andrew Hodson be appointed Chair for this meeting.

9 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Sub-Committee were asked to declare any disclosable pecuniary and non-pecuniary interests in connection with the application on the agenda and state the nature of the interest.

No such declarations were made.

10 APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003 - ASDA EXPRESS PFS MORETON, 157 HOYLAKES ROAD, MORETON, CH46 9PZ.

The Licensing Manager introduced the report of the Director of Law and Corporate Services which presented for consideration an application for a Premises Licence under the provisions of the Licensing Act 2003. The application was made by Euro Garages Limited and related to the premises known as Asda Express PFS Moreton, 157 Hoylakes Road, Moreton, CH46 9PZ.

The applicant attended the meeting together with their Legal Representative. A local resident who had made a representation was also in attendance. The Licensing Manager confirmed that all documentation had been sent and received.

The Licensing Manager outlined the report.

The applicant's Legal Representative agent explained that the conditions they had proposed would be placed on the licence should the application be granted which included extensive CCTV, staff training, spirits and high value items behind the counter. Also, the sale of alcohol would be to complement normal convenience store shopping. It was also highlighted that there were no representations from any of the responsible authorities and that Merseyside Police had liaised with the applicant during the consultation period and were content with the application subject to a condition preventing access to the inside of the store by members of the public beyond 11.00pm. The applicant further submitted that there was no evidence from Merseyside Police that the granting of the application would lead to anti-social behaviour in the vicinity of the premises.

The local resident detailed their objections which included the use of the tannoy on the forecourt, and that 24-hour operations would attract people from outside of the area who may congregate.

It was noted that the tannoy was not a licensing-related activity. Details of contacts for complaints were given to the resident.

In coming to their decision, Members gave consideration to the submissions made by the applicant's Legal Representative and gave consideration to the representation made by the local resident. However, Members had to have regard to the statutory guidance issued under the Licensing Act 2003 that their decision must be evidenced based. Members also had regard to the fact that there were no representations from any of the Responsible Authorities.

Resolved: That Asda Express PFS Moreton, 157 Hoylake Road, Moreton, CH46 9PZ be granted a licence for the sale of alcohol during the following hours for consumption 'off' the premises only:

Sunday to Saturday 24 hours

Late night refreshments

Sunday to Saturday 23.00 to 05.00

Hours Open to the Public

Sunday to Saturday 24 hours

Members further resolved that the following condition be applied to the licence:

- **Where the premises operates between the hours of 2300 and 0600, the general public, with the exception of the manager, staff members and their associates, authorised officers and the emergency services, will not, except in exceptional circumstances, be permitted entry to the shop area where**

licensable activities are ongoing. Services must be made through a night pay hatch.
