

LICENSING ACT 2003 SUB-COMMITTEE

Thursday, 9 September 2010

Present:

Councillors G Davies S Whittingham
G Ellis

32 **APPOINTMENT OF CHAIR**

Resolved - That Councillor Gerry Ellis be appointed Chair for this meeting.

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

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

No such declarations were made.

34 **SAMMYS, 156 ALLPORT ROAD, BROMBOROUGH**

The Director of Law, HR and Asset Management reported upon an application that had been received from Bashier Al-Hadi for the grant of a Premises Licence in respect of Sammys, 156 Allport Road, Bromborough, under the provisions of the Licensing Act 2003.

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

Late Night Refreshment

Sunday to Wednesday 23:00 to 23:30
Thursday to Saturday 23:00 to 00:30

Hours Open to the Public

Sunday to Wednesday 16:00 to 23:30
Thursday to Saturday 16:00 to 00:30

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 the potential for an increase of noise nuisance which was currently a problem within the vicinity of the premises. Copies of the representations were available.

Mr Bashier Al-Hadi attended the meeting to outline his application. There were no local residents in attendance.

The Licensing Officer confirmed that all documentation had been sent and received including a letter advising that a local resident could not attend the meeting and advising that someone may attend on their behalf.

Mr Bashier Al-Hadi addressed the Sub-Committee and explained that the premises were a limited company and the owner had decided to invest money in Britain. He gave details regarding the takings at the premises and produced a graph in support of his comments which showed that the takings had reduced since the premises opened. He felt that if the application were to be granted the extra hour applied for would keep the business going. He advised that most sales started from 11pm and the neighbouring take away premises were busy after this hour.

Mr Bashier Al-Hadi reported that CCTV was in operation at the premises, signs were displayed asking people to leave quietly and that the premises were a safe place for members of the public. He felt that he had a very good relationship with people and in support of this he presented a petition containing some 80 signatures in support of his application. He reported that there were four members of staff at the premises and he also worked there sometimes. He felt that if the application was granted it would not contribute to noise nuisance in the vicinity. Mr Bashier Al-Hadi also reported that he would be responsible for any litter outside the front of his premises.

Mr Bashier Al-Hadi responded to questions from Members of the Sub-Committee and Mr Abraham, legal advisor to the Sub-Committee.

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 Sammys be granted with the following hours:

Late Night Refreshment

Sunday to Wednesday	23:00 to 23:30
Thursday to Saturday	23:00 to 00:30

Hours Open to the Public

Sunday to Wednesday	16:00 to 23:30
Thursday to Saturday	16:00 to 00:30

(3) That the following condition be attached to the Premises Licence:-

- **The Premises Licence Holder or his/her representative must ensure that inspections of the outside area of the premises are undertaken on a daily basis in order that the outside area is free from bottles, glasses and general customer debris. A record of these checks must be maintained and available for inspection by an authorised officer.**