

LICENSING ACT 2003**LICENSING ACT 2003 SUB-COMMITTEE****13 OCTOBER 2016**

REPORT TITLE	APPLICATION FOR 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 a Premises Licence under the provisions of the Licensing Act 2003. The application is made by **Jakleen Hanna** and relates to the premises known as **Pizza Magic, 57 Market Street, Birkenhead**.

RECOMMENDATION/S

The Licensing Act 2003 Sub-Committee are asked to consider the application for a 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 due to relevant representations received.

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 previously had a Premises Licence which lapsed on 31 May 2016 due to the Premises Licence holder, Hanna Trading Limited, being dissolved. The hours permitted by this Premises Licence were as follows:

Late Night Refreshment

Monday to Thursday	23:00 to 00:00
Friday to Sunday	23:00 to 01:00

Hours Open to the Public

Monday to Thursday	16:00 to 00:00
Friday to Sunday	16:00 to 01:00

- 3.2 On 17 August 2016, a planned inspection was due to be undertaken at the premises. A Licensing Enforcement Officer checked Companies House and noted that the Company that held the Premises Licence had dissolved. A visit was made to the premises on 17 August 2016 and Jakleen Hanna, who was a Director of Hanna Trading Limited, was advised that the Premises Licence had lapsed due to her company being dissolved.

3.3 APPLICATION

The application for a Premises Licence is as follows:

Late Night Refreshment

Sunday to Thursday	23:00 to 00:00
Friday and Saturday	23:00 to 01:00

Hours Open to the Public

Monday to Thursday	16:00 to 00:00
Friday to Sunday	16:00 to 01:00

- 3.4 Following discussions with Merseyside Police, the Applicant has agreed to the following conditions to be placed on the Premises Licence if this application is granted:

- CCTV must be installed at the premises within three months of the Premises Licence being granted and provided in the form of a recordable system, capable of providing images of evidential quality in all lighting conditions.
- CCTV cameras must cover the entrance/exit to the premises and all areas where the public have access to. An external camera must cover the front of the premises.

- The CCTV equipment must be maintained in good working order and checked every 12 months. The system must record in real time and operate whilst the premises are open for licensable activities. The recordings must be kept available for a period of 31 days and handed to Police on request. There must be sufficient members of trained staff available to be able to download evidence with the minimum of delay.
- The CCTV recording equipment must be kept in a secure environment under the control of the Premises Licence Holder or other responsible named individual.
- Notices must be displayed informing customers that CCTV is in operation.

3.5 PROMOTION OF LICENSING OBJECTIVES

Applicants are required to submit as part of their application an operating schedule that sets out how they will conduct/manage their business to promote the four Licensing Objectives. A copy of the full application is available.

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.

3.6 RELEVANT REPRESENTATIONS

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

Local Residents

In respect of this application, a representation has been received from a Local Resident. A representation has also been received from the Hoylake Residents Forum. The representations relate to concerns that public nuisance will be caused if the application is granted with the hours requested. Copies of the representations are available.

Planning Authority

A representation has been received from the Planning Authority. The Planning Officer has advised that if this application is granted then this would undermine the Licensing Objectives relating to the prevention of public nuisance and the prevention of crime and disorder. A copy of the representation is available.

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

Wirral Safe Guarding Children Board
 Fire Authority
 Licensing Authority
 Environmental Health
 Trading Standards
 Public Health

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 for a Premises Licence
- Representations received from Local Residents
- Representation received from the Planning Authority

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

Location of premises



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