



Licensing Act 2003 Sub-Committee

Date:	Thursday, 1 March 2012
Time:	10.00 am
Venue:	Committee Room 1 - Wallasey Town Hall

Contact Officer: Anne Beauchamp
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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. **NEWS 4 YOU, 264-266 CONWAY STREET, BIRKENHEAD (Pages 1 - 4)**
- = B R E A K =**
4. **SUNLIGHT RESTAURANT AND BAR, 2C BROMBOROUGH ROAD, BEBINGTON (Pages 5 - 10)**
5. **ANY OTHER URGENT BUSINESS ACCEPTED BY THE CHAIR**

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

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WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

1 MARCH 2012

SUBJECT:	APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	BIRKENHEAD AND 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 a Premises Licence under the provisions of the Licensing Act 2003. The application is made by Tajinder Verma and relates to the premises known as **News 4 You, 264-266 Conway Street, Birkenhead.**

2.0 BACKGROUND AND KEY ISSUES

- 2.1 These premises previously had a Premises Licence with the following hours:

Sale by Retail of Alcohol

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

- 2.2 On 20 October 2011, the Licensing Act 2003 Sub-Committee resolved to revoke the Premises Licence following an application from Merseyside Police to Review the Licence. The grounds on which the Licence was revoked was that the premises was linked to serious crime and that illicit alcohol had been seized from the premises. This Premises Licence was held by Sarbit Singh Kullar who was also the Designated Premises Supervisor.

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

Sunday to Saturday 07:00 to 23:00

Hours Open to the Public

Sunday to Saturday 07:00 to 23:00

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 due to the recent history of the premises and the number of relevant convictions the proposed Premises Licence Holder / Designated Premises Supervisor currently has recorded against him. A copy of the representation is available.

Interested Parties

In respect of this application, a representation has been received from a local resident. A representation has also been received from Stronger Communities Initiative Assembly. The representations relate to high levels of anti-social behaviour caused by youths within the immediate vicinity of the premises due to the availability of alcohol in the past at the premises. Copies of the representations are available.

A representation has been received from Birkenhead and Tranmere Ward Councillors, Councillor Phil Davies, Councillor Jean Stapleton and Councillor Brian Kenny. The representation supports the concerns from local residents. A copy of the representation 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
Trading Standards

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:

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Licensing Team Leader

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APPENDICES

- Application for the grant of a Premises Licence
- Representations received from Merseyside Police, Local Residents and Ward Councillors

REFERENCE MATERIAL

- None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Licensing Act 2003 Sub-Committee (See para. 2.2 of this report)	20 October 2011

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

1 MARCH 2012

SUBJECT:	APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	BEBINGTON 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 Anne Fleming and relates to the premises to be known as **Sunlight Restaurant and Bar, 2C Bromborough Road, Bebington.**

2.0 BACKGROUND AND KEY ISSUES

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

Sale by Retail of Alcohol

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

Hours Open to the Public

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

Regulated Entertainment (Live Music)

Sunday Saturday 18:00 to 22:30

Entertainment Facilities (Facilities for Making Music)

Sunday Saturday 18:00 to 22:30

3.0 APPLICATION

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

Sale by Retail of Alcohol

Monday to Thursday	08:00 to 23:00
Friday and Saturday	08:00 to 00:00
Sunday	08:00 to 22:30

Hours Open to the Public

Monday to Thursday	08:00 to 00:00
Friday and Saturday	08:00 to 01:00
Sunday	08:00 to 22:30

Regulated Entertainment (Live Music)

Sunday to Thursday	12:00 to 22:30
Friday and Saturday	12:00 to 23:30

Regulated Entertainment (Recorded Music)

Monday to Thursday	12:00 to 23:00
Friday and Saturday	12:00 to 00:00
Sunday	12:00 to 22:30

Entertainment Facilities (Facilities for Making Music)

Sunday to Thursday	12:00 to 22:30
Friday and Saturday	12:00 to 23:30

Entertainment Facilities (Facilities for Dancing)

Sunday to Thursday	12:00 to 22:30
Friday and Saturday	12:00 to 23:00

Late Night Refreshment

Monday to Thursday	23:00 to 00:00
Friday and Saturday	23:00 to 01:00

Non-Standard Timings

The following non-standard timings have been requested for all of the above Licensable Activities (Late Night Refreshment to start from 23:00) and Hours Open to the Public:

New Years Eve	12:00 to 01:00
Christmas Day	12:00 to 18:00
Good Friday	12:00 to 23:00

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.

Interested Parties

In respect of this application, four representations have been received from local residents. A representation has also been received from Church Farm Owners Association together with a petition signed by 23 residents of Church Farm and Ormerod Court. The representations relate to anti-social behaviour which is currently a problem within the vicinity of the premises which they consider could increase if this application for later hours is granted. Concerns have also been raised regarding noise from entertainment coming from the premises at a late hour. Copies of the representations are 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
Trading Standards
Merseyside Police

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 The Director of Technical Services (Development Control) has advised of the following conditions currently attached to the Planning Permission:

- 1, 'The Premises shall not trade nor be open to the public between the hours of 23:00 hours and 08:00 hours'
- 2, 'The outside dining terrace to the side shall not be used between the hours of 21:00 hours and 08:00 hours'

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**
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APPENDICES

- Application for the grant of a Premises Licence
- Representations received from Local Residents

REFERENCE MATERIAL

- None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

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