

LICENSING ACT 2003 SUB-COMMITTEE

Thursday, 26 August 2010

Present:

Councillors	A Brighthouse	P Glasman
	G Davies	C Povall

21 **APPOINTMENT OF CHAIR**

Resolved - That Councillor Cherry Povall be appointed Chair for this meeting.

22 **MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST**

Members were asked to consider whether they had personal or prejudicial interests in connection with any items on the agenda, and, if so, to declare them and state what they were.

Councillor Patricia Glasman declared a prejudicial interest by virtue of being acquainted with the applicant's solicitor in respect of the application regarding KK Food and Wine.

Councillor George Davies declared a prejudicial interest by virtue of being acquainted with the objectors in respect of the application regarding KK Food and Wine.

23 **EDWARDS CONVENIENCE STORE**

The Director of Law, HR and Asset Management reported upon an application that had been received from Edwards News Limited for the grant of a Premises Licence in respect of Edwards Convenience Store, 96-98 Teehey Lane, Bebington, under the provisions of the Licensing Act 2003.

The application for the grant of a Premises Licence was for the following hours:

Supply of Alcohol

Monday to Saturday	08:00 to 23:00
Sunday	10:00 to 22:30

Hours Open to the Public

Monday to Saturday	07:00 to 23:00
Sunday	07:00 to 22:30

The applicants were required to submit an operating schedule setting out how they would conduct/manage their business in accordance with the four licensing objectives. A copy of the full application was available. Members were advised that the proposals set out in the operating schedule may become conditions of the licence should the licence be granted.

Two representations had been received from local residents in respect of this application. The representations related to anti-social behaviour and public nuisance which had been a problem when the premises previously had a Premises Licence. The residents were concerned that these problems may return if the premises were granted a licence. Copies of the representations were available.

Mr and Mrs Edwards attended the meeting to outline their application.

Mr Jones attended the meeting to make representations on behalf of Mr Monks, local resident.

The Licensing Officer confirmed that all documentation had been sent and received including a form that had been received by Mr Monks asking Mr Jones to speak on his behalf.

Mr Edwards addressed the Sub-Committee and explained that he had been in the business for ten years and already owned two newsagents, however, those premises did not sell alcohol. He expanded upon all the measures he would be putting in place in order to address the four licensing objectives such as a 'Think 25 Policy' for all age related products, CCTV, a magnetic door lock, a refusals register and staff training in alcohol sales. He advised that the CCTV was high definition and therefore good quality and that there would be 16 cameras in all, 13 inside and 3 outside the premises. Mrs Edwards advised that in no way did they want the premises to contribute towards anti-social behaviour and that they wanted to be part of the community.

Mr Edwards further advised that he wished to amend the application to reduce the terminal hour for the premises to be open from 11pm to 10 pm, 7 days a week.

Mr and Mrs Edwards responded to questions from Members of the Sub-Committee and Mr Abraham, legal advisor to the Sub-Committee. They confirmed that there would be a minimum of two staff on duty together with themselves, that they had received in depth training in respect of underage sales from Trading Standards and that they had a good record regarding the management of other premises owned by them.

Mr Jones raised his concerns regarding anti-social behaviour near the entrance of the Library in Higher Bebington Park. He reported that the property had suffered vandalism and advised that this situation had improved since the previous off licence had closed down. He did however feel very encouraged after hearing about the CCTV cameras which had been installed at the premises and was also assured by the 'Challenge 25' policy which would be implemented. He felt that provided the applicants remained vigilant a convenience store would be welcomed in the area.

In determining the application the Licensing Act 2003 Sub-Committee had regard to the Licensing Objectives, the Council's Statement of Licensing Policy and the Department of Culture, Media and Sport Guidance issued under Section 182 of the Licensing Act 2003.

Resolved -

(1) That in accordance with Regulation 14(2) of the Licensing Act 2003, the public be excluded from the meeting during consideration of the application.

(2) That the application for a Premises Licence in respect of Edwards Convenience Store be granted with the following hours:

Supply of Alcohol

Monday to Saturday 08:00 to 22:00
Sunday 10:00 to 22:00

Hours Open to the Public

Monday to Saturday 07:00 to 22:00
Sunday 07:00 to 22:00

24 KK FOOD AND WINE

The Director of Law, HR and Asset Management reported upon an application that had been received from Mathiyaparanam Kokilarajan for the grant of a Premises Licence in respect of KK Food and Wine, 702 Borough Road, Birkenhead, under the provisions of the Licensing Act 2003.

Councillor P Glasman declared a prejudicial interest in this application by virtue of her acquaintance with the applicant's solicitor.

The reserve Member, Councillor G Davies also declared a prejudicial interest by virtue of him being acquainted with residents of the Devonshire Park Residents Association and having acted on their behalf in the past.

The application was therefore not heard and would be re-listed at a future date.