

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO SPECIAL LICENSING ACT 2003 SUB COMMITTEE

10 JULY 2015

REPORT OF THE ASSISTANT CHIEF EXECUTIVE LEGAL AND REGULATORY SERVICES

**LICENSING ACT 2003 : SECTION 51
APPLICATION FOR REVIEW OF PREMISES LICENCE
THE BAY, 33 THE ESPLANADE, PORTHCAWL, BRIDGEND**

1. Purpose of Report.

- 1.1 On 19 May 2015, an application for a Review of the Premises Licence was submitted by the Chief Officer of Police in relation to the premises known as The Bay, 33 The Esplanade, Porthcawl, Bridgend.

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

- 2.1 None.

3. Background.

- 3.1 A copy of the application form and background documents submitted by the Chief Officer of Police, together with a location plan is attached at Appendix A. There is a confidential section to the review application which is attached at Appendix B of this report.
- 3.2 The Premises Licence Holder is Jeffrey Jenkins. The Premises Licence authorises the supply of alcohol between 1030 and 0000 hours Sunday to Wednesday, 1030 and 0100 hours Thursday to Saturday and New Year's Eve terminal hour 0130 hours New Years Day. Live music (indoors only) between 2000 and 2300 hours Thursday to Saturday, 1300 to 1500 hours and 1930 to 2200 hours on Sundays, New Years Eve and Bank Holiday Sundays terminal hour 0100 hours. Recorded music (indoors only) between 0900 and 0030 hours Monday to Wednesday, 0900 and 0130 hours Thursday to Saturday, 1000 and 0030 hours on Sundays, New Years Eve 0130 terminal hour and Bank Holiday Sundays to 0030 terminal hour. Seasonal variation for recorded music, to commence at 0900 hours from Easter Sunday until the end of September with no change to the terminal hour.

4. Current situation / proposal.

- 4.1 The application has been advertised in accordance with the regulations. No representations have been received.
- 4.3 At the time of preparing this report the Licensing Section were aware of a discussion between the South Wales Police and the Premises Licence Holder. An update will be provided to the Committee at the start of the hearing.

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 Home Office Guidance issued under Section 182 of the Licensing Act 2003 and Section 12 of the Council's Statement of Licensing Policy which relates to review of licences. Section 10 of the Home Office Guidance which relates to imposing condition on premises licences.

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Date : 6 July 2015

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Background documents

Application for Review of Premises Licence.

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