

LICENSING & GAMBLING ACTS SUB COMMITTEE

2ND JANUARY 2008

DIRECTORATE OF FINANCE AND CORPORATE SERVICES

**REPORT OF THE LICENSING MANAGER
– J. M. SULLIVAN**

INDEX OF REPORT ITEMS

PART 1 – Doc.Code: LICAS-020108-REP-FS-JS

SECTION A – MATTERS FOR DECISION			
Report Item		Page Nos	Wards Affected
Licensing Act 2003 Applications			
Ref.No.:	007021	2-6	Neath North
Description:	Review of Premises Licence		
Name:	The Arch Nightclub & Bar		
Address:	11 Commercial Street, Neath, SA11 1SB		

1.1. Application for Review of Premises Licence

Ref.No.: 007021 Wards Neath North
Affected:
Premises Name: Arch Bar and Nightclub
Premises 11 Commercial Street, Neath, SA11 1SB
Address:
Applicant Name: Mr S. Coleman
Applicant 7, Commercial Street, Neath, SA11 1SB
Address:
DPS Name:
DPS Address:
Application Date: 12/11/2007

1.2 Current Licence

The times the licence authorises the carrying out of licensable activities are as follows:-

Opening Hours - Standard Timings:

Monday to Saturday	10.00 - 02.30
Sunday	12.00 - 01.00

Supply of Alcohol:

Monday to Saturday	10.00 - 02.00
Sunday	12.00 - 00.30

Indoor Sports - Times as above

Live Music - Times as above

Recorded Music - Times as above

Performance of Dance - Times as above

Activity like Music/Dance - Times as above

Facilities for Making Music - Times as above

Facilities for Dance - Times as above

Facility like Music/Dance - Times as above

Late Night Refreshment:

Monday to Saturday	23.00 - 02.00
Sunday	23.00 - 00.30

- The premises licence holder must:-
Provide and maintain a CCTV System which is operational at all times when the premises is open to the public. The system must provide coverage of the following areas:-

- a) The external perimeter of the premises;
- b) The entrances and exits to the premises;
- c) The interior public areas of the premises; in particular those areas that cannot be observed from the bar servery.

The CCTV tapes must be retained for a period of 28 days and made available for viewing by the Police or an authorised Officer of the Licensing Authority on request.

- All drinking vessels used on the premises should be of toughened glass or plastic.

- No open glasses or bottles should be brought into or out of the premises by customers.

- A documented procedure must be in place to verify the age of persons who appear to be under eighteen years of age to prevent them gaining access to the premises and or purchasing alcohol. The means of verification should be restricted to:-

- (1) Accredited Proof of Age Scheme's e.g Portman, Validate
- (2) Photocard driving licence or passport.

- Transferred Conditions:

- Public Entertainment Licence

1. No entry/re-entry two hours before the last permitted hours.
2. The applicant to liaise with residents to ensure noise levels are reduced to a minimum.
3. That the nightclub entrance only is used after 11.00pm

1.3 Background Information

The premises consists of a bar to the ground floor and a nightclub to the first floor. Each floor is accessed via separate entrances.

1.4 Application for review

The application for review of the premises licence is as follows:-

Applicant: Mr S.J Coleman

Address: 7, Commercial Street, Neath, SA11 1SB

Status of Applicant: Interested Party – Resident in vicinity of premises

Date of Application: 12/11/2007

1.5 Grounds for Review

The application relates to the following licensing objective(s):

The prevention of crime and disorder

The prevention of public nuisance

I wish for the club to be closed down, myself and my family are being subjected to abusive behaviour and basically we can't take anymore.

My ten-year old niece was spoken to by a person whom goes to the club and it was in a sexual way which is disgusting and these people who go to the club are egged on by the staff members.

This has gone on now constantly for the last few weeks and we are being harassed for no reason at all.

Details

Myself and family are being harassed by the staff and people who go to the bar. This has gone on for too long now and we are being intimidated in our own home. The constant behaviour and actions of the people including staff are knocking at my door and at my sisters house where there are young children, there is beer bottles which are smashed and left on my door step and my sisters house.

There has been banging on the doors through the night, when we see who it is we are verbally abused and the constant harassment in which we suffer is terrible

The music is being played 24 hours a day and this is causing a nuisance.

1.6 Further Representations

When a review is submitted, all responsible authorities and interested parties are also able to make representations. No representations have been received by any of the responsible authorities. One further representation has been received from an interested party – a resident in the vicinity of the premises.

1.6.1 Representations received in support of the application for review by Mr S. Coleman.

Interested Parties

Miss E. Coleman

9 Commercial Street, Neath, SA11 1SB

Miss Coleman's representations are reproduced at appendix 1. The representation relates in the main to anti-social behaviour by persons leaving the premises.

1.7 Licensing Officer's Report

An application for the conversion of the existing licence for the Arch nightclub was granted in November 2005, thus the existing operating hours for the sale of alcohol and provision of regulated entertainment were retained.

When considering the application for review members are required to have regard to all relevant representations and take such steps (if any) as it considers necessary for the promotion of the licensing objectives.

The steps are:-

- (a) To modify the conditions of the licence.
- (b) To exclude a licensable activity from the scope of the licence.
- (c) To remove the designated premises supervisor
- (d) To suspend the licence for a period not exceeding three months.
- (e) To revoke the licence.

1.8 Recommendation

That members determine the application after considering all relevant representations.

List of Background Papers

Application for review of premises licence.

Officer Contact

J Sullivan - Licensing Manager

Tel 01639 686326 email j.sullivan@npt.gov.uk

Wards Affected

Neath North

Miss. F. Coleman
 9 Commercial St.
 North
 West CTlan
 SA11 1SB
 11-11-07

Dear Sir,

I am writing as asked about the Singal + Melior Bar Commercial St. North. There has been abusive customers on leaving, banging my front door, ringing bell, smacking through letter box abusive + broke front door. Threats of council works on our property. These two men used to hold our door as to boys come on to our door step + were abusive, twisting + foul language. My sister witnessed to members of staff showing abusive acts + telling their friend what to do. One member of staff is the land lady + her husband. They are also open over hour, but are not discreet + they have been warned by the police, but took no notice. They smash bottles out our front + we have to clean it up + this is at 2-3 am. These problems have been experiencing between August 26 till now.

Yours faithfully

F. COLEMAN
 F COLEMAN

P.S. This problems about after we put a complaint in 2003 should have been solved, but they come how near our bar however was broken in March.