

LICENSING ACT SUB-COMMITTEE**12 MARCH 2025**

REPORT TITLE	APPLICATION TO VARY A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
REPORT OF	DIRECTOR OF LAW AND CORPORATE SERVICES

REPORT SUMMARY

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 **Mr Abbasin Sahapoor** and relates to the premises known as **Go Local Extra, 214 Bebington Road, Rock Ferry, Wirral, CH42 4QF**.

RECOMMENDATION

The Licensing Act Sub-Committee is asked to determine an application to vary a Premises Licence in respect of the above premises having regard to the representations made in respect of the application.

SUPPORTING INFORMATION

1.0 REASON FOR RECOMMENDATION

- 1.1 It is a statutory requirement for this Sub-Committee to determine the application to vary the licence due to relevant representations being received.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 There is no provision for other options to be considered due to relevant representations having been received.

3.0 BACKGROUND INFORMATION

- 3.1 These premises currently have a Premises Licence with the following permitted hours:

Sale by Retail of Alcohol for consumption Off the premises

Sunday to Saturday 07:00 to 23:00

Hours Open to the Public

Sunday to Saturday 07:00 to 23:00

4.0 APPLICATION

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

Sale by Retail of Alcohol for consumption Off the premises

Sunday to Saturday 07:00 to 01:00

Hours Open to the Public

Sunday to Saturday 07:00 to 01:00

- 4.2 The application is also to vary the Premises Licence in relation to the layout of the premises. The current plan and the proposed updated plan of the premises is available.

- 4.3 The Licence Holder has also requested to remove the following condition from the Premises Licence:

- There must always be a member of staff on duty at the premises who holds a Personal Licence.

5.0 RELEVANT REPRESENTATIONS

5.1 Local Residents

In respect of this application, 21 representations have been received from local residents. The representations relate to concerns that if this application is granted, in relation to the increased hours and the removal of the condition which requires there to be a member of staff on duty at the premises who holds a Personal Licence, the residents consider that this will result in anti-social behaviour at a late hour within the vicinity of the premises. Copies of the representations are available.

Ward Councillor

A representation has been received from Ward Councillor Craig Walsh-McDonald who has concerns that if the application is granted this will lead to anti-social behaviour at a late hour. A copy of the representation is available.

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

Wirral Safeguarding Children Board
Fire Authority
Trading Standards
Public Health
Licensing Authority
Environmental Health
Planning Authority
Merseyside Police

6.0 FINANCIAL IMPLICATIONS

6.1 There are no specific implications arising from this report.

7.0 LEGAL IMPLICATIONS

7.1 Section 18(3) of The Licensing Act 2003 provides that where relevant representations are made, the authority must hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and having regard to the representations, take such steps as it considers appropriate for the promotion of the licensing objectives.

7.2 Section 4 of the Licensing Act 2003 provides that the Licensing Authority must carry out its functions under this Act with a view to promoting the licensing objectives which are:

- (a) the prevention of crime and disorder;
- (b) public safety;
- (c) the prevention of public nuisance; and
- (d) the protection of children from harm

and that in carrying out its licensing functions the Licensing Authority must have regard to its licensing statement published under section 5 of the Licensing Act 2003, and any guidance issued by the Secretary of State under section 182 of the Licensing Act 2003.

7.3 The Licensing Authority has a duty to ensure that premises are operated in accordance with the Licensing Act 2003 Licensing Objectives. If the Licensing Objectives are undermined this could result in the Premises Licence being reviewed.

8.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

8.1 There are no specific implications arising from this report.

9.0 RELEVANT RISKS

9.1 There are none arising directly from this report.

10.0 ENGAGEMENT/CONSULTATION

10.1 Statutory consultation has been undertaken in respect of this application.

11.0 EQUALITY IMPLICATIONS

11.1 In determining the application the Sub-Committee must have regard to the Public Sector Equality Duty under the Equality Act 2010.

12.0 ENVIRONMENT, BIODIVERSITY AND CLIMATE IMPLICATIONS

12.1 There are none arising from the content of this report.

13.0 COMMUNITY WEALTH IMPLICATIONS

13.1 There are no community wealth implications arising directly from this report.

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APPENDICES

None

BACKGROUND PAPERS

- Application to vary a Premises Licence
- Representations received from Local Residents
- Representation received from a Ward Councillor
- Wirral Council's Statement of Licensing Policy
- Statutory Guidance issued under Section 182 of the Licensing Act 2003
- The Licensing Act 2003
- The Equality Act 2010

TERMS OF REFERENCE

This report is being considered by the Licensing Act Sub-Committee who are delegated to determine such matters in accordance with Section 9.3 of the Licensing Act Committee's Terms of Reference referred to in Part 3, Section B of the Council's constitution.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Licensing Act Sub-Committee	15 April 2024