

LICENSING SUB-COMMITTEE

**MEETING HELD AT THE COMMITTEE ROOM - BOOTLE TOWN HALL,
TRINITY ROAD, BOOTLE, L20 7AE
ON THURSDAY 5TH JANUARY, 2023**

PRESENT: Councillor John Kelly (in the Chair)
Councillors Bradshaw and Lynne Thompson

29. APPOINTMENT OF CHAIR

RESOLVED:

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

30. DECLARATIONS OF INTEREST

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

31. LICENSING ACT, 2003 – PREMISES LICENCE - GRANT - LOCAL EXPRESS, 52A ASH STREET, SOUTHPORT PR8 6JF

The Sub-Committee considered the report of the Assistant Director of Place (Highways and Public Protection) regarding an application by Mr Florea Circiumaru for the Grant of a Premises Licence in respect of the above premises.

Two letters of objection to the application had been received from members of the public and this necessitated a hearing for which the Sub-Committee had been convened. None of the objectors were present at the meeting.

The Sub-Committee heard representations from Mrs June Clark, Applicant Representative, in support of the application.

At the end of her representation, Mrs June Clark confirmed that she was satisfied that she had said all he 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 Local Express, 52A Ash Street, Southport, PR8 6JF, be granted subject to the hours set out in the operating schedule.

<u>Hours premises to be open to the public</u>	
Days of Operation	Hours of Operation
Monday to Sunday	06.00 to 23.00

<u>The sale of alcohol by retail (off the premises)</u>	
Days of Operation	Hours of Operation
Monday to Sunday	06.00 to 23.00

Reasons:

The Sub-Committee has received representations from the Applicant and his agent and had considered the written representations of local residents objecting to the application.

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

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. In addition, the Sub-Committee cannot address issues that are dealt with by other statutory regimes such as planning or highways legislation

Whilst the Sub-Committee has sympathy for the local resident's 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 his respect for local residents and the community in attempts to engage with the residents. The Sub-Committee is pleased to note this and hope 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.

