



Licensing Act 2003 Sub-Committee

Date:	Wednesday, 29 February 2012
Time:	10.00 am
Venue:	Committee Room 3 - Wallasey Town Hall

Contact Officer: Anne Beauchamp
Tel: 0151 691 8608
e-mail: annebeauchamp@wirral.gov.uk
Website: <http://www.wirral.gov.uk>

AGENDA

- 1. APPOINTMENT OF CHAIR**
- 2. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST**

Members are asked to consider whether they have personal or prejudicial interests in connection with any item(s) on this agenda, and, if so, to declare them and state what they are.
- 3. 46 HOYLAKE ROAD, BIDSTON, CH41 7BX (Pages 1 - 4)**
- 4. QT, 3-7 WILBRAHAM STREET, BIRKENHEAD, CH41 2QA. (Pages 5 - 8)**
- 5. ANY OTHER URGENT BUSINESS ACCEPTED BY THE CHAIR**

To consider any other business that the Chair accepts as being urgent.

This page is intentionally left blank

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE

LICENSING ACT 2003 SUB-COMMITTEE

29 FEBRUARY 2012

SUBJECT:	APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	BIDSTON & ST. JAMES 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 Javad Rezai Mahoi Abady and relates to the premises located at **46 Hoylake Road, Bidston, CH41 7BX.**

2.0 BACKGROUND AND KEY ISSUES

- 2.1 These premises have not previously been licensed.

3.0 APPLICATION

- 3.1 An application has been received for the grant of a Premises Licence for these premises for the following hours:

Sale by Retail of Alcohol

Monday to Saturday 12:00 to 04:00
Sunday 12:00 to 03:00

Hours Open to the Public

Monday to Saturday 12:00 to 04:00
Sunday 12:00 to 03:00

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.

Merseyside Police

In respect of this application, a representation has been received from Merseyside Police. The Licensing Sergeant has advised that the granting of the application would undermine the Licensing Objectives. Merseyside Police state that the area in which the premises are located suffers from high levels of crime and anti-social behaviour. Merseyside Police consider that increasing the availability of alcohol in this area through the granting of this application would increase the problems of crime and anti-social behaviour. A copy of the representation is available.

Trading Standards

In respect of this application, a representation has been received from Trading Standards. The Trading Standards Officer has advised that the granting of the application would undermine the Licensing Objectives. A copy of the representation is available.

Representations made by Trading Standards and Merseyside Police refer to the applicant having a history of a blatant disregard to the law.

Interested Parties - Local Residents

A petition has been received from signed by 36 local residents. The petition relates to concerns that there will be an increase in anti-social behaviour and underage drinking if the application is granted. A copy of the petition is 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

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.

REPORT AUTHOR:

Richard Leyland

Licensing Team Leader

telephone: 0151 691 8478

email: richardleyland@wirral.gov.uk

APPENDICES

- Application for the grant of a Premises Licence
- Representations received from Merseyside Police, Trading Standards and Local residents

REFERENCE MATERIAL

- None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
None	

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE

LICENSING ACT 2003 SUB-COMMITTEE

29 FEBRUARY 2012

SUBJECT:	APPLICATION TO REVIEW A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	BIRKENHEAD & TRANMERE 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 the review of a Premises Licence under the provisions of the Licensing Act 2003. The application is made by Merseyside Police and relates to the premises known as **QT, 3-7 Wilbraham Street, Birkenhead, CH41 2QA.**

2.0 BACKGROUND AND KEY ISSUES

2.1 QT currently has a Premises Licence, to allow the following Licensable Activities:

Sale by Retail of Alcohol

Sunday to Saturday 12:00 to 02:30

Hours Open to the Public

Sunday to Saturday 12:00 to 03:00

Live Music, Recorded Music, Performance of Dance and Anything of a Similar Description

Sunday to Saturday 12:00 to 03:00

Facilities for Dancing and Anything of a Similar Description

Sunday to Saturday 12:00 to 03:00

Late Night Refreshment

Sunday to Saturday 23:00 to 03:00

2.2 The Licensing Act 2003 Sub-Committee may, having regard to the application for review and any relevant representations, take such of the following steps as it considers necessary for the promotion of the licensing objectives:

- Modify the Conditions of the Licence.
- Exclude a licensable activity from the scope of the Licence.

- Remove the Designated Premises Supervisor.
- Suspend the Licence for a period not exceeding three months.
- Revoke the Licence.

The licensing authority may decide that no action is necessary if it finds that the review does not require it to take any steps necessary to promote the licensing objectives.

3.0 APPLICATION

- 3.1 An application has been received from Merseyside Police to review the Premises Licence for the premises known as QT. The Licensing Sergeant has advised that the grounds for review are in relation to the Prevention of Crime and Disorder, Public Safety and the Prevention of Public Nuisance following unlicensable activities taking place at the premises and a number of serious breaches that have been identified at the premises.
- 3.2 Further information to support the above grounds for review is included within the application which is available.

4.0 RELEVANT REPRESENTATIONS

- 4.1 The following Representations have been received in respect of the above application.

Interested Parties

In respect of this application, one representation has been received from the manager of the Central Hotel, Clifton Crescent, Birkenhead on behalf of hotel residents. The representation relates to public nuisance by way of music emanating from the premises late at night.

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

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

5.0 RELEVANT RISKS

- 5.1 There are none arising directly from this report.

6.0 OTHER OPTIONS CONSIDERED

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

7.0 CONSULTATION

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

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

8.1 There are no specific implications arising from this report.

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

9.1 There are no specific implications arising from this report.

10.0 LEGAL IMPLICATIONS

10.1 A decision of this Committee can be subject to Appeal.

11.0 EQUALITIES IMPLICATIONS

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

No because there is no relevance to equality.

12.0 CARBON REDUCTION IMPLICATIONS

12.1 There are no specific implications arising from this report.

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 There are no Planning implications arising from this report.

14.0 RECOMMENDATION

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

15.0 REASONS FOR RECOMMENDATION

15.1 It is a statutory requirement for this Committee to determine the application.

REPORT AUTHOR:

Richard Leyland

Licensing Team Leader

telephone: 0151 691 8478

email: richardleyland@wirral.gov.uk

APPENDICES

- Application to Review the Premises Licence.
- Representation received from manager of Central Hotel, Clifton Crescent, Birkenhead on behalf of hotel residents.

REFERENCE MATERIAL

None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
A previous application for the review of a Premises Licence from Merseyside Police was referred to the Licensing Act 2003 Sub-Committee on 21 January 2011.	21/01/2011