

# WIRRAL COUNCIL

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

2 October 2014

<b>SUBJECT:</b>	<b>APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003</b>
<b>WARD AFFECTED:</b>	<b>BIRKENHEAD AND TRANMERE 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 a Premises Licence under the provisions of the Licensing Act 2003. The application is made by **Vigi Paskar** and relates to the premises known as **Today's Birkenhead, 65-67 Oxtan Road, Birkenhead**.

### 2.0 BACKGROUND AND KEY ISSUES

2.1 These premises currently have a Premises Licence for the following hours.

#### **Sale by Retail of Alcohol**

Monday to Saturday      11:00 to 23:00  
Sunday                      12:00 to 22:30

Good Friday                12:00 to 22:30  
Christmas Day              12:00 to 15:00 and 19:00 to 22:30

2.2 The Premises Licence permits the sale of alcohol for consumption on and off the premises.

2.3 These premises are currently closed. The premises previously traded as a Public House.

2.4 The applicant is seeking a substantial variation to the Premises Licence which will include the premises supplying alcohol for consumption off the premises only. In these circumstances the applicant has decided to submit an application for the grant of a 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                      10:00 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                      07:00 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 application be granted.

### **5.0 RELEVANT REPRESENTATIONS**

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

#### **Local Residents**

In respect of this application two representations have been received from Local Residents who are against the application. A petition signed by 388 residents has also been received. The representations relate to public nuisance and anti-social behaviour being caused by Street Drinkers within the vicinity of the premises and concerns that if the application is granted public nuisance and anti-social behaviour will increase. Copies of the representations and petition are available.

A representation has also been received from Birkenhead and Tranmere Ward Councillors, Councillor Stapleton and Councillor Davies. The representation supports the concerns expressed by local residents. A copy of the representation is available.

A petition containing 187 signatures signed by customers attending the premises has also been received who are in support of the application. A copy of this petition is available.

## **Merseyside Police**

A representation has been received from Merseyside Police. The representation relates to the fact that the premises are located in an area which is highlighted as Wirral's number one hotspot for anti-social behaviour. Merseyside Police are concerned that if the application is granted then there will be an increase in alcohol related crime and disorder. 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  
Licensing Authority  
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 OUTSTANDING PREVIOUSLY APPROVED ACTIONS**

- 9.1 There are no previously approved actions outstanding.

## **10.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

- 10.1 There are no specific implications arising from this report.

## **11.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

- 11.1 There are no specific implications arising from this report.

## **12.0 LEGAL IMPLICATIONS**

- 12.1 A decision of this Committee can be subject to Appeal.

## **13.0 EQUALITIES IMPLICATIONS**

- 13.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No because there is no relevance to equality.

#### **14.0 CARBON REDUCTION AND ENVIRONMENTAL IMPLICATIONS**

14.1 There are no specific implications arising from this report.

#### **15.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

15.1 There are no Planning implications arising from this report.

#### **16.0 RECOMMENDATIONS**

16.1 The Licensing Act 2003 Sub-Committee are asked to consider the application for a Premises Licence in respect of the above premises.

#### **17.0 REASONS FOR RECOMMENDATIONS**

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

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#### **APPENDICES**

- None

#### **BACKGROUND PAPERS/REFERENCE MATERIAL**

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

#### **BRIEFING NOTES HISTORY**

- None

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

<b>Council Meeting</b>	<b>Date</b>

# Location plan of Premises

