

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

31 October 2014

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| SUBJECT: | APPLICATION TO VARY A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003 |
| WARD AFFECTED: | OXTON |
| 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 **Wine Cellar Trading Limited** and relates to the premises known as **Simply Drinks, 27a Rose Mount, Oxton**.

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 10:00 to 22:30

Christmas Day 12:00 to 15:00 and 19:00 to 22:30
Good Friday 08:00 to 22:30

- 2.2 These premises do not currently have a restriction in relation to the hours open to the public.

3.0 APPLICATION

- 3.1 The application to vary the Premises Licence is as follows:

Hours Open to the Public

Sunday to Saturday 06:00 to 23:00

- 3.2 The applicant originally requested for the sale of alcohol to commence from 06:00, seven days a week and to cease at 23:00 on Sundays. Following

discussions with Merseyside Police, this application has been amended so that the request to extend the sale by retail of alcohol has been withdrawn.

- 3.3 Residents who submitted representations in relation to the original application have been advised of the amendment to the application and wish to continue with their representation in relation to the opening hours.

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, six representations have been received from Local Residents. The representations relate to noise nuisance caused by customers of these premises and other licensed premises within the vicinity of these premises which is currently a problem and concerns that if this application is granted, this will add to these problems. Copies of the representations are 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
Merseyside Police
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 to vary 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 to vary a Premises Licence
- Representations received from local residents

BRIEFING NOTES HISTORY

- None

SUBJECT HISTORY (last 3 years)

| Council Meeting | Date |
|------------------------|-------------|
| | |

Location plan of Premises



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