



Licensing Act 2003 Sub-Committee

Date:	Friday, 15 March 2013
Time:	10.00 am
Venue:	Committee Room 3 - 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 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 TO VARY A PREMISES LICENCE - SEVEN ACRES SERVICE STATION, PENSBY ROAD, THINGWALL (Pages 1 - 6)**
- = LUNCH BREAK =**
- 1.00 PM**
- 4. APPLICATION TO REVIEW A PREMISES LICENCE - NEWS DAYS, 47 OXTON ROAD, BIRKENHEAD (Pages 7 - 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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**LICENSING ACT 2003 COMMITTEE
LICENSING ACT 2003 SUB-COMMITTEE**

15 MARCH 2013

SUBJECT:	APPLICATION TO VARY A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	PENSBY AND THINGWALL 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 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 **Seven Acres Service Station, Pensby Road, Thingwall.**

2.0 BACKGROUND AND KEY ISSUES

- 2.1 The premises currently has a Premises Licence with the following hours:

Sale by Retail of Alcohol

Sunday to Saturday 06:00 to 23:00

Hours Open to the Public

Sunday to Saturday 24 Hours

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 (unchanged)

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 of the Premises Licence which will be replaced by the conditions proposed within their Operating Schedule submitted as part of their application to vary the Licence. 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 Representations have been received in respect of the above application.

12 representations have been received from local residents who are against the application. Two petitions have also been received signed by a total number of 150 local residents. The representations relate to concerns that if the application is granted anti-social behaviour will increase within the vicinity of the premises. Concerns have also been raised regarding youths having access to alcohol which residents consider is currently a problem at these premises. Copies of the representations and the petitions are available.

Representations have also been received from Ward Councillors Mike Sullivan and Mark Johnston who support the representations received from local residents. 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
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 The Director of Regeneration, Housing and Planning (Development Control) has advised of the following conditions on the Planning Permission:

- Trading at the premises shall not take place between the hours of 23:00 and 07:00.
- Servicing at the premises shall not take place between the hours of 23:00 and 07:00.

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 and Ward Councillors

REFERENCE MATERIAL

- None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

Location Plan of Premises



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WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

15 MARCH 2013

SUBJECT:	APPLICATION TO REVIEW A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	BIRKENHEAD AND TRANMERE 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 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 **News Days, 47 Oxtou Road, Birkenhead.**

2.0 BACKGROUND AND KEY ISSUES

2.1 News Days currently has a Premises Licence, to allow the following Licensable Activity:

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

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 appropriate 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 appropriate if it finds that the review does not require it to take any steps that are appropriate 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 News Days. Merseyside Police have advised that the grounds for review are in relation to the Prevention of Crime and Disorder due to an illegal immigrant being found working 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 There have been no representations received from the following Responsible Authorities:

Wirral Safe Guarding Children Board
Environmental Health
Fire Authority
Planning Authority
Trading Standards
Primary Care Trust
Wirral Licensing Authority

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**
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APPENDICES

- Application to Review the Premises Licence.

REFERENCE MATERIAL

None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

Local plan of Premises

