

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

25 APRIL 2013

SUBJECT:	APPLICATION TO VARY A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	BIRKENHEAD AND TRANMERE WARD
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 to vary a Premises Licence under the provisions of the Licensing Act 2003. The application is made by **Mr Milosz Kwiecien** and relates to the premises known as the **Convenience Store, 7 Oxtan Road, Birkenhead**.

2.0 BACKGROUND AND KEY ISSUES

- 2.1 These premises currently have a Premises Licence with the following hours:

Sale by Retail of Alcohol

Monday to Saturday 08:00 to 23:00
Sunday 09:00 to 23:00

Hours Open to the Public

Monday to Saturday 08:00 to 23:00
Sunday 09:00 to 23:00

3.0 APPLICATION

- 3.1 The application to vary the Premises Licence is to extend the Licensed area so that the premises located at 9 Oxtan Road is included on the Licence.
- 3.2 The hours stated within 2.1 of this report are to remain unchanged.

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 Representation has been received in respect of the above application.

A representation has been received from Birkenhead and Tranmere Ward Councillors. The representation relates to anti-social behaviour and the issue of street drinkers within the vicinity of the premises. The Councillors are concerned that if this application is granted the availability of alcohol may increase which will have a negative impact in relation to anti-social behaviour and street drinkers within the vicinity of the premises. 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
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 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 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.

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APPENDICES

- Application to vary a Premises Licence
- Representation received from a Ward Councillors

REFERENCE MATERIAL

- None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Licensing Act 2003 Sub-Committee	04/11/2011

Location Plan of Premises



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