

LICENSING & GAMBLING ACTS SUB COMMITTEE
17th May 2010

DIRECTORATE OF FINANCE AND CORPORATE SERVICES
REPORT OF THE HEAD OF LEGAL & DEMOCRATIC SERVICES
– D.MICHAEL

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Licensing Act 2003 Applications			
Description: Name: Address:	Application for Premises Licence Taibach News and Booze 30 Commercial Road Taibach Port Talbot SA13 1LG	2-6 Appendix 1	Taibach

1. Application for a Premises Licence

		Wards Affected:	Taibach
Premises Name:	Taibach News and Booze		
Premises Address:	30 Commercial Road, Taibach, Port Talbot, SA13 1LG		
Applicant Name:	Kushminder Kaur Chaudry		
Applicant Address:	1 Dan Danino Way, Morriston, Swansea, SA6 6PJ		
DPS Name:	Kushminder Kaur Chaudry		
Application Date:	25/3/2010		

1.1 Licence application

The opening hours of the premises

Monday - Sunday : 05.00 – 23.30

Supply of alcohol : Off premises only

Monday to Sunday : 05.00 – 23.30

1.2 Background Information

(provided by the applicant)

Ground floor shop premises comprising of a convenience store with residential accommodation above within residential area.

1.3 Promotion of Licensing Objectives

The following information has been provided by the applicant: -

The Prevention of Crime and Disorder

- A CCTV system will be operated and maintained with the advice and the reasonable requirements of the police licensing officer including image retention and retrieval requirements.
- The Designated Premises Supervisor will provide the Police Licensing Officer with details of the system and the date the system will be commissioned.

- The CCTV system shall be recording whenever the premises are open for licensable activities.
- Recordings shall be kept for a minimum period of 31 days.
- A competent person shall be available upon request who shall be capable of providing a copy of the CCTV recordings to any investigating authority.
- The Designated Premises Supervisor shall adopt the challenge 21 policy.
- There will be CCTV in operation in the premises, in constant operation during business hours. There will be record of any crime or disorder in the premises and will be informed to police.

Public Safety

- It is not thought the application impacts upon issues in relation to public safety.

The Prevention of Public Nuisance

- It is not thought the application impacts upon issues in relation to public nuisance.

The Protection of Children from Harm

- The Designated Premises Supervisor will adopt and operate the challenge 21 policy
- No person under the age of 18 shall be employed at the premises for the purpose of serving alcohol.

1.4 Relevant Representations

Responsible Authorities

No representations

Interested Parties

Cllr. John Rogers

R.T. Jones – 49 Commercial Road, Taibach, Port Talbot, SA13 1LP

Mr & Mrs Thomas – 1 Woodfield Street, Taibach, Port Talbot, SA13 1LT

G. Jones – 11 St Albans Terrace, Taibach, Port Talbot, SA13 1LW

P Galoppini – 54 Commercial Road, Taibach, Port Talbot, SA13 1LG

The above representations are reproduced at appendix 1.

1.5 Policy Considerations

Licensing Policy

5.1 “Cumulative impact” means the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. The “cumulative impact” is a proper matter for the licensing authority to consider in developing its licensing policy statement. This is distinct from “need”, which concerns the commercial demand for a particular type of premises, e.g. pub or restaurant. This is a matter for planning control and the market and will not form part of the policy statement.

6.6 In addition to the requirements that the Council promote the licensing objectives, it also has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the County Borough. The Council is required therefore to have particular regard to the likely impact of licensing on crime and disorder. The nature or type of premises, its location, the hours of operation, its impact on the area, the operation and management of premises are all significant factors, which can impact on crime and disorder. All applications for licences or certificates including renewals and variations will be expected to have addressed these matters within the operating schedule

10.6 Shops, stores and supermarkets will generally be permitted to sell alcohol, whilst the retail outlet is open for business. However, where there are good reasons for restricting the hours, e.g. where they are the focus of disorder and disturbance, then following representations, a limitation of hours will be considered.

Secretary Of State's Guidance

2.6 Conditions are best targeted on deterrence and preventing crime and disorder. For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television cameras both inside and immediately outside the premises can actively deter disorder, nuisance and anti-social behaviour and crime generally. Some licensees may wish to have cameras on their premises for the protection of their own staff and for the prevention of crime directed against the business itself or its customers. But any condition may require a broader approach, and it may be necessary to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.

13.23 There can be confusion about the difference between “need” and the “cumulative impact” of premises on the licensing objectives, for example, on crime and disorder. “Need” concerns the commercial demand for another pub or restaurant or hotel. This is not a matter for a licensing authority in discharging its licensing functions or for its statement of licensing policy. “Need” is a matter for planning committees and for the market.

1.6 Officer's Report

The premises has operated for many years as a newsagents / convenience store and this application is to allow the premises to sell alcohol as an off licence.

Four representations have been received from residents living in the vicinity of the premises and one representation has been received from the local member. Generally, the relevant issues contained within the representations relate to the likelihood of an increase in anti social behaviour.

1.7 Recommendation

That members determine the application after considering all relevant representations.

List of Background Papers

Application for a Premises Licence.
Neath Port Talbot Licensing Policy
Secretary of State's Guidance

Wards Affected

Taibach

Officer Contact

J Sullivan Licensing Manager
Tel (01639) 763056 email j.sullivan@npt.gov.uk



Councillor/Cynghorwr J. Rogers, B.E.M. J.P.
6 Prince Street, Margam, PORT TALBOT, SA13 1NB



Alcohol Licence Application
30 Commercial Road Taibach

12th April 2010

Dear Mr Sullivan

I write to object to the licence application at the above address. This shop has for over fifty years been a newsagents without selling alcohol and has although newspapers are available at shops in and around Commercial Road carried on trading through good and bad times.

I feel along with the people I and my colleague Councillor Anthony Taylor represent that saturation point has been reached in Taibach for the sale of alcohol. There are on Commercial Road 3 public houses, Taibach Rugby Club, Aldi and Filco Supermarkets, a mini market and an off licence and that in my opinion is more than enough.

The Council has in partnership with The Health Service, WAG and many other partners signed up to initiatives to make the consumption of alcohol more manageable especially for young people and this would be my way in contributing to this policy by refusing this application.

Yours sincerely

Councillor John Rogers



Tel: 01433 887528
email: dlr.j.rogers@npt.gov.uk
The Council welcomes
correspondence in English or Welsh

Ffôn: 01433 887528
ebost: dlr.j.rogers@npt.gov.uk
Mae'r Cynghor yn drosbario gwybodaeth
yn y Gymraeg neu'r Saesneg

LICAS



49, Commercial Road
 Tarbaleh
 Port Talbot
 SA13 1LP
 21 April 2010

To who. it may concern

Re: Objection to the granting of an
 Alcohol Licence to Kishmundeel Kaul Chandrey
 News Boose, 30 Commercial Road, Tarbaleh

I would like to object to the granting of an
 Alcohol Licence on the following grounds

1. Unsafe location. The premises is at a busy cross roads and although the previous usage as a newsagent operated from there the new owners intend operating into the evening hours. This makes the location more of a problem as there will be greater numbers of people who may be intoxicated from their visit to the Tarbaleh Rugby Club.
2. Inadequate Police Availability. As the owner of an off-licence I have to call on the police service many times a year. I find their service totally inadequate. A 999 call is usually responded to quickly. However outside of that you may wait more than 24 hours for a response. Either way the follow up work is usually too little - too late. There are always excuses of too much paperwork, holidays or shift patterns but if the police can't provide a proper service why are we making more work for them by opening another licenced outlet.
3. Inadequate Licencing Authority. On weekend nights the pavement outside the Tarbaleh Rugby Club can have up to 30 or 40 people who are intoxicated. Very often they are young people who have been to 18 birthday parties at the club. I would not serve many of those

I see in this drunken state. They also spill into the road and have been known to abuse the police when they attend. With an off licence only yards away across a busy street which frequently has speeding cars and taxi's parked illegally I fear the consequences.

I take my responsibilities seriously.

Yours faithfully

R. J. Jones.



1, Woodfield St
 Jaibach
 Port Talbot
 SA13 1LT,

Re:-
 Kashminder Kaur Chaudrey
 T/A News Booze
 30 Commercial Rd
 Jaibach, P. Talbot.

To whom it may concern,

I am writing on behalf of my husband and myself to raise an objection to the granting of an alcohol license to the above named premises.

The reasons for our objection are as follows:-

1. There are already 4 shops plus 4 pubs in this area holding licenses (this is more than Station Road!!!). On weekends, the amount of broken glass and empty cans outside these premises is appalling.
2. The shop is situated on a busy crossroads and is directly adjacent to a pelican crossing. Cars stopping outside would be causing a hazard to other traffic and pedestrians.

3. There are no facilities to provide adequate car parking for people wishing to shop here.

With the Government and medical professionals talking about the rise in alcohol abuse we think it would be wholly inappropriate and completely irresponsible to grant yet another shop in this small area with a licence

Yours Sincerely

MRS Susan Thomas
MR Haydn Thomas.

Copies sent to

John Rogers
Anthony Jaylor
Hywel Francis M.P
Chief Executive
N.P.T.C.B.C.

Neath Port Talbot
Licensing Department
Civic Centre
Port Talbot
West Glamorgan

11 St Albans Terrace
Sailbach
Port Talbot
West Glamorgan
SA13 1LW



Concerning

KASHINDER KAUH CHAUDHRY.

"NEWS BOOSE"

30 COMMERCIAL ROAD

TAIBACH

PORT TALBOT

I would like to object for another outlet for alcohol in Sailbach already we have in a small area of about 400 metres, three public houses, four off licences and a Rugby Club.

Residents are very concerned by the gangs of young people who are regularly drinking - taking drugs in the lanes behind the shops in Commercial Road and then causing problems like graffiti, intimidation and vandalising property.

The police presence is very sparse and then by a CPO who has no powers of arrest.

To allow the new mine market which has very long hours of opening to also sell alcohol as it appears to be late at night, would encourage people with an anti social attitude to drink more and then cause even more problems to an already beleaguered community.

I have made my opinion and the feeling of the people of Sailbach to Dr Hywel Francis MP.
E. Jones.

Mrs. Galoppini
54 COMMERCIAL RD.
TAIBACH
PORT TALBOT
SA13 1LG.

RECEIVED ON
19 APR 2010
LICENSING

April 2010

To whom it May Concern.

I would like to oppose the
Licence, for 30 COMMERCIAL RD
IN this small AREA. There are
ALREADY 4 places Selling
DRINK Filco, ALDI,
TAIBACH MINI MARKET, Appertiff.
Besides 4 PUBS. Nowonder All
the youngsters HANG AROUND here,
at night causing problems.

Yours Sincerely
P. Galoppini.