

Pencadlys Heddlu

Heol y Bont-faen
Penybont
CF31 3SU

Mewn argyfwng ffoniwch **999**
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Gwefan: www.heddlu-de-cymru.police.uk

Police Headquarters

Cowbridge Road
Bridgend
CF31 3SU


In an emergency always dial **999**
for non-emergencies dial **101**


Website: www.south-wales.police.uk

Nick Bailey

Police Licensing Officer,
Neath Police Station.

 : nick.bailey2@south-wales.police.uk

 : 01639 640207

 : 07971 623816

Mr N. Chapple,
Legal Regulatory Services Manager,
Neath Port Talbot Council.
Civic Centre,
Port Talbot.

6th July 2022.

**Police Observations to application for the Grant of a premises licence
under the Licensing Act 2003.**

In relation to the application for a premises licence under the Licensing Act 2003 at the below-referred licensed premises:

Name: Burger Boyz

Address: Ty Dewin, 16 Station Road, Port Talbot, SA13 1JB

The Application is for a premises licence for the following Licensable activity;

Supply of Alcohol (On sales only): 08.00hrs to 22.00hrs Daily

Hours open to the public: 08.00hrs to 22.00hrs Daily

This application is submitted by Marcin SADLOS, a director of Burger Boyzzz Ltd for the grant of a premises licence to enable the applicant to sell alcohol for consumption on the premises, as part of a restaurant/takeaway. The premises is a located on Station Road in Port Talbot, which is the main pedestrian thoroughfare in the town.

I draw your attention to Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003. Paragraph 1.4 of the Guidance stated the promotion of the statutory objectives is a paramount consideration at all times.

Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

South Wales Police welcomes receiving correspondence in Welsh and English.

Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.



The application is seeking licensable activities consistent with running a café/restaurant and the terminal hour requested will not, I believe, impact negatively on the wider night time economy, and appear to have been considered in line with sect 5.4 of the NPT Licensing Policy 2021 in that the hours are “appropriate to their particular local environment”.

The hours applied for licensable activities mirror those for the hours then premises is open to the public and has no drinking up time. Sect 5.8 of the same licensing policy deals with a drinking up time and states that “The Council considers that a 30-minute drinking up time will assist in the gradual dispersal of customers and consequently reduce any potential negative impact on the area” so I would request a reduction in the hours for the supply of alcohol so that the terminal hour becomes 21:30hrs so that it reads 08.00hrs to 21.30hrs Daily.

Having looked at the operating schedule submitted I notice that the conditions mentioned are in the form of bullet points so I would request the following amendments and additions outlined below prior to the grant of this licence should this application be successful;

The Prevention of Crime & Disorder:

The operating schedule does refer to the provision of CCTV, so I would ask that the condition reads as follows;

1. A Digital CCTV system shall be installed, or existing system maintained, at the premises which will be operational at all times when the premises is open to the public & be capable of providing pictures of evidential quality in all lighting conditions particularly facial identification. The CCTV recordings must be correctly timed and date stamped & retained for a period of 31 days and made available for viewing by the Police or an authorised Officer of the Licensing Authority on request.

The system must provide coverage of the following areas:

- The exterior frontage of the premises
- The entrances and exits to the premises;
- The interior public areas of the premises;

I would also request that the following condition be added;

2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show and provide



Police or authorised officer recent data or footage with the absolute minimum of delay following a lawful request.

There is no mention of an incident book so I would request the following condition be added;

3. An incident recording book shall be maintained at the premises showing details of the date and time of all assaults, injuries, accidents or ejections, as well as details of the members of staff involved, the nature of the incident and the action/outcome. The book must be kept available for inspection by the Police and authorised officers of the Local Authority.

The Protection of Children from Harm:

There is mention of a Challenge 21 age verification policy and staff training to challenge anyone whom looks under 25. This appear to be contradictory, so I would ask that the following be added in relation to the age verification policy;

4. A Challenge 25 policy will apply and Proof of age will be required from any person who appears to be under the age of 25 years who attempts to purchase or consume alcohol. The means of verification should be a form of identification which bears their photograph, date of birth and a holographic mark and should be restricted to:-

- P.A.S.S Accredited Proof of Age Schemes e.g,Citizen Card,
- Proof GB
- Photocard driving licence or passport.

And that the following be added in relation to staff training;

5. Premises to keep up to date records of staff training in respect of age related sales, in written or electronic format, available for inspection on request by an authorised officer of the Police or Local Authority.

I would also ask that the following conditions be added;

5. Signage shall be displayed in a prominent position within the premises informing of the Challenge 25 policy.

There is no mention of any method of recording any refused sales, whether to customers who cannot prove their age or for any other reason, such as their being drunk so I would request that the following also be added;

6. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member



of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premises are open.

I believe that the conditions suggested are proportionate, are in line with this type of premises and will help promote the Licensing Objectives.

The application also proposes that Marcin SADLOS become the DPS of the premises but adds that he is awaiting his personal licence number. Can he confirm whether he has been issued a personal licence yet, and if not, who will be the DPS? If he does hold a personal licence nothing relevant is known to their detriment so there are no objections to this appointment.

The above information is submitted for your information and consideration.

Yours sincerely,

Nick Bailey

Police Licensing Officer
(On behalf of the Chief Officer of Police)

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