

# 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**  
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## **APPENDICES**

- Application for a Premises Licence
- Petitions received.

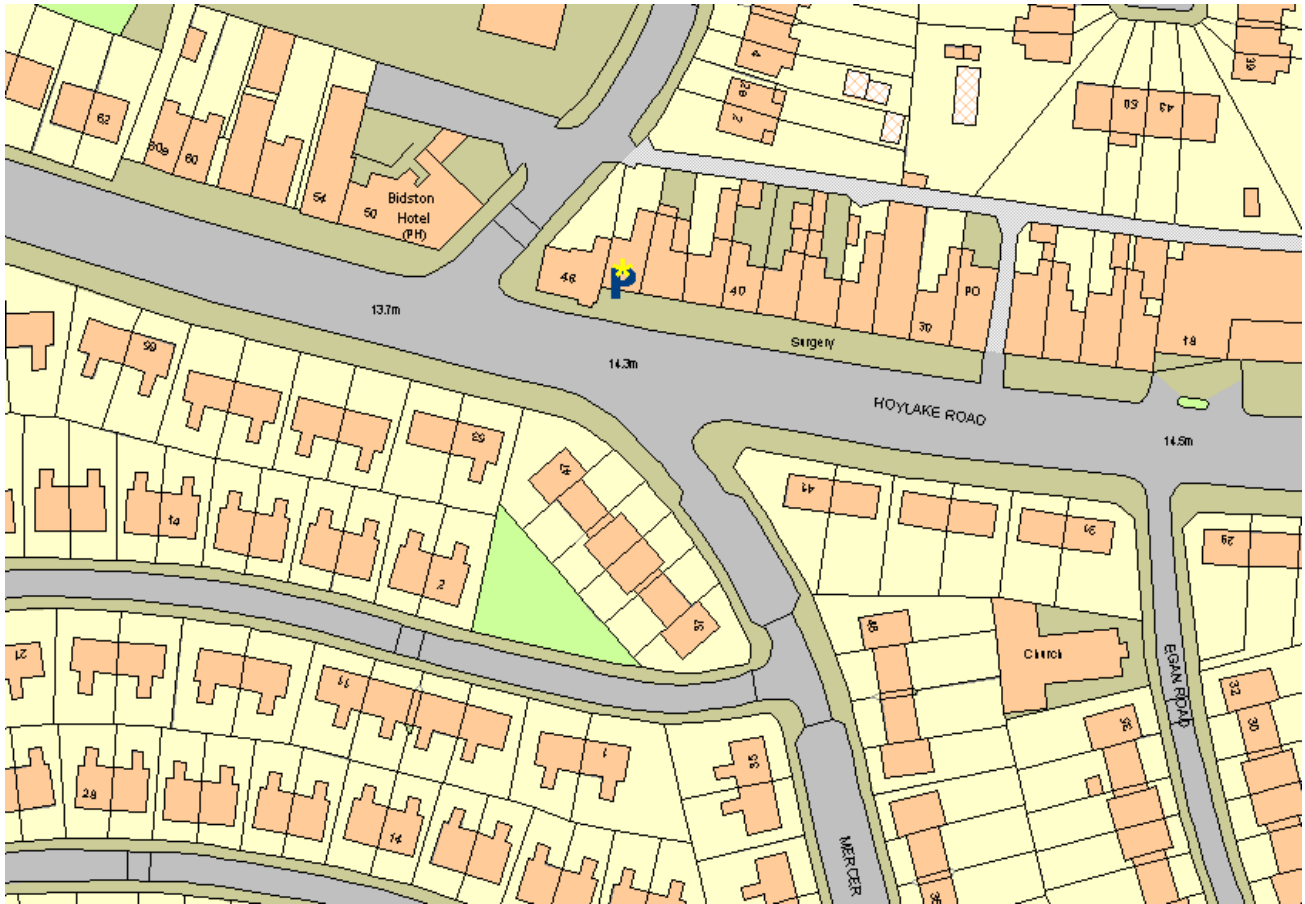
## **REFERENCE MATERIAL**

- None

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

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

# Location plan of Premises



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