

# NEATH PORT TALBOT COUNCIL

## Licensing and Gambling Acts Sub Committee

6th March 2023

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

#### Matter for Decision

**Wards Affected:** Baglan

### 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	LV Store
Premises Address	Shop 4, 32 Church Lane, Baglan, Port Talbot SA12 8ST
Applicant Name's	Mr Jeyapalan Elavarasan
Applicant Address	14 Luton Terrace, Llanelli, SA15 4HR
DPS Name	Mr Jeyapalan Elevarasan

## **Executive Summary**

2. This is an application for the grant of a premises licence under the Licensing Act 2003 by Mr Jeyapalan Elevarasan. The premises licence will authorise sale of alcohol off the premises only.
3. No representation was received from the responsible authorities.
4. One representation was received from an Other Person.
5. The Licensing and Gambling Acts Sub Committee are being asked to determine the application.

## **Background**

6. The Licensing Act 2003 requires that any person wishing to provide licensable activities obtains a premises licence from the Licensing Section.
7. 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.
8. 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.

## **Licence Application**

9. 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**

10. Monday – Sunday 06.00 – 23.00

## **Supply of Alcohol (Off Sales)**

11. Monday – Sunday 06.00 – 23.00

## **Licensing Objectives**

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

### **General**

13. See below.

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

14. 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 perimeter of the premises
- The entrances and exits to the premises;
- The interior public areas of the premises;

15. 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.

16. A refusal book shall be maintained recording the date and time of all attempts by persons under the age of 18 to purchase alcohol. The book shall be made available to for viewing by the Police and / or authorised officer of the Licensing Authority on request.

17. An incident recording book shall be maintained at the premises showing details of the date and time of any assaults, injuries, accidents, interventions by staff 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

## **Public safety**

18. As Above

## **The prevention of public nuisance**

19. As Above

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

20. 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 is restricted to:-
21. • P.A.S.S Accredited Proof of Age Schemes e.g,Citizen Card,
22. • Proof GB
23. • Photocard driving licence or passport.
24. Signage shall be displayed in a prominent position within the premises informing of the Challenge 25 policy.
25. A refusals record shall be maintained recording the date and the time of all attempts by persons under the age of 18 to purchase alcohol and of any other refused sales. The register shall be examined on a regular basis by the duty manager/ DPS and the date and time of each examination will be endorsed in the register. The record shall be made available for the viewing by the Police and/or authorised officer of the Local Authority on request and shall contain the reasons for the refused sale.
26. 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.
27. Staff will be trained before making sales of alcohol in their responsibilities under the Licensing Act 2003, refresher training will take place at not more than 12 monthly intervals. All training will be recorded in either

written or electronic format and made available to Police & Local Authority officers authorities on reasonable request.

## **Relevant Representations**

28. Other Person - James Morgan
29. The above representation is reproduced at Appendix 1

## **Officer Report**

30. The application is to authorise the sale of alcohol for off sales only.
31. No representations were received by the responsible authorities.
32. There remains 1 representation form that needs to be considered by the Licensing and Gambling Acts Sub Committee.

## **Legal Impacts**

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

## **Risk Management**

34. Not Applicable

## **Consultation**

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

## **Recommendation**

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

## **Reasons for Proposed Decision**

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

## **Implementation of Decision**

38. The decision is for immediate implementation

## **Appendices**

39. Appendix 1 - James Morgan

## **List of Background Papers**

40. Application for the grant of a premises licence
41. Neath Port Talbot Licensing Policy
42. <https://www.npt.gov.uk/media/17641/appendix-1-draft-licensing-act-policy-2021-english.docx?v=20220627093306>
43. Secretary of State's Guidance

[Revised guidance issued under section 182 of the Licensing Act 2003 \(December 2022\) \(accessible\) - GOV.UK \(www.gov.uk\)](#)

## **Officer Contact**

44. Neil Chapple  
Legal Regulatory Manager  
Tel (01639) 763050  
Email [n.chapple@npt.gov.uk](mailto:n.chapple@npt.gov.uk)