



## Licensing Act 2003 Sub-Committee

**Date:** Friday, 17 May 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 FOR A PREMISES LICENCE - NEWS AND BOOZE, 264-266 CONWAY STREET, BIRKENHEAD (Pages 1 - 6)**

**= LUNCH BREAK =**

**= 1.00 PM =**

**4. APPLICATION FOR A PREMISES LICENCE - PORT SUNLIGHT GARDEN CENTRE, THE CAUSEWAY, PORT SUNLIGHT (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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## WIRRAL COUNCIL

### LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

17 MAY 2013

<b>SUBJECT:</b>	<b>APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003</b>
<b>WARD AFFECTED:</b>	<b>BIDSTON &amp; ST JAMES</b>
<b>REPORT OF:</b>	<b>STRATEGIC DIRECTOR OF REGENERATION &amp; ENVIRONMENT</b>
<b>KEY DECISION?</b>	<b>NO</b>

#### 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 Sukhdeep Thiara** and relates to the premises known as **News and Booze, 264-266 Conway Street, Birkenhead.**

#### 2.0 BACKGROUND AND KEY ISSUES

- 2.1 These premises previously had a Premises Licence that was held by Sarbit Singh Kullar and had the following hours:

##### **Sale by Retail of Alcohol**

Monday to Saturday	08:00 to 23:00
Sunday	10:00 to 22:30
Good Friday	08:00 to 22:30
Christmas Day	12:00 to 15:00 & 19:00 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 The grounds on which the Licence was revoked was that the premises was linked to serious crime and that illicit alcohol, namely duty diverted alcohol, had been seized from the premises

#### 3.0 APPLICATION

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

##### **Sale by Retail of Alcohol**

Monday to Saturday	07:00 to 23:00
Sunday	08:00 to 22:00

##### **Hours Open to the Public**

Monday to Saturday	06:00 to 23:00
Sunday	07:00 to 22:00

#### **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.
- 4.3 Following a meeting with Merseyside Police (Licensing Division) the applicant agreed to the following conditions being imposed on the Premises Licence if the application is granted;
- Staff working at the premises must receive training in respect of preventing the sale of alcohol to persons under 18 years of age. This training must be provided by the Designated Premises Supervisor and updated on a monthly basis. Records of this training must be kept and maintained up to date.
  - CCTV must be installed at the premises in accordance with the specification issued by the Licensing Authority.
  - There must be placed at all exits from the premises in a place where they can be seen and easily read by the public, notices requiring customers to leave the premises quietly.
  - A till prompt system must be installed and maintained at the premises in order to alert staff to check the age of any purchaser attempting to buy alcohol.
  - Youths congregating outside the premises must be asked to move away from the premises.

#### **5.0 RELEVANT REPRESENTATIONS**

- 5.1 The following Representations have been received in respect of the above 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 anti-social behaviour caused by youths within the vicinity of the premises. Copies of the representations are available.

A representation has also been received from Birkenhead and Tranmere Ward Councillors. The representation supports the concerns expressed by local residents. A copy of the representation is available.

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

Wirral Safe Guarding Children Board  
Trading Standards  
Planning Authority  
Fire Authority  
Environmental Health  
Wirral PCT  
Wirral Licensing Authority  
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 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 (Exempt)
- Representations received from Local Residents and Ward Councillors (Exempt)

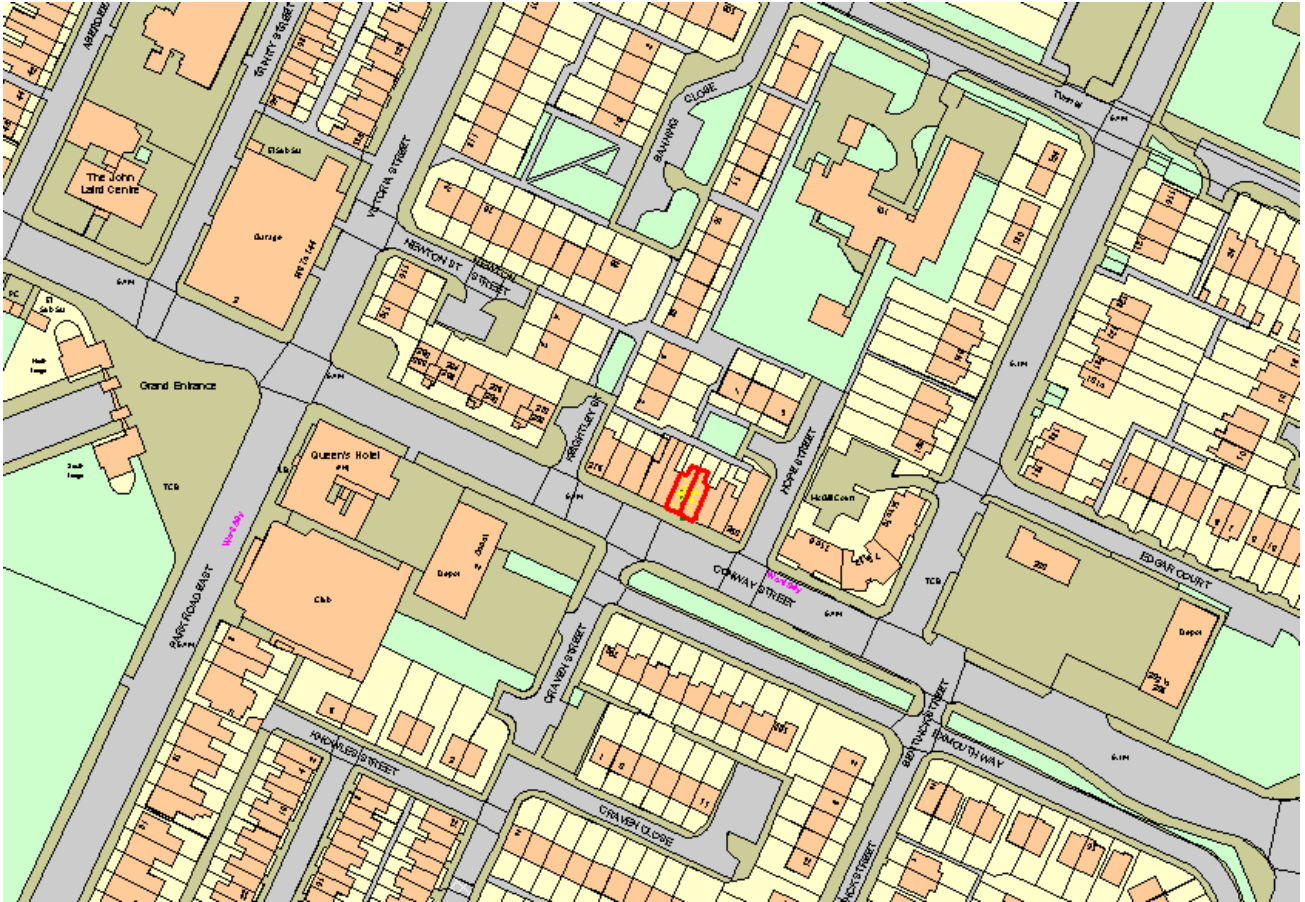
## REFERENCE MATERIAL

- None

## SUBJECT HISTORY (last 3 years)

<b>Council Meeting</b>	<b>Date</b>
<b>Licensing Act 2003 Sub-Committee</b>	<b>20 October 2011</b>

# Location plan of Premises



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## WIRRAL COUNCIL

### LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

17 MAY 2013

SUBJECT:	APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	BIRKENHEAD AND TRANMERE
REPORT OF:	STRATEGIC DIRECTOR OF REGENERATION & ENVIRONMENT
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 **M & S Wilkinson Limited** and relates to the premises known as **Port Sunlight Garden Centre, The Causeway, Port Sunlight**.

#### 2.0 BACKGROUND AND KEY ISSUES

- 2.1 These premises do not currently have a Premises Licence.

#### 3.0 APPLICATION

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

##### **Sale by Retail of Alcohol**

Monday to Saturday 09:00 to 23:00  
Sunday 10:00 to 23:00

##### **Hours Open to the Public**

Monday to Saturday 09:00 to 23:00  
Sunday 10:00 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.

Four representations have been received from local residents. The representations relate to concerns that if the application is granted this will result in an increase in anti-social behaviour and noise nuisance which is currently considered to be a problem within the vicinity of the premises. Copies of the representations are available.

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

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

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Licensing Team Leader  
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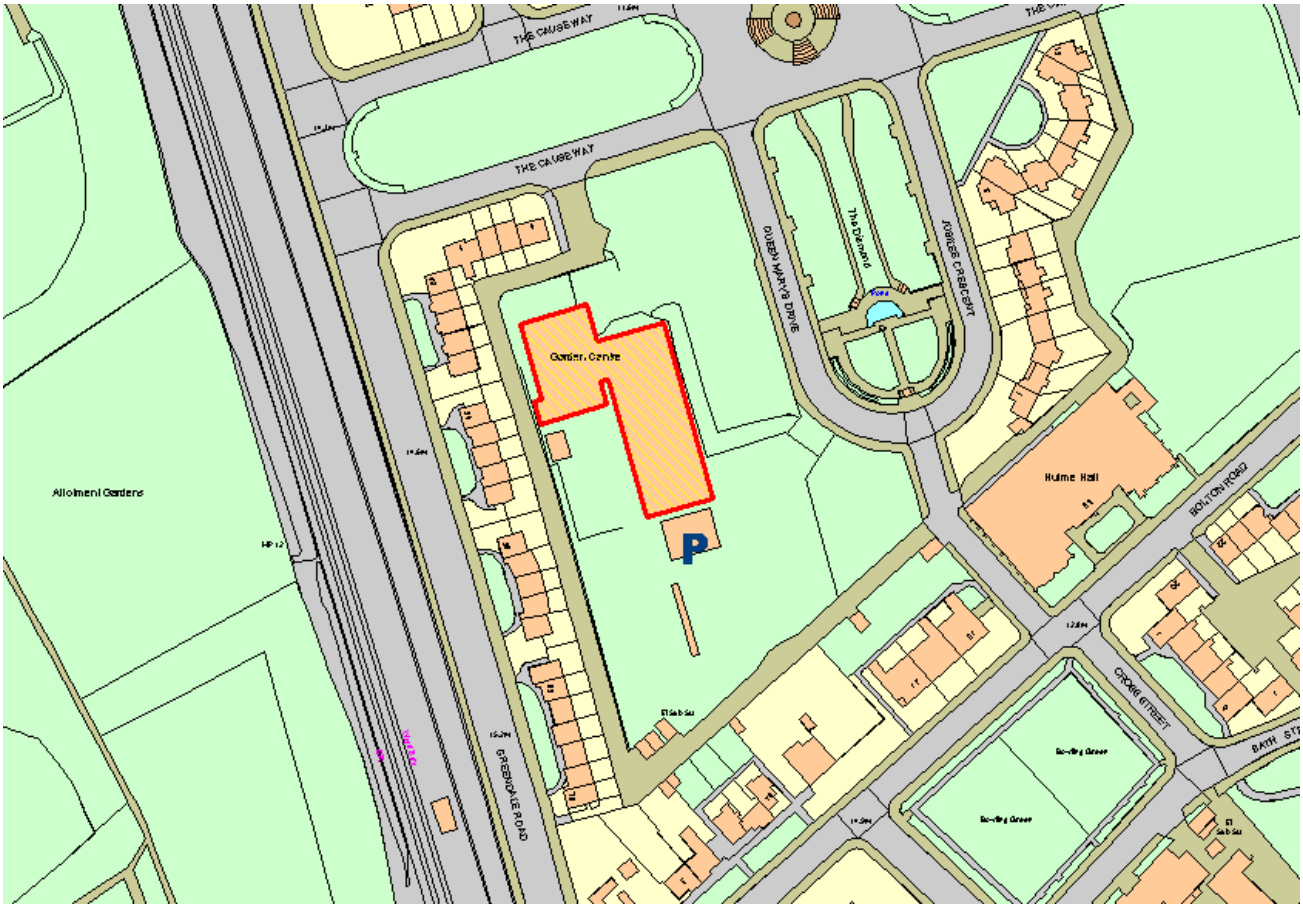
### **REFERENCE MATERIAL**

- None

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

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

## Location plan of Premises



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