

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING SUB COMMITTEE

20 OCTOBER 2015

REPORT OF THE ASSISTANT CHIEF EXECUTIVE LEGAL AND REGULATORY SERVICES

**LICENSING ACT 2003: SECTION 17
APPLICATION FOR PREMISES LICENCE
MAESTEG CHARCOAL GRILL, 25 COMMERCIAL STREET
MAESTEG**

1. Purpose of Report

- 1.1 This is an application made by Maesteg Charcoal Limited for a new Premises Licence for the above premises. The premises is described as a hot food takeaway. The application seeks to licence the ground floor of the building.

2. Connection to Corporate Improvement Plan / Other Corporate Priority

- 2.1 None.

3. Background

- 3.1 A copy of the application form is attached at Appendix A together with a location plan. A full sized copy of the plan indicating the proposed licensed area will be available at the meeting.
- 3.2 The application is for a Premises Licence to authorize the provision of late night refreshment, from Monday to Sunday 2300 to 0045 hours.
- 3.3 The application has been advertised in accordance with Regulations.
- 3.4 The premises previously held a Premises Licence which was revoked by the Licensing Authority after an application for review was made.

4. Current situation / proposal.

- 4.1 Representations have been received from the South Wales Police. A copy of the representation is attached at Appendix B. A copy of the representation received has been forwarded to the applicant for consideration.
- 4.2 At the time this report was prepared the representations had not been withdrawn.
- 4.3 The Sub-Committee must have regard to the Council's Statement of Licensing Policy and the Home Office Guidance issued under Section 182 of the Licensing Act 2003. However, the Sub-Committee must consider each application on its own merits having regard to the application, the operating schedule submitted and the representations made.

4.4 Sections 2, 8, 9, and 10 of the Home Office Guidance apply to this application. There are no specific local licensing policies applicable to the Maesteg 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 Home Office.

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. Sections 10.7 to 10.10 apply to the imposition of conditions. Mandatory conditions will apply to the licence, if granted, in respect of the specification of a Designated Premises Supervisor, authorisation by personal licence holders and age verification.

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Date: 14 October 2015

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Background documents

Application for Premises Licence

Representation letters from the South Wales Police

Council's Statement of Licensing Policy available at www.bridgend.gov.uk

Amended Guidance issued under Section 182 of the Licensing Act 2003 – March 2015
available at www.homeoffice.gov.uk