

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

29 FEBRUARY 2012

SUBJECT:	APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	BIDSTON & ST. JAMES 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 Javad Rezai Mahoi Abady and relates to the premises located at **46 Hoylake Road, Bidston, CH41 7BX.**

2.0 BACKGROUND AND KEY ISSUES

- 2.1 These premises have not previously been licensed.

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

Monday to Saturday 12:00 to 04:00
Sunday 12:00 to 03:00

Hours Open to the Public

Monday to Saturday 12:00 to 04:00
Sunday 12:00 to 03:00

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. Merseyside Police state that the area in which the premises are located suffers from high levels of crime and anti-social behaviour. Merseyside Police consider that increasing the availability of alcohol in this area through the granting of this application would increase the problems of crime and anti-social behaviour. A copy of the representation is available.

Trading Standards

In respect of this application, a representation has been received from Trading Standards. The Trading Standards Officer has advised that the granting of the application would undermine the Licensing Objectives. A copy of the representation is available.

Representations made by Trading Standards and Merseyside Police refer to the applicant having a history of a blatant disregard to the law.

Interested Parties - Local Residents

A petition has been received from signed by 36 local residents. The petition relates to concerns that there will be an increase in anti-social behaviour and underage drinking if the application is granted. A copy of the petition 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

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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APPENDICES

- Application for the grant of a Premises Licence
- Representations received from Merseyside Police, Trading Standards and Local residents

REFERENCE MATERIAL

- None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
None	