

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO SPECIAL LICENSING ACT 2003 SUB COMMITTEE

16 AUGUST 2016

REPORT OF THE CORPORATE DIRECTOR OPERATIONAL AND PARTNERSHIP SERVICES

LICENSING ACT 2003 : SECTION 17

APPLICATION FOR PREMISES LICENCE

74 PISGAH STREET KENFIG HILL TO BE KNOWN AS PISGAH CONVENIENCE STORE

1. Purpose of Report

- 1.1 This is an application made by Mr Nagarajah Nagendirarajah for a new Premises Licence for the above premises. The premises is a convenience store.

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 the proposed licence plan.
- 3.2 The application is for a Premises Licence which authorises the supply of alcohol for consumption off the premises only.

Monday to Saturday 0600 to 2200 hours

Sunday 0800 to 2000 hours

Non standard timings are applied for as follows:

Christmas Eve 0600 to 2000 hours except if Christmas Eve falls on a Sunday when the permitted hours will be 0800 to 2000 hours.

Christmas Day 0600 to 2000 hours except if Christmas Day falls on a Sunday when the permitted hours will be 0800 to 2200 hours

Good Friday 0600 to 2200 hours

The hours open to the public are those set out above

The operating schedule setting out the steps the applicant intends to promote the licensing objectives is set out in Section M boxes a) to e) of the application form. Should the premises licence be granted, these measures would be translated into

licence conditions subject to any amendments set out by the Responsible Authorities below.

3.3 The proposed designated premises supervisor is the applicant, Mr Nagarajah Nagendirajah who holds a personal licence issued by the London Borough of Redbridge.

3.4 The application has been advertised in accordance with Regulations.

4. Current situation / proposal.

4.1 Representations have been received from the Licensing Authority and Chief Officer of Police, which are set out at Appendices B and C respectively. The South Wales Police has submitted further supporting information in respect of their representations which is contained at Appendix D to the report.

4.2 At the time of preparing this report these representations had not been withdrawn and an update will be requested at the hearing.

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.

4.5 Sections 2, 8, 9 and 10 and of the Home Office Guidance apply to this application. Section 10.15, "Hours of Trading" is relevant to this application:

"Shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours."

There are no specific local licensing policies applicable to the Kenfig Hill 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. Section 10 of the Home Office Guidance relates to conditions attached to Premises Licences, Mandatory conditions will apply to the licence, if granted, in respect of the specification of a Designated Premises Supervisor, age verification policy and authorisation by personal licence holders.

Andrew Jolley

Corporate Director Operational and Partnership Services

Date: 10 August 2016

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Background documents

Application for Premises Licence

Representations from Responsible Authorities,

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