



## Licensing Act 2003 Sub-Committee

<b>Date:</b>	Thursday, 13 October 2016
<b>Time:</b>	10.00 am
<b>Venue:</b>	Cabinet Briefing Room - 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 Sub-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 UNDER THE PROVISIONS OF THE LICENSING ACT 2003 - PIZZA MAGIC, 57 MARKET STREET, BIRKENHEAD (Pages 1 - 6)**
- 13:00**
4. **APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003 - GRANGE NEWS, 44 GRANGE ROAD, BIRKENHEAD (Pages 7 - 12)**
  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**

**LICENSING ACT 2003 SUB-COMMITTEE**

**13 OCTOBER 2016**

<b>REPORT TITLE</b>	<b>APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003</b>
<b>REPORT OF</b>	<b>ASSISTANT CHIEF EXECUTIVE</b>

## **REPORT SUMMARY**

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 **Jakleen Hanna** and relates to the premises known as **Pizza Magic, 57 Market Street, Birkenhead**.

## **RECOMMENDATION/S**

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

## SUPPORTING INFORMATION

### 1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 It is a statutory requirement for this Committee to determine the application due to relevant representations received.

### 2.0 OTHER OPTIONS CONSIDERED

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

### 3.0 BACKGROUND INFORMATION

- 3.1 These premises previously had a Premises Licence which lapsed on 31 May 2016 due to the Premises Licence holder, Hanna Trading Limited, being dissolved. The hours permitted by this Premises Licence were as follows:

#### Late Night Refreshment

Monday to Thursday	23:00 to 00:00
Friday to Sunday	23:00 to 01:00

#### Hours Open to the Public

Monday to Thursday	16:00 to 00:00
Friday to Sunday	16:00 to 01:00

- 3.2 On 17 August 2016, a planned inspection was due to be undertaken at the premises. A Licensing Enforcement Officer checked Companies House and noted that the Company that held the Premises Licence had dissolved. A visit was made to the premises on 17 August 2016 and Jakleen Hanna, who was a Director of Hanna Trading Limited, was advised that the Premises Licence had lapsed due to her company being dissolved.

### 3.3 APPLICATION

The application for a Premises Licence is as follows:

#### Late Night Refreshment

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

#### Hours Open to the Public

Monday to Thursday	16:00 to 00:00
Friday to Sunday	16:00 to 01:00

- 3.4 Following discussions with Merseyside Police, the Applicant has agreed to the following conditions to be placed on the Premises Licence if this application is granted:

- CCTV must be installed at the premises within three months of the Premises Licence being granted and provided in the form of a recordable system, capable of providing images of evidential quality in all lighting conditions.
- CCTV cameras must cover the entrance/exit to the premises and all areas where the public have access to. An external camera must cover the front of the premises.

- The CCTV equipment must be maintained in good working order and checked every 12 months. The system must record in real time and operate whilst the premises are open for licensable activities. The recordings must be kept available for a period of 31 days and handed to Police on request. There must be sufficient members of trained staff available to be able to download evidence with the minimum of delay.
- The CCTV recording equipment must be kept in a secure environment under the control of the Premises Licence Holder or other responsible named individual.
- Notices must be displayed informing customers that CCTV is in operation.

### **3.5 PROMOTION OF LICENSING OBJECTIVES**

Applicants are required to submit as part of their application an operating schedule that sets out how they will conduct/manage their business to promote the four Licensing Objectives. A copy of the full application is available.

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 application be granted.

### **3.6 RELEVANT REPRESENTATIONS**

The following representations have been received in respect of the above application.

#### **Local Residents**

In respect of this application, a representation has been received from a Local Resident. A representation has also been received from the Hoylake Residents Forum. The representations relate to concerns that public nuisance will be caused if the application is granted with the hours requested. Copies of the representations are available.

#### **Planning Authority**

A representation has been received from the Planning Authority. The Planning Officer has advised that if this application is granted then this would undermine the Licensing Objectives relating to the prevention of public nuisance and the prevention of crime and disorder. A copy of the representation is available.

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

Wirral Safe Guarding Children Board  
 Fire Authority  
 Licensing Authority  
 Environmental Health  
 Trading Standards  
 Public Health

### **4.0 FINANCIAL IMPLICATIONS**

4.1 There are no specific implications arising from this report.

### **5.0 LEGAL IMPLICATIONS**

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

## 6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

6.1 There are no specific implications arising from this report.

## 7.0 RELEVANT RISKS

7.1 There are none arising directly from this report.

## 8.0 ENGAGEMENT/CONSULTATION

8.1 Statutory consultation has been undertaken in respect of this application.

## 9.0 EQUALITY IMPLICATIONS

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

No because there is no relevance to equality.

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## APPENDICES

None

## REFERENCE MATERIAL

- Application for a Premises Licence
- Representations received from Local Residents
- Representation received from the Planning Authority

## SUBJECT HISTORY (last 3 years)

Council Meeting	Date

# Location of premises



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## LICENSING ACT 2003

### LICENSING ACT 2003 SUB-COMMITTEE

13 OCTOBER 2016

<b>REPORT TITLE</b>	<b>APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003</b>
<b>REPORT OF</b>	<b>ASSISTANT CHIEF EXECUTIVE</b>

### REPORT SUMMARY

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 Farman Ali** and relates to the premises known as **Grange News, 44 Grange Road, Birkenhead**.

### RECOMMENDATION/S

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

## SUPPORTING INFORMATION

### 1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 It is a statutory requirement for this Committee to determine the application due to relevant representations received.

### 2.0 OTHER OPTIONS CONSIDERED

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

### 3.0 BACKGROUND INFORMATION

- 3.1 These premises are currently trading as a convenience store and do not currently have a Premises Licence.

### 3.2 APPLICATION

The application for a Premises Licence is as follows:

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

Sunday to Saturday 09:00 to 23:00

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

Sunday to Saturday 09:00 to 23:00

### 3.3 PROMOTION OF LICENSING OBJECTIVES

Applicants are required to submit as part of their application an operating schedule that sets out how they will conduct/manage their business to promote the four Licensing Objectives. A copy of the full application is available.

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 application be granted.

### 3.4 RELEVANT REPRESENTATIONS

The following representations have been received in respect of the above application.

#### **Ward Councillors / Local Resident**

In respect of this application, representations have been received from Ward Councillors. The representation received from Councillor Stapleton has been submitted as a Ward Councillor and a Local Resident. The representations relate anti-social behaviour within the vicinity of these premises caused by street drinkers. The representation also relates to concerns of underage sales of alcohol if the application is granted. Copies of the representations are available.

#### **Local Business**

A representation has been received from the proprietor of 10 O'Clock Shop, 18 Grange Mount, Birkenhead which is located within the vicinity of Grange News. A petition has also been submitted by the 10 O'Clock Shop signed by 76 local residents. The representation and petition relate to concerns of anti-social behaviour and noise nuisance within the vicinity of the premises. A copy of the representation and petition is available.

### **Wirral Chamber of Commerce and Birkenhead First Business Improvement District**

A representation has been received from the Wirral Chamber of Commerce and the Birkenhead First Business Improvement District who have concerns that the area is a hot spot for street drinkers who have damaging effect within the vicinity of the premises. A copy of the representation is available.

### **Wirral Ways to Recovery**

A representation has been received from Wirral Ways to Recovery due to a current issue of anti-social behaviour being caused by street drinkers within the vicinity of the premises. A copy of the representation is available.

### **Birkenhead Town Host Manager**

A representation has been received from the Town Host Manager who has concerns with the application due to the level of anti-social behaviour being caused by street drinkers within the vicinity of the premises. It is their view that if this application is granted then this will be increased. A copy of the representation is available.

### **Merseyside Police**

A representation has been received from Merseyside Police who have concerns that if this application is granted there will be an increase in the existing alcohol related anti-social behaviour caused by street drinkers within the vicinity of the premises. A copy of the representation is available.

### **Trading Standards**

A representation has been received from Trading Standards who have advised that during a multi-agency operation to the premises on 27 April 2016, illicit tobacco was seized. The Applicant was given an oral warning by an Officer from HMRC. Trading Standards also have concerns that if the application is granted then the premises will be targeted by Street Drinkers. A copy of the representation is available.

### **Public Health**

A representation has been received from Public Health which relates to concerns that an increase in the availability of alcohol at this particular location where deprivation is high and the density of licensed premises is high could undermine each of the four Licensing Objectives. A copy of the representation is available.

### **Licensing Authority**

A representation has been received from the Licensing Authority who have concerns with the lack of information provided within the application in relation to the steps the applicant propose to take to promote the Licensing Objectives, particularly given that the premises is located within an area which is known for street drinkers. A copy of the representation is available.

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

Wirral Safe Guarding Children Board  
Fire Authority  
Environmental Health

#### 4.0 FINANCIAL IMPLICATIONS

4.1 There are no specific implications arising from this report.

#### 5.0 LEGAL IMPLICATIONS

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

#### 6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

6.1 There are no specific implications arising from this report.

#### 7.0 RELEVANT RISKS

7.1 There are none arising directly from this report.

#### 8.0 ENGAGEMENT/CONSULTATION

8.1 Statutory consultation has been undertaken in respect of this application.

#### 9.0 EQUALITY IMPLICATIONS

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

No because there is no relevance to equality.

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#### APPENDICES

None

#### REFERENCE MATERIAL

- Application for a Premises Licence
- Representations received from Responsible Authorities and other persons

#### SUBJECT HISTORY (last 3 years)

Council Meeting	Date

# Location of premises



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