

NEATH PORT TALBOT COUNCIL

Licensing and Gambling Acts Sub Committee

15th August 2022

Report of the Head of Legal Services – Craig Griffiths

Matter for Decision

Wards Affected: 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 Where representations are received (and not withdrawn) the Licensing Authority must hold a hearing to consider the representations before determining the application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

Officer Contact

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