

# WIRRAL COUNCIL

## LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

8 MAY 2014

<b>SUBJECT:</b>	<b>APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003</b>
<b>WARD AFFECTED:</b>	<b>CLAUGHTON WARD</b>
<b>REPORT OF:</b>	<b>STRATEGIC DIRECTOR OF REGENERATION &amp; ENVIRONMENT</b>
<b>KEY DECISION?</b>	<b>NO</b>

### 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 **Martin McColl Limited** and relates to the premises known as **Martins, 389 Upton Road, Noctorum**.

### 2.0 BACKGROUND AND KEY ISSUES

2.1 These premises are currently trading as a convenience store but do not have a Premises Licence.

### 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 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 Business / Residents**

A representation has been received from a local business. A petition has also been received signed by 94 local residents. The representation and petition relate to concerns of public nuisance caused by youths within the vicinity of the premises which is currently a problem.

### **Merseyside Police**

A representation has been received from Merseyside Police. The representation from Merseyside Police relates to a current problem of anti-social behaviour caused by youths within the vicinity of the premises. Merseyside Police have concerns that if the application is granted that anti-social behaviour will increase. Furthermore, Merseyside Police consider that the Operating Schedule detailed within the application does not sufficiently demonstrate how crime and disorder will be prevented at these premises in the future.

### **Environmental Health (Health and Safety)**

A representation has been received from Environmental Health. The representation relates to the prevention of crime and disorder and public safety.

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 (Pollution Control)  
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**

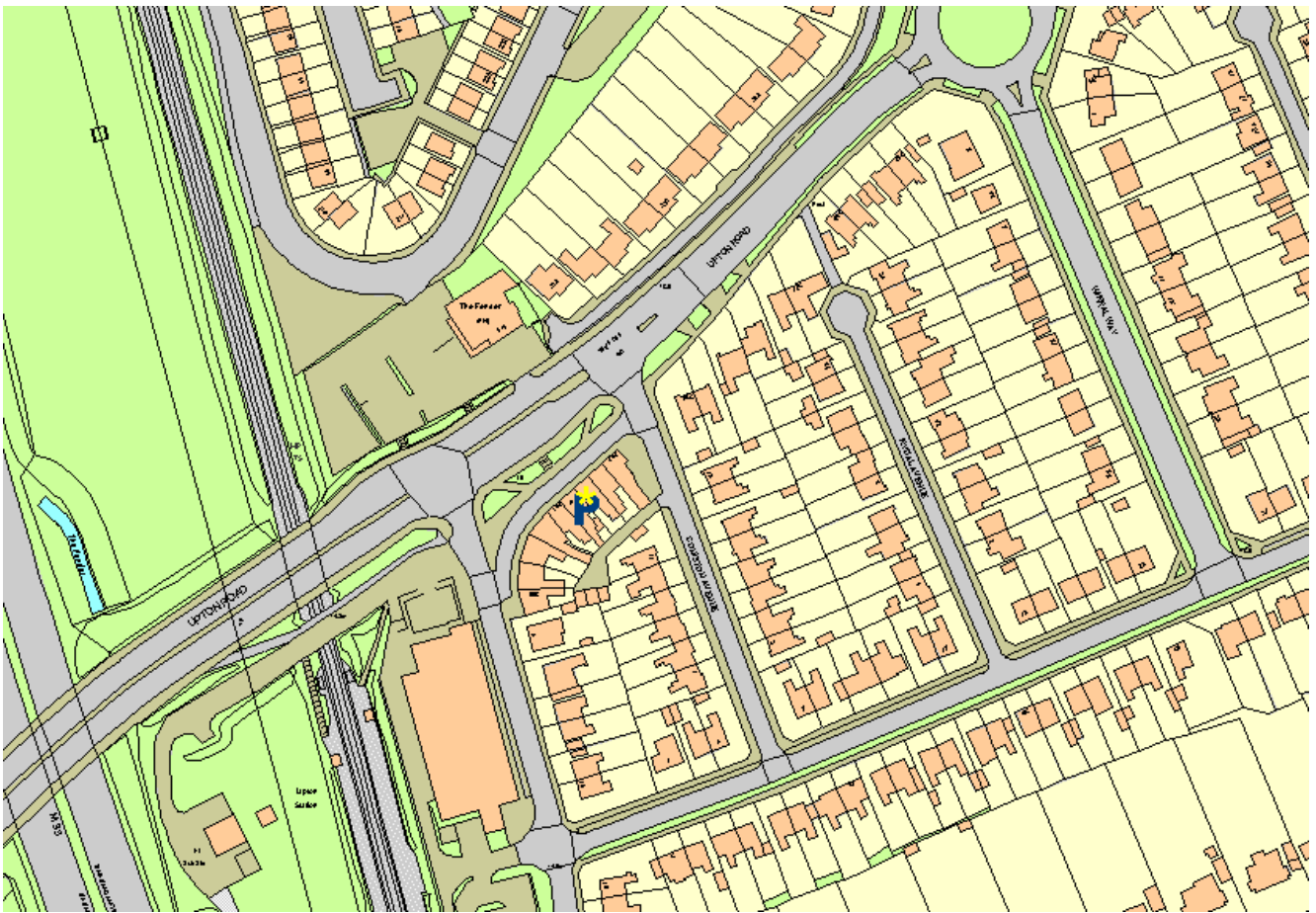
16.1 It is a statutory requirement for this Committee to determine the application due to relevant representations received.

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**SUBJECT HISTORY (last 3 years)**

Council Meeting	Date

## Location plan of Premises



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