

**BRIDGEND COUNTY BOROUGH COUNCIL**

**SPECIAL LICENSING ACT 2003 SUB-COMMITTEE**

**28 AUGUST 2015**

**REPORT OF THE ASSISTANT CHIEF EXECUTIVE LEGAL AND  
REGULATORY SERVICES**

**LICENSING ACT 2003: SECTION 34  
APPLICATION FOR VARIATION OF PREMISES LICENCE  
ROUTE 66 (FORMERLY HARWOODS), 17 COMMERCIAL STREET,  
MAESTEG, BRIDGEND**

**1.0 Purpose of Report**

1.1 This is an application for a variation of the Premises Licence in force at the above premises. Representations have been received from the South Wales Police, the Licensing Authority and the Environmental Health Department of the Council.

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

2.1 None.

**3.0 Background**

3.1 A copy of the current Licence is attached at Appendix A. A copy of the application form is attached at Appendix B, together with a location plan. A full sized copy of the plan indicating the licensed areas will be available at the meeting.

3.2 The application seeks to vary the current Licence to extend the timings for the licensable activities for the sale of alcohol, live music, recorded music, performance of dance which licensing activities are already permitted in the current premises licence at the times specified on pages 1 and 2 of the current licence.

3.3 The key features of the application are to vary the licence to extend the hours of licensable activities as follows:

Licensable activity	Current authorisation	Proposed variation
Sale by retail of alcohol	Sunday to Thursday 1000-0000 hours and Friday and Saturday 1000-0100 hours	Monday-Tuesday 1000-0200 hours Wednesday to Sunday 1000-0300 hours
Recorded music	Monday to Sunday 1000-0000 hours	Monday-Tuesday 1000-0230 hours Wednesday to Sunday 1000-0330 hours

Live Music	Monday to Sunday 1000-0000 hours	Monday-Tuesday 1000-0030 hours and Wednesday to Sunday 1000-0100 hours
Hours open to the public	Sunday to Thursday 1000-0030 hours and Friday and Saturday 1000-0130 hours	Monday –Tuesday 1000-0230 hours Wednesday 0300 hours* and Thursday to Friday 1000-0330 hours  *typographical error to be clarified by applicant.

The application also includes seasonal variations for the 14 day period before and after Christmas and for British Summertime and full details are contained within the application.

The plan attached to the application includes a new decking area on the lower ground floor which is marked as a fire exit but where no licensable activities are to take place.

3.4 The application has been advertised in accordance with the Regulations.

**4.0 Current situation / proposal**

4.1 Representations have been received from the South Wales Police, the Licensing Authority and the Environmental Health Department of the Council. Copies of the representations are attached at Appendices C, D and E, respectively, and copies of the representations have been forwarded to the applicant.

4.2 The representations raise concerns relating to the promotion of the licensing objectives in terms of the timings of licensable activities and the operating schedule. The applicant has received a copy of the representations but, at the time this report was prepared, the licensing team was not aware of any further discussions with the responsible authorities. A full hearing of this application is therefore required.

4.3 The Sub-Committee must have regard to the Council’s Statement of Licensing Policy and the Secretary of State guidance, however, the Sub-Committee must consider each application on its own merits with regard to the application and the representations made.

4.4 Sections 9 and 10 of the Home Office Guidance apply to this application. There are no specific local licensing policies applicable to this area.

## **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 Sub-Committee is asked to determine the application having regard to the Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State.

8.2 The Sub-Committee is requested to confirm whether any additional conditions are to be imposed or only those which are consistent with and set out in the operating schedule

**Andrew Jolley**

**Assistant Chief Executive Legal and Regulatory Services**

**Date: 24 August 2015**

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## **Background documents**

Application for Variation of Premises Licence

## Premises Licence

Representation notices from the Environmental Health Department of the Council, the Licensing Authority and the South Wales Police

Council's Statement of Licensing Policy available at [www.bridgend.gov.uk](http://www.bridgend.gov.uk)

Amended Guidance issued under Section 182 of the Licensing Act 2003 – March 2015 available at [www.homeoffice.gov.uk](http://www.homeoffice.gov.uk)