

LICENSING SUB-COMMITTEE

**MEETING HELD AT THE COMMITTEE ROOM, TOWN HALL, BOOTLE
ON 12 AUGUST 2024**

PRESENT: Councillor John Kelly (in the Chair)
Councillors O'Brien and Thompson

1. APPOINTMENT OF CHAIR

RESOLVED:

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

2. DECLARATIONS OF INTEREST

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

3. LICENSING ACT 2003 - APPLICATION FOR THE GRANT OF A PREMISES LICENCE - 3-5 ALTWAY, AINTREE, LIVERPOOL L10 3JA

The Sub-Committee considered the report of the Assistant Director – Highways and Public Protection regarding an application by NEK Trading Ltd for the Grant of a Premises Licence in respect of the above premises as follows:

- The provision of late-night refreshment

| Days of Operation | Hours of Operation |
|-------------------|--------------------|
| Monday to Sunday | 23.00 to 03.00 |

- Hours premises to be open to the public

| Days of Operation | Hours of Operation |
|-------------------|--------------------|
| Monday to Sunday | 07.00 to 00.00 |

In addition to the matters outlined above, the applicant also wished the Licence to include the following non-standard timings to be applicable to all licensable activities:

For the provision of Late-Night Refreshment:

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The provision (of hot drinks/snacks) will take place inside for customers to take away and after 0000 hours will be provided via orders for delivery only.

For the provision of the Supply of Alcohol:

Alcohol sales after 00.00 hours will be provided via orders for delivery only.

Hours premises are open to the public:

The shop will close to the general public at 00.00 hours and will then focus on orders for delivery only.

The Sub-Committee was advised that since the publication of the agenda the applicant had amended his application as follows:

- The provision of late-night refreshment

| Days of Operation | Hours of Operation |
|---------------------|--------------------|
| Sunday to Thursday | 23.00 to 00.00 |
| Friday and Saturday | 00.00 to 03.00 |

Objections to the application had been received and this necessitated a hearing for which the Sub-Committee had been convened.

The Sub-Committee heard representations from:

- Mr. Ian Rushton, on behalf of the applicant, in support of the application;
- Mr. Dinesh Reid, Applicant, in support of the application; and
- two local residents; and Councillor Marion Atkinson, on behalf of local residents, objecting to the application.

All parties agreed the issues that were in contention and the procedure that was to be followed; and there were no preliminary issues raised.

During the course of the deliberations on the application the Sub-Committee adjourned for a period of 10 minutes to enable the applicant and his agent to consider issues raised by the objectors.

The applicant's agent then advised that the applicant wished to amend the application as follows:

- The provision of late-night refreshment

| Days of Operation | Hours of Operation |
|---------------------|--------------------|
| Sunday to Thursday | 23.00 to 00.00 |
| Friday and Saturday | 23.00 to 02.00 |

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- For the provision of the Supply of Alcohol:

| Days of Operation | Hours of Operation |
|---------------------|--------------------|
| Sunday to Thursday | 07.00 to 00.00 |
| Friday and Saturday | 07.00 to 02.00 |

At the end of their representations, everyone confirmed they were satisfied that 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.

RESOLVED:

That the application for the Grant of a Premises Licence in respect of 3-5 Altway, Aintree, Liverpool L10 3JA be granted subject to the hours set out below and the conditions contained in the operating schedule provided with the application:

- The provision of late-night refreshment

| Days of Operation | Hours of Operation |
|---------------------|--------------------|
| Sunday to Thursday | 23.00 to 00.00 |
| Friday and Saturday | 23.00 to 02.00 |

- Hours premises to be open to the public

| Days of Operation | Hours of Operation |
|-------------------|--------------------|
| Monday to Sunday | 07.00 to 23.00 |

and that the Licence include the following non-standard timings to be applicable to all licensable activities:

For the provision of Late-Night Refreshment:

The provision (of hot drinks/snacks) will take place inside for customers to take away and after 23.00 hours on Friday and Saturday will be provided via orders for delivery only.

- For the provision of the Supply of Alcohol:

| Days of Operation | Hours of Operation |
|---------------------|--------------------|
| Sunday to Thursday | 07.00 to 00.00 |
| Friday and Saturday | 7.00 to 02.00 |

Hours premises are open to the public:

The shop will close to the general public at 23.00 hours and on Friday and Saturday will then focus on orders for delivery only.

Reasons:

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 have shown their respect for local residents and community in attempts to engage with the interested parties at today's meeting. The Sub-Committee is pleased to note this and hope that this will continue into the future.

The Sub-Committee notes that there is no cumulative impact policy within the area and 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 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.