

LICENSING ACT 2003**LICENSING ACT 2003 SUB-COMMITTEE****28 APRIL 2016**

REPORT TITLE	APPLICATION TO REVIEW A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
REPORT OF	ASSISTANT CHIEF EXECUTIVE

REPORT SUMMARY

The purpose of this report is to consider an application for the review of a Premises Licence under the provisions of the Licensing Act 2003. The application is made by Trading Standards and relates to the premises known as RS Food and Wine, 52 Derby Road, Tranmere.

RECOMMENDATION/S

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

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

1.1 It is a statutory requirement for this Committee to determine the application.

2.0 OTHER OPTIONS CONSIDERED

2.1 There is no provision for other options to be considered.

3.0 BACKGROUND INFORMATION

3.1 These premises currently have a Premises Licence with the following Licensable Activity:

Sale by Retail of Alcohol

Sunday to Saturday 08:00 to 23:00

Hours Open to the Public

Sunday to Saturday 08:00 to 23:00

3.2 The Licensing Act 2003 Sub-Committee may, having regard to the application for review and any relevant representations, take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- Modify the Conditions of the Licence.
- Exclude a licensable activity from the scope of the Licence.
- Remove the Designated Premises Supervisor.
- Suspend the Licence for a period not exceeding three months.
- Revoke the Licence.

The licensing authority may decide that no action is appropriate if it finds that the review does not require it to take any steps that are appropriate to promote the licensing objectives.

3.3 APPLICATION

An application has been received from Trading Standards to review the Premises Licence for the premises known as RS Food and Wine. The grounds for review are in relation to counterfeit alcohol being sold at the premises.

Further information to support the above grounds for review is included within the application which is available.

3.4 RELEVANT REPRESENTATIONS

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

Wirral Licensing Authority

A representation has been received from Wirral Licensing Authority who are in support of the application made by Trading Standards. Following a recent inspection at the premises by Licensing Enforcement Officers, a number of breaches of the Premises Licence were identified. A copy of the representation is available.

Environmental Health

A representation has been received from Environmental Health in support of the application made by Trading Standards who consider that the Prevention of Crime and Disorder and the Public Safety Licensing Objectives are being undermined by the Premises Licence Holder. A copy of the representation is available.

Public Health

A representation has been received from Public Health who are in support of the application made by Trading Standards who consider that all four licensing objectives are being undermined by the Premises Licence Holder. A copy of the representation is available.

Local Residents

In respect of this application, the Premises Licence Holder has submitted four letters of support by local residents. Two petitions, containing a total number of 35 signatures, have also been received signed by local residents who are in support of the premises. Copies of the representations and petitions are available.

- 3.6 There have been no representations received from the following Responsible Authorities:

Wirral Safe Guarding Children Board
Planning Authority
Fire Authority

4.0 FINANCIAL IMPLICATIONS

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

5.0 LEGAL IMPLICATIONS

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

6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

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

7.0 RELEVANT RISKS

- 7.1 There are none arising directly from this report.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 Statutory consultation has been undertaken in respect of this application.

9.0 EQUALITY IMPLICATIONS

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

No because there is no relevance to equality.

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APPENDICES

None

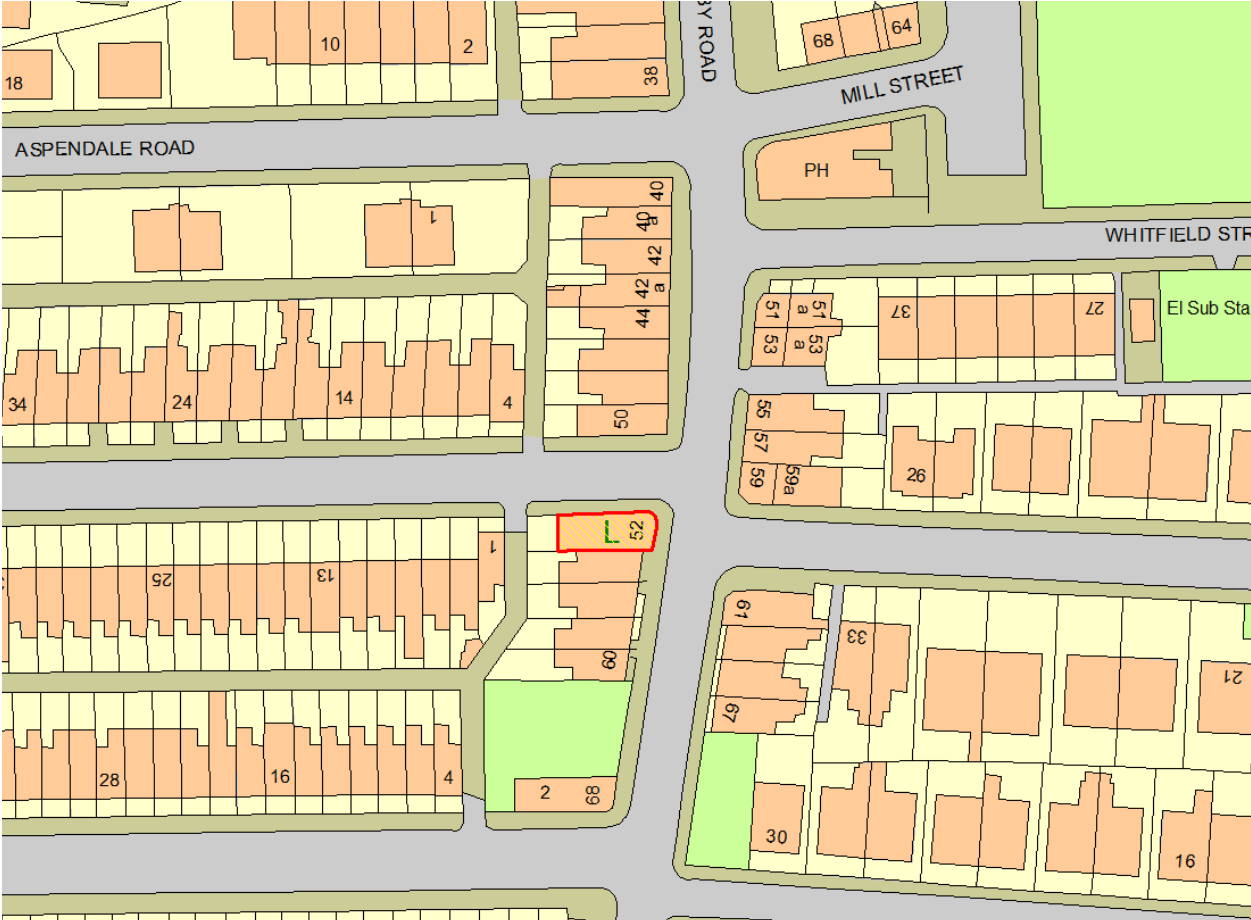
REFERENCE MATERIAL

- Application to Review a Premises Licence
- Representation received from Wirral Licensing Authority
- Representation received from Environmental Health
- Representation received from Public Health
- Representations received in support of premises

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

Location of Premises



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