

LICENSING SUB-COMMITTEE

**MEETING HELD AT THE ASSEMBLY HALL - BOOTLE TOWN HALL,
TRINITY ROAD, BOOTLE, L20 7AE
ON THURSDAY 16TH JUNE, 2022**

PRESENT: Councillor Susan Bradshaw (in the Chair)
Councillors O'Brien and Lynne Thompson

10. APPOINTMENT OF CHAIR

RESOLVED:

That Councillor Bradshaw be appointed as Chair for this meeting of the Sub-Committee.

11. DECLARATIONS OF INTEREST

No declarations of any disclosable pecuniary interests or personal interests were received.

12. LICENSING ACT, 2003 – PREMISES LICENCE - GRANT - SLA FOOD & WINE, 97-99 ST JOHNS ROAD, WATERLOO L22 9QD

The Sub-Committee considered the report of the Head of Highways and Public Protection regarding an application by Mr Amarasingam Jeyanathan for the Grant of a Premises Licence in respect of the above premises.

Several letters of objection to the application had been received from members of the public and a petition had also been received and this necessitated a hearing for which the Sub-Committee had been convened.

Councillor Judy Hardman was present as an observer.

The Sub-Committee heard representations from Mr Ian Rushton, Licensing Consultant and Mr Amarasingam Jeyanathan, the applicant, in support of the application.

The Sub-Committee also heard representations from several members of the public objecting to the application.

At the end of their representations, Mr Ian Rushton, Mr Amarasingam Jeyanathan and the objectors confirmed that they were satisfied they had said all they wished to say.

The Sub-Committee retired under Regulation 14(2) of the Licensing Act (Hearings) Regulations 2005 (as amended) and thereby excluded the

press and public whilst they reached their decision on the application. The Sub-Committee returned to give their decision in public.

Decision

RESOLVED: That

The Application for the Grant of a Premises Licence in respect of SLA Food & Wine, 97-99 St Johns Road, Waterloo L22 9QD, be granted subject to the hours set out below and the conditions contained within the operating schedule.

<u>The sale of alcohol by retail (off the premises)</u>	
Days of Operation	Hours of Operation
Monday to Sunday	06.00am to 11.00pm

<u>Hours open to the public</u>	
Days of Operation	Hours of Operation
Monday to Sunday	06.00am to 11.00pm

Reasons:

The Sub-Committee heard from the Applicant and considered the written and oral representations of local residents objecting to the application. The Sub-Committee acknowledged the respect and co-operation shown during this hearing by both the local residents and the Applicant.

The Sub-Committee noted that the Applicant reduced the hours open to the public and the hours of sale by retail off the premises from Monday to Sunday 06.00am to 11.00pm and had withdrawn their application for the provision of late night refreshment.

Upon the assurances given by the Applicant in respect of the time of deliveries, and the extension to the licensed premises two objectors withdrew their representations.

The Sub-Committee note that this application is for the grant of a new Premises Licence, and they are bound to have regard to the appropriate Legislation, Guidance and to Sefton Council's own Statement of Licensing Policy. The Sub-Committee cannot impose conditions that are, or could be considered disproportionate, overly burdensome, or purely aspirational. Policy provides that shops, stores, and supermarkets will generally be permitted to sell alcohol for consumption off the premises throughout the hours they intend to open unless there are good reasons, based on the licensing objectives, for restricting those hours.

The Sub-Committee in considering the potential increase of crime and disorder in the area are directed by statutory guidance to look to the Police as their main source of advice.

The Sub-Committee is cognisant of the fact that no representations were received in response to the application from the Police or any other Responsible Authorities.

Statutory guidance makes clear that in considering public nuisance, the actions of individuals beyond the immediate area surrounding the premises are matters for the personal responsibility of those individuals under the law. However, the Applicant has proposed conditions which seek to monitor and combat issues of nuisance in the area immediately outside of these premises, including in respect of congregating youths and the proper disposal of litter.

Whilst the Sub-Committee has sympathy for the local residents' concerns it has not heard or received any evidence that these concerns will occur as a result of the alcohol licence being granted and cannot impose purely aspirational conditions in the absence of any evidence.

The Sub-Committee is satisfied that the Applicant has sufficient knowledge and experience of the licensing trade and has shown their respect for local residents and the community in attempts to engage with the interested parties both prior to and during today's hearing. The Sub-Committee is pleased to note this and hopes that this will continue into the future.

The Sub-Committee concluded that should any concerns come to fruition, in respect of this premises, the interested parties would have the right to request a Review of the Premises Licence.