



## Licensing Act 2003 Sub-Committee

<b>Date:</b>	<b>Wednesday, 6 March 2013</b>
<b>Time:</b>	<b>10.00 am</b>
<b>Venue:</b>	<b>Committee Room 2 - Wallasey Town Hall</b>

**Contact Officer:** Anne Beauchamp  
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### AGENDA

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

Members of the Committee are asked to declare any disclosable pecuniary and non pecuniary interests, in connection with any application on the agenda and state the nature of the interest.
- 3. APPLICATION FOR A PREMISES LICENCE - 46 HOYLAKE ROAD, BIRKENHEAD (Pages 1 - 4)**

**= B R E A K =**

**1.00 pm**

- 4. APPLICATION TO VARY A PREMISES LICENCE - HOYLAKE SERVICE STATION, 48 BIRKENHEAD ROAD, HOYLAKE (Pages 5 - 8)**
- 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

6 MARCH 2013

SUBJECT:	APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	BIDSTON AND ST JAMES WARD
REPORT OF:	ACTING 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 **Mr Oykun Kemal** and relates to the premises located at **46 Hoylake Road, Birkenhead**.

#### 2.0 BACKGROUND AND KEY ISSUES

- 2.1 These premises have not previously been licensed:

#### 3.0 APPLICATION

- 3.1 The application for the grant of a new Premises Licence is as follows:

##### Supply of Alcohol

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

##### Hours Open to the Public

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

- 3.2 Following discussions with Merseyside Police, the applicant agreed to the following conditions be attached to the Premises Licence if the application is granted:

- All staff training must be recorded and made available to Merseyside Police and the Licensing Authority on request.
- The premises must have an electronic till prompt to remind employees to use the 'Challenge 25' policy when alcohol is scanned.
- The premises must maintain a refusals log with regular checks. This log must be made available to Merseyside Police and the Licensing Authority upon request.

#### **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.

Petitions have been received signed by a total number of 47 local residents who are against this application. The petitions have been signed by the local residents as a representation due to concerns relating to the cumulative impact of licensed premises within the vicinity of the premises and anti-social behaviour. Copies of the petitions are available.

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

Wirral Safe Guarding Children Board  
Trading Standards  
Planning Authority  
Fire Authority  
Environmental Health  
Merseyside Police  
Wirral PCT  
Wirral Licensing 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 can be 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

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### **APPENDICES**

- Application for a Premises Licence
- Petitions received.

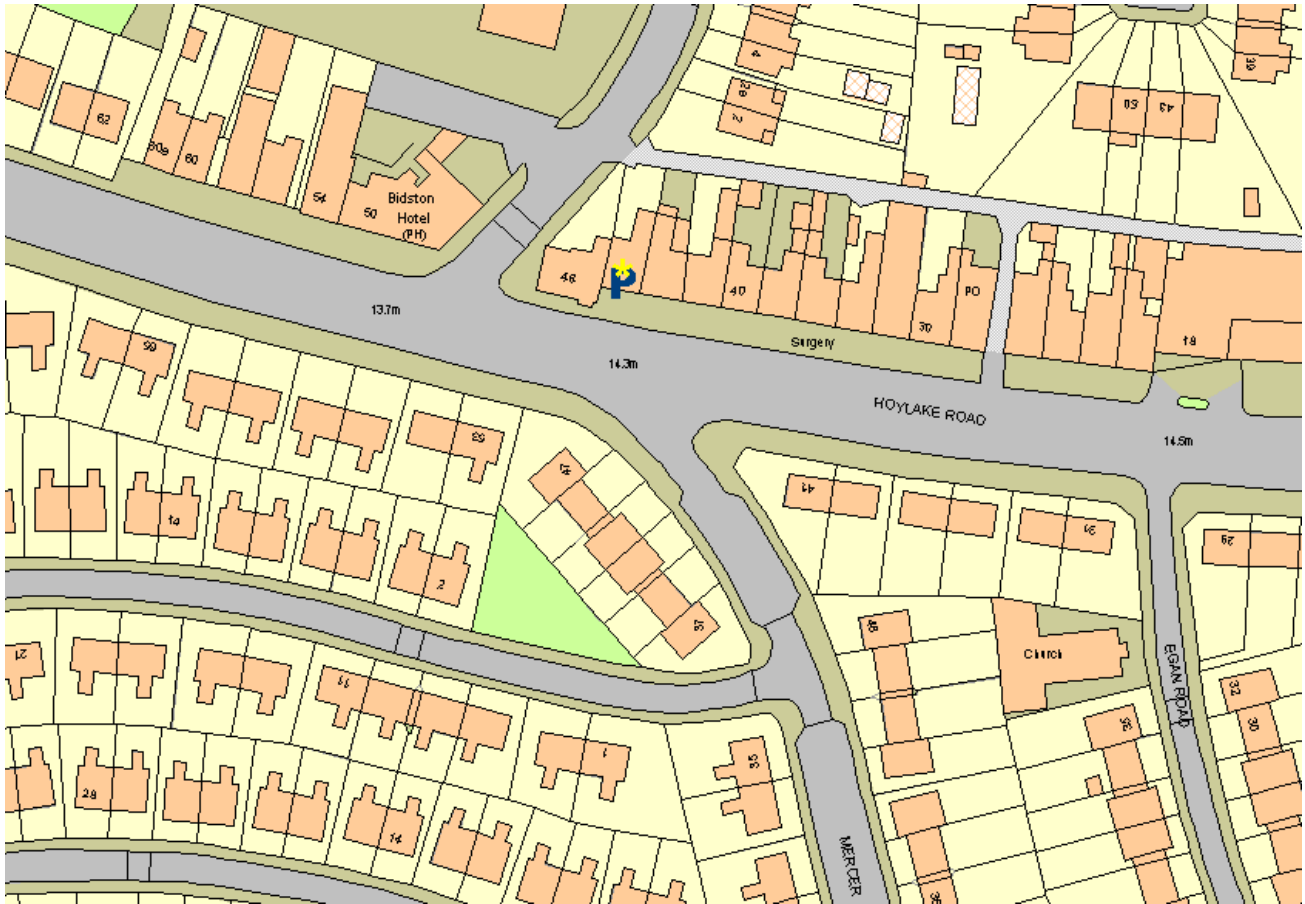
### **REFERENCE MATERIAL**

- None

### **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
None	

# Location plan of Premises



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**LICENSING ACT 2003 COMMITTEE  
LICENSING ACT 2003 SUB-COMMITTEE**

**6 MARCH 2013**

<b>SUBJECT:</b>	<b>APPLICATION TO VARY A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003</b>
<b>WARD AFFECTED:</b>	<b>HOYLAKE AND MEOLS WARD</b>
<b>REPORT OF:</b>	<b>ACTING DIRECTOR OF LAW, HR AND ASSET MANAGEMENT</b>
<b>KEY DECISION?</b>	<b>NO</b>

**1.0 EXECUTIVE SUMMARY**

- 1.1 The purpose of this report is to consider an application to vary a Premises Licence under the provisions of the Licensing Act 2003. The application is made by **Rontec Watford Limited** and relates to the premises known as **Hoyle Service Station, 48 Birkenhead Road, Hoyle**.

**2.0 BACKGROUND AND KEY ISSUES**

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

**Sale by Retail of Alcohol**

Sunday to Saturday 06:30 to 22:00

**Hours Open to the Public**

Sunday to Saturday 06:30 to 22:00

**3.0 APPLICATION**

- 3.1 The application to vary the Premises Licence is as follows:

**Sale by Retail of Alcohol**

Sunday to Saturday 24 Hours

**Hours Open to the Public**

Sunday to Saturday 24 Hours

**Late Night Refreshment**

Sunday to Saturday 23:00 to 05:00

- 3.2 The applicant has also requested to remove the conditions within Annexe 2 and 3 of the Premises Licence which will be replaced by the conditions proposed within their Operating Schedule. A copy of the Licence detailing the conditions to be removed is available.

#### **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 Representation has been received in respect of the above application.

Five representations have been received from local residents who are against the application. The representations relate to concerns that if the application is granted anti-social behaviour will increase within the vicinity of the premises. A petition has also been received signed by 122 local residents. The petition has been signed by local residents due to noise nuisance late at night. Copies of the representations and the petition are available.

A representation in support of the application has been received from a local resident who considers that the Licensing Objectives will not be undermined if the application is granted. 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  
Trading Standards  
Merseyside Police  
Planning Authority  
Fire Authority  
Environmental Health  
Primary Care Trust  
Wirral Licensing 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 can be 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 to vary the 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 to vary a Premises Licence
- Representations received from local residents

## **REFERENCE MATERIAL**

- None

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>

# Location Plan of Premises



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