

**LICENSING ACT 2003****LICENSING ACT 2003 SUB-COMMITTEE****25 JANUARY 2018**

<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 **Mr Prauly Augustin** and relates to the premises located at **92A Lansdowne Road, 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 being 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 currently have a premises licence and are not currently operating.
- 3.2 According to the Planning Permission granted to these premises, the following condition in relation to hours has been imposed on the premises:

- The premises hereby authorised shall be closed between the hours of 22:00 hours and 07:00 hours, Monday to Sunday.

### **3.3 APPLICATION**

The application for a Premises Licence is as follows:

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

Sunday to Saturday                      07:00 to 23:00

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

Sunday to Saturday                      06:00 to 23:00

### **3.4 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.

### **3.5 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 have concerns with the application as the area within the vicinity of the premises suffers from significant crime and anti-social behaviour and if this application is granted it is considered that the premises will impact on this. A copy of the representation is available.

### **Wirral Anti-Social Behaviour Team**

A representation has been received from the Wirral Anti-Social Behaviour Team who have concerns with the application. It is their view that the premises is located within an area known for high level anti-social behaviour. The Wirral Anti-Social Behaviour Team considers that if the application is granted then the premises will be another location for people to congregate and cause anti-social behaviour. A copy of the representation is available.

### **Magenta Living**

A representation has been received from Magenta Living who, as the owner of most of the properties within the area, have concerns with alcohol being sold from these premises. The concerns relate to a high level of anti-social behaviour which they state is currently an issue within the vicinity of the premises. A copy of the representation is available.

### **North Birkenhead Development Trust**

A representation has been received from North Birkenhead Development Trust who have concerns with the application due to what they consider an existing problem of anti-social behaviour within the vicinity of the premises which they consider will be exacerbated if this application is granted. A copy of the representation is available.

### **Ward Councillors**

In respect of this application, a representation has been received from Ward Councillors, Councillor Brian Kenny and Councillor Julie McManus. The representations relate to an existing problem of anti-social behaviour within the vicinity of the premises caused by individuals including Street Drinkers. Copies of the representations are available.

### **Local Residents**

In respect of this application, three representations have been received from Local Residents, together with two petitions signed by a total of 214 local residents. The representations relate to anti-social behaviour caused by gangs of youths and intoxicated individuals which the residents advise is currently a problem within the vicinity of the premises. A copy of the representation is available.

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

Wirral Safe Guarding Children Board  
Fire Authority  
Environmental Health  
Trading Standards  
Licensing 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 for a Premises Licence
- Representations received from Merseyside Police and Other Persons

**SUBJECT HISTORY (last 3 years)**

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

# Location of premises



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