

BRIDGEND COUNTY BOROUGH COUNCIL
REPORT TO LICENSING ACT 2003 SUB COMMITTEE
25 NOVEMBER 2016

REPORT OF THE CORPORATE DIRECTOR OPERATIONAL AND PARTNERSHIP SERVICES

LICENSING ACT 2003: SECTION 51
APPLICATION FOR REVIEW OF PREMISES LICENCE
CABIN BAR & BREEZE NIGHTCLUB CONEY BEACH PORTHCAWL

1. Purpose of Report.

- 1.1 On 30 September 2016, an application for a Review of the Premises Licence was submitted by the Chief Officer of Police in relation to the premises known as Cabin Bar & Breeze Nightclub Coney Beach Porthcawl.

2. Connection to Corporate Improvement Plan / Other Corporate Priority.

- 2.1 None.

3. Background.

- 3.1 A copy of the application and supporting documentation is attached at Appendix A. There is a confidential section of this report containing information submitted by the Chief Officer of Police which is attached at Appendix A1.
- 3.2 The Premises Licence Holder is Patrick Evans. The Premises Licence authorises the following licensable activities during standard times as follows:

Supply of alcohol, and regulated entertainment

Monday to Saturday: 1000 to 0200 hours

Sunday: 1200 to 0030 hours

Late night refreshment

Monday to Saturday: 2300 to 0200 hours

Sunday 2300 to 0030 hours

A copy of the Premises Licence will be available at the meeting.

4. Current situation / proposal.

- 4.1 The application has been advertised in accordance with the regulations. Representations have been received from the premises licence holder's representative, Blackford's LLP which are attached at Appendix B.
- 4.2 At the time of preparing this report the Licensing Section was not aware of any further discussions or exchange of documents between the South Wales Police and the Premises Licence Holder but an update will be provided to the Committee at the start of the hearing. The authority must hold a hearing to determine this application, to consider the application and any relevant representations received.

5. Effect upon Policy Framework & Procedure Rules.

5.1 None.

6. Equality Impact Assessment.

6.1 A full Equality Impact Assessment has not been undertaken in relation to this service, however due regard has been given to the implications on persons protected by equality legislation and human rights. Adverse impact of this Legislation on the equality protected groups is very unlikely. Consideration has been given to the guidance issued to accompany the Licensing Act 2003 relating to need to eliminate duplication and conflict with existing disability legislation and to reference and highlight the Council's Race Equality Scheme, policies and codes of conduct to applicants. We do not consider, on the basis of the above, that a detailed Equality Impact Assessment is required for this service. In line with our Inclusive Equalities Scheme we will monitor for any adverse impacts that may develop.

7. Financial Implications.

7.1 None.

8. Recommendation.

8.1 The Licensing Sub-Committee must consider:-

- having regard to the application and any relevant representations, steps it considers necessary for the promotion of the licensing objectives.

8.2 The steps the Licensing Authority can take are:-

- no action;
- modify the conditions of the licence;
- and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.
- exclude a licensable activity from the scope of the licence;
- remove the designated premises supervisor;
- suspend the licence for a period not exceeding three months;
- revoke the licence;

8.3 Members must also have regard to the following: Section 11 of the statutory Guidance issued under Section 182 of the Licensing Act 2003 and Section 12 of the Council's Statement of Licensing Policy which relate to review of licences. Section 10 of the statutory Guidance relates to imposing conditions on premises licences.

Andrew Jolley
Corporate Director Operational and Partnership Services

Date: 21 November 2016

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Background documents

Application for Review of Premises Licence and Representations in response
Bridgend County Borough Council Statement of Licensing Policy: www.bridgend.gov.uk
Amended Guidance issued under Section 182 of the Licensing Act 2003 – March 2015
available at www.homeoffice.gov.uk