

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

24 APRIL 2014

SUBJECT:	APPLICATION FOR 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 for the grant of a Premises Licence under the provisions of the Licensing Act 2003. The application is made by **Markandu Nesarasa** and relates to the premises located at **43 Woodchurch Road, Birkenhead**.

2.0 BACKGROUND AND KEY ISSUES

- 2.1 These premises do not currently have a Premises Licence.

3.0 APPLICATION

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

Sale by Retail of Alcohol

Sunday to Saturday 06:00 to 23:00

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 06:00 to 23:00

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 Residents

Representations have been received from seven local residents. A petition has also been received signed by 268 local residents. The representations and petition relate to concerns that anti-social behaviour will increase within the vicinity of the premises if this application is granted. Representations also express concerns regarding young persons under the age of 18 gaining access to alcohol. Copies of the representations and petition are available.

Wirral Licensing Authority

A representation has been received from the Licensing Authority. The Licensing Authority has advised that the crime and disorder objective has been undermined by the applicant at another premises where he is currently the Licence holder and Designated Premises Supervisor. The Licensing Authority have evidence that the premises has been selling alcohol outside the hours permitted on the Premises Licence on a number of occasions. The Licensing Authority has concerns that if a Licence is granted to the applicant at these premises then this may result in further breaches being committed and the Licensing Objectives will be undermined. A copy of the representation is 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

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:

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APPENDICES

- Application for a Premises Licence
- Representations received from Local Residents
- Representation received from Wirral Licensing Authority
- Representation received from Merseyside Police

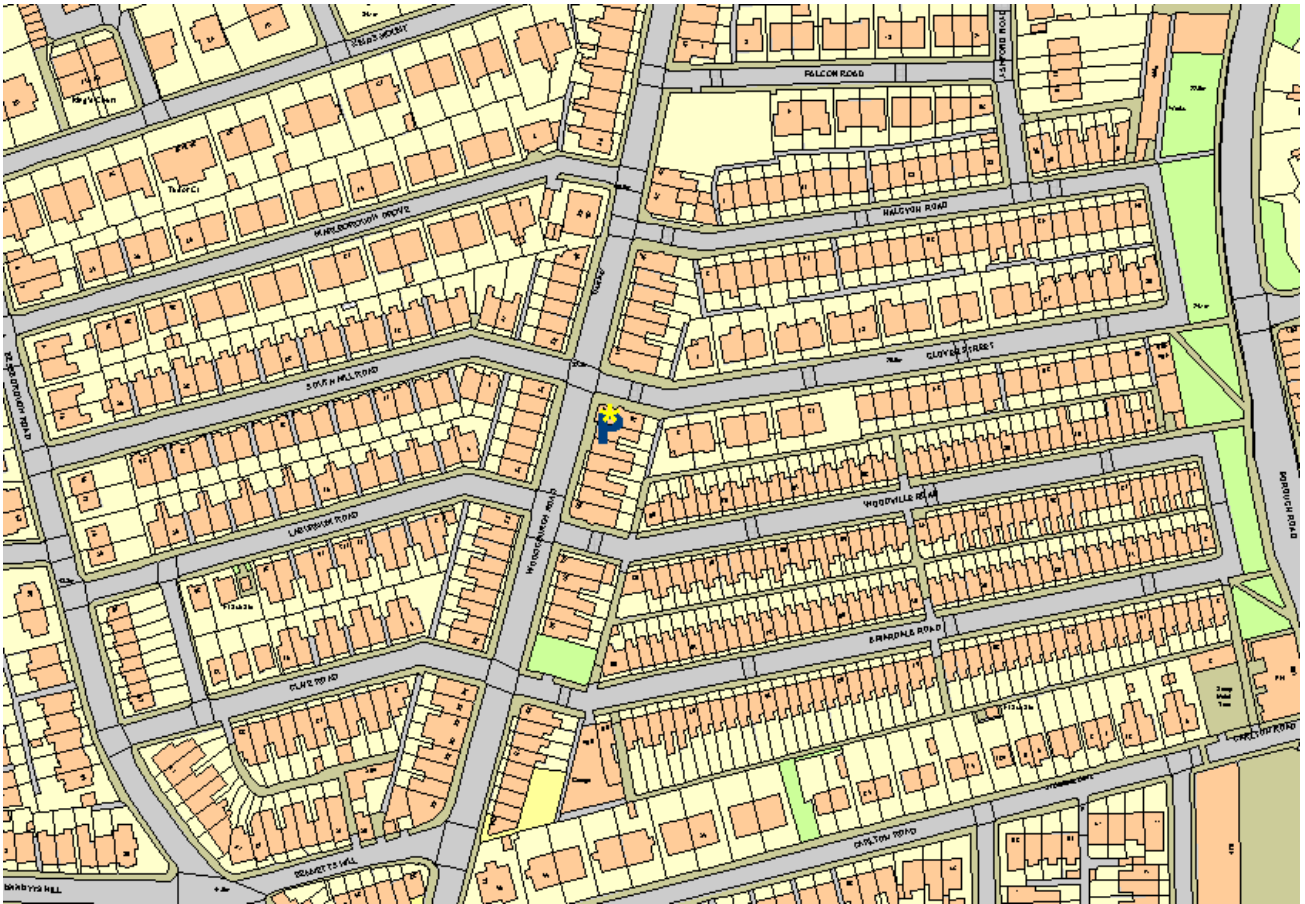
REFERENCE MATERIAL

- None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

Location plan of Premises



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