

**LICENSING ACT 2003****LICENSING ACT 2003 SUB-COMMITTEE****8 DECEMBER 2016**

<b>REPORT TITLE</b>	<b>APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003</b>
<b>REPORT OF</b>	<b>MANAGING DIRECTOR FOR DELIVERY</b>

**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 **ABI Express Limited** and relates to the premises known as **ABI Express, 10-12 Grange Road West, 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 do not have a Premises Licence and are currently closed.

### **3.2 APPLICATION**

The application for a Premises Licence is as follows:

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

Sunday to Saturday                      09:00 to 23:00

#### **Hours Open to the Public**

Sunday to Saturday                      07:00 to 23:00

### **3.3 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.

### **3.4 RELEVANT REPRESENTATIONS**

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

#### **Merseyside Police**

A representation has been received from Merseyside Police who believe that the granting of a Premises Licence for this store will add to the existing alcohol related anti-social behaviour suffered in the area. A copy of the representation is available.

#### **Licensing Authority**

A representation has been received from the Licensing Authority who have concerns with the application as premises are located within an area where known street drinkers congregate and cause anti-social behaviour. A copy of the representation is available.

## **Public Health**

A representation has been received from Public Health which relates to concerns that an increase in the availability of alcohol at this particular location where deprivation is high and the density of licensed premises is high could undermine each of the four Licensing Objectives. A copy of the representation is available.

## **Ward Councillors / Local Resident**

In respect of this application, representations have been received from Ward Councillors. The representation received from Councillor Stapleton has been submitted as a Ward Councillor and a Local Resident. The representations relate to anti-social behaviour within the vicinity of these premises particularly that caused by street drinkers. The representations also relate to the cumulative impact of licensed premises in the area where these premises are located. Copies of the representations are available.

## **Local Businesses**

Representations have been received from the proprietors of the 10 O'Clock Shop, 18 Grange Mount, Birkenhead, Go Local, Claughton Road, Birkenhead and from Grange News, Grange Road West, Birkenhead, which are located within the vicinity of ABI Express. The representations relate to concerns of alcohol related anti-social behaviour and noise nuisance which they consider is currently a problem within the vicinity of the premises. Copies of the representations are available.

## **Wirral Chamber of Commerce**

A representation has been received from the Wirral Chamber of Commerce who refer to action they are currently undertaking relating to alcohol related anti-social behaviour caused by street drinkers and other individuals which is currently a problem within the vicinity of the premises. A copy of the representation is available.

## **Wirral Ways to Recovery**

A representation has been received from Wirral Ways to Recovery due to anti-social behaviour being caused by street drinkers which is currently a problem within the vicinity of the premises who consider that if this application is granted then this will add to the current problems of anti-social behaviour within the vicinity of these premises. A copy of the representation is available.

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

Wirral Safe Guarding Children Board  
Fire Authority  
Environmental Health  
Trading Standards

## **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 Responsible Authorities and other persons

## SUBJECT HISTORY (last 3 years)

Council Meeting	Date

## Location of premises



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