

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

19 DECEMBER 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 the grant of a Premises Licence under the provisions of the Licensing Act 2003. The application is made by **Mr Wadah Hariz** and relates to the premises known as **News Days, 47 Oxtan Road, Birkenhead.**

2.0 BACKGROUND AND KEY ISSUES

- 2.1 These premises previously had a Premises Licence that was held by Mr Aravind Srikanthan and had the following hours:

Sale by Retail of Alcohol

Monday to Sunday 07:00 to 23:00

Hours Open to the Public

Monday to Sunday 07:00 to 23:00

- 2.2 On 15 May 2013, 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 The grounds on which the Licence was revoked was that an illegal immigrant was found to be working at the premises.

3.0 APPLICATION

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

Sale by Retail of Alcohol

Sunday to Saturday 08:00 to 22:00

The applicant has indicated that the sale of alcohol will be for consumption off the premises only.

Hours Open to the Public

Sunday to Saturday 08:00 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.

5.0 RELEVANT REPRESENTATIONS

- 5.1 The following Representations have been received in respect of the above application.

Local Resident

A representation has been received from a local resident. A petition has also been received signed by 151 local residents. The representation and petition relate to public nuisance being caused by Street Drinkers within the vicinity of the premises and concerns that if the application is granted public nuisance will increase. A copy of the representation and the petition are available.

Merseyside Police

A representation has been received from Merseyside Police. The representation from Merseyside Police relates to a current problem with street drinkers within the vicinity of the premises. Merseyside Police have concerns that the Licensing Objectives will not be upheld if the application is granted. 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
Public Health
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**
Licensing Team Leader
telephone: 0151 691 8478
email: richardleyland@wirral.gov.uk

APPENDICES

- Application for a Premises Licence
- Representation received from a Local Resident and a Petition
- Representation received from Merseyside Police

REFERENCE MATERIAL

- None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

Location plan of Premises



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