

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO SPECIAL LICENSING ACT 2003 SUB COMMITTEE

23 OCTOBER 2015

REPORT OF THE ASSISTANT CHIEF EXECUTIVE LEGAL AND REGULATORY SERVICES

LICENSING ACT 2003 : SECTION 51

APPLICATION FOR REVIEW OF PREMISES LICENCE

SIMLA TANDOORI RESTAURANT, 83 – 85 BRIDGEND ROAD, ABERKENFIG, BRIDGEND

1. Purpose of Report.

- 1.1 On 4 September 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 Simla Tandoori Restaurant, 83 – 85 Bridgend Road, Aberkenfig, 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.
- 3.2 The Premises Licence Holders are Ankar Miah and Anwar Khan. The Premises Licence authorises the following licensable activities between the below times:-

Supply of Alcohol, Live Music and Recorded Music:-

Monday to Saturday : 1000 - 0000 hours

Sundays : 1200 - 2330 hours

Christmas Day: 1200 - 2330 hours

Good Friday: 1200 - 2330 hours

New Year's Eve: As per The Regulatory Reform (Special Occasions Licensing) Order 2002

Provision of Late Night Refreshment:-

Monday to Saturday : 2300 - 0000 hours

Sundays : 2300 - 2330 hours

Christmas Day: 2300 - 2330 hours

Good Friday: 2300 - 2330 hours

New Year's Eve: As per The Regulatory Reform (Special Occasions Licensing) Order 2002

4. Current situation / proposal.

- 4.1 The application has been advertised in accordance with the regulations. No representations have been received.

4.2 At the time of preparing this report the Licensing Section were not aware of any discussions between the South Wales Police and the Premises Licence Holders. 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.

Andrew Jolley
Assistant Chief Executive Legal and Regulatory Services
Date : 19 October 2015

Contact Officer: Rachel Morris
Senior Licensing & Registration Assistant

Telephone: (01656) 643110

E-mail: Rachel.Morris@bridgend.gov.uk

Postal Address Civic Offices, Angel Street, Bridgend, CF31 4WB

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