

# NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

## Licensing and Gambling Acts Sub Committee

15th August 2022

### Report of the Head of Legal Services – Craig Griffiths

#### Matter for Decision

**Wards Affected:** Margam and Taibach

### Application for the Grant of a Premises Licence

#### Purpose of the Report

1. To consider representations received in respect of the following application made under the Licensing Act 2003.

Premises Name	The Burger Boyz
Premises Address	37 Commercial Road Port Talbot SA13 1LG
Applicant Name's	Burger Boyzzz Limited
Applicant Address	Ty Dewin 16 Station Road Port Talbot SA13 1JB
DPS Name	Marcin Sadlos

## **Executive Summary**

2. This is an application for the grant of a premises licence under the Licensing Act 2003 by Burger Boyzzz Limited. The premises licence will authorise sale of alcohol and regulated entertainment.
3. Representations were received in respect of the application from South Wales Police requesting that additional conditions be attached to the licence.
4. The applicant has agreed to the imposition of the additional conditions made by the police.
5. One representation has been received from a local resident.
6. An attempt to negotiate an agreed position has been made, however no agreement has been established.

## **Background**

7. The Licensing Act 2003 requires that any person wishing to provide licensable activities obtains a premises licence from the Legal Regulatory Section.
8. An application for the grant of a premises licence must be advertised in the prescribed manner and allows "Responsible Authorities" or "Other Persons" to submit representations in respect of the application.
9. Where all parties have reached an agreement and amendments have been made to the original application, the Licensing Authority can dispense with the need for a formal hearing; a meeting of the Sub-Committee is still required to consider the amendments.
10. Where representations are received (and not withdrawn) the Licensing Authority must hold a hearing to consider the representations before determining the application

## **Licence Application**

11. The applicant has included the following information in the application outlining the requested hours of operation and details on how the applicant proposes to promote the 4 licensing objectives.

### **Opening Hours**

12. Monday - Sunday 08.00 - 22.00

### **Supply of Alcohol (On the premises only)**

13. Monday - Sunday 08.00 - 22.00

### **Recorded Music (Indoors)**

14. Monday - Sunday 08.00 - 22.00

### **Licensing Objectives**

15. The following information has been provided by the applicant.

#### **General**

16. N/A

#### **The Prevention of Crime and Disorder**

17. CCTV

18. Anti-drug policy

19. Refusing alcohol to anyone drunk

#### **Public safety**

20. All First aid equipment

21. Trained first aiders

22. Taxi numbers

#### **The prevention of public nuisance**

23. Background music only

24. Waste disposal and recycling

## **The protection of children from harm**

25. Challenge 21
26. Staff trained in challenging anyone who looks under 25

## **Relevant Representations**

27. Nick Bailey - South Wales Police
28. The above representation is reproduced at Appendix 1

## **Other Persons**

29. Juned Miah - 44 Commercial Road, Taibach
30. The above representation is reproduced at Appendix 2

## **Officer Report**

31. The application is to authorise the sale of alcohol and regulated entertainment.
32. Representations have been received from South Wales Police who requested additional conditions be attached to the licence.
33. The applicant has agreed to all the conditions requested.
34. One representation remains outstanding as an overall agreement cannot be reached.
35. A response from the applicant following the representations being received is attached as appendix 3.

## **Legal Impacts**

36. There is a right of appeal against the decision to the Magistrates' Court

## **Risk Management**

37. Not Applicable

## **Consultation**

38. Consultation has been undertaken in accordance with the Licensing Act 2003.

## **Recommendation**

39. The members determine the application after considering all relevant representations.

## **Reasons for Proposed Decision**

40. To ensure the licensing objectives as set out in the Licensing Act 2003 are promoted.

## **Implementation of Decision**

41. The decision is for immediate implementation

## **Appendices**

42. Appendix 1 - South Wales Police Representations
43. Appendix 2 - Juned Miah
44. Appendix 3 - Applicant Response to Representation

## **List of Background Papers**

45. Application for the grant of a premises licence
46. Neath Port Talbot Licensing Policy
47. <https://www.npt.gov.uk/media/14952/licensing-act-2003-draft-licensing-policy-2021.pdf?v=20210923150929>

48. Secretary of State's Guidance

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/705588/Revised\\_guidance\\_issued\\_under\\_section\\_182\\_of\\_the\\_Licensing\\_Act\\_2003\\_April\\_2018\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf)

## Officer Contact

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