

LICENSING (2003 ACT) SUB COMMITTEE

2nd August 2006

DIRECTORATE OF FINANCE AND CORPORATE SERVICES

**REPORT OF THE HEAD OF LEGAL SERVICES
– C.A. JOHN**

INDEX OF REPORT ITEMS

PART 1 – Doc.Code: LICAS-020806-REP-FS-CJ

SECTION A – MATTERS FOR DECISION		
Report Item	Page Nos	Wards Affected
1. Licensing Act 2003 Premises Licence Applications		
Ref.No.: 002622 Premises Name: Katz Premises Address: Rear of, Queen Street Back Road, Neath, SA11 1EE	2-4 Appendix 1 & 2	Neath North
Ref.No.: 005107 Premises Name: G2 Premises Address: 78 Jersey Road, Blaengwynfi, Port Talbot, SA13 3TD	5 – 11 Appendix 3	Gwynfi
Ref.No.: 005103 Premises Name: Pontardawe International Music Festival Premises Address: Parc Ynysderw, Ynysderw Road, Pontardawe, Swansea, SA8 4EG	12-15 Appendix 4	Pontardawe

1.1. Application for Variation of Premises Licence

Ref.No.: 002622 Wards Neath North
Affected:
Premises Katz
Name:
Premises Queen Street Back Road, Neath, SA11 1EE
Address:
Applicant Mr Karnail Singh
Name:
Applicant 1 Bailey Street, Port Talbot, West Glamorgan, SA12
Address: 6EP
DPS Name: Mr Lee William Absalom
DPS Address: 103 Tanygroes Street, Port Talbot, SA13 1EG
Application 05/08/2005
Date:

1.2. Current Licence

The times the licence authorises the carrying out of licensable activities:

Supply of Alcohol:

Monday to Saturday 10:00 - 23:00

Sunday 12:00 - 22:30

Non-standard Timings:

Good Friday 12.00 - 22.30

Christmas Day 12.00 - 15.00

19.00 - 22.30

Recorded Music:

Monday to Saturday 10:00 - 23:00

Sunday 12:00 - 22:30

Non-standard Timings:

Good Friday 12.00 - 22.30

Christmas Day 12.00 - 15.00

19.00 - 22.30

The opening hours of the premises

Opening Hours - Standard Timings:

Monday to Saturday 10:00 - 23:20

Sunday 12:00 - 22:30

Non-standard Timings:

Good Friday 12.00 - 22.50

Christmas Day 12.00 - 15.20

19.00 - 22.50

1.3. Variation Application

The original variation application has been amended to take into account representations made by the Police and Environmental Health Officer. The amended application is as follows:-

Supply of Alcohol:

Monday & Tuesday 12.00 - 00.00

Wednesday – Saturday 12.00 – 02.00

Sunday 12.00 – 00.30

Non-standard Timings

Sunday before Bank Holiday Monday 12.00 – 02.00

Opening Hours

Monday & Tuesday 12.00 - 00.30

Wednesday – Saturday 12.00 – 02.30

Sunday 12.00 – 01.00

Non-standard Timings

Sunday before Bank Holiday Monday 12.00 – 02.30

Recorded Music:

Monday & Tuesday 12.00 - 00.00

Wednesday – Saturday 12.00 – 02.00

Sunday 12.00 – 00.30

Non-standard Timings

Sunday before Bank Holiday Monday 12.00 – 02.00

Facilities for Dancing:

Monday to Sunday - Times as above

1.4. Relevant Representations:

Responsible Authorities Representations

Police

Representations were received from the Police (Appendix 1). As a result of these the applicant agreed to further measures being introduced. The police indicated they would be prepared to withdraw representations. However, the provision of a barrier required Highways agreement. They have advised that this is not feasible. The Police will update members as to their representations.

Environmental Health

Representations were received from the Environmental Health Officer (Appendix 2). As a result of these, the applicant agreed to several operational matters to be implemented. Subsequently, the Environmental Health Officer has withdrawn his representation.

Interested Parties Representations

No Representations

1.5. Recommendation

That members determine the application after considering all representations.

List of Background Papers

Application for variation of Premises Licence.

Officer Contact

J Sullivan Licensing Manager

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

Wards Affected

Neath North

Boxing or Wrestling:
Monday to Sunday 10.00 - 23.30

Live Music:
Sunday to Thursday 10.00 - 23.30
Friday to Saturday 10.00 - 00.30

Recorded Music:
Sunday to Thursday 10.00 23.30
Friday to Saturday 10.00 - 00.30

Performance of Dance:
Sunday to Thursday 10.00 - 23.30
Friday to Saturday 10.00 - 00.30

Activity like Music/Dance:
Sunday to Thursday 10.00 - 23.30
Friday to Saturday 10.00 00.30

Facilities for Dancing:
Sunday to Thursday 10.00 - 23.30
Friday to Saturday 10.00 - 00.30

Late Night Refreshment:
Sunday to Thursday 10.00 - 00.00
Friday to Saturday 10.00 - 01.00

2.2. Background Information

A three storey building which was formerly used by the Royal British Legion. Comprising function room in basement (rear), ground floor bar area and first floor lounge, all with existing servery areas to serve alcohol. Semi-detached building situated on main road.

2.3. Promotion of Licensing Objectives

The following information has been provided by the applicant:

General - all four licensing objectives:

The premises will be run in accordance with all the licensing objectives which are set out in the schedules below.

The Prevention of Crime & Disorder:

- 1) To ensure that all at times there will be an effective and responsible manager on duty on the premises when it is open for licensable activities.
- 2) To ensure that all staff are trained
- 3) To ensure that all staff are properly supervised
- 4) To organise the lay-out and the location of various pieces of equipment within the premises so that equipment can be properly monitored and where necessary properly controlled e.g. Cash registers away from patrons and gaming machines within view of staff.
- 5) To ensure that staffing levels are adequate to maintain a safe environment.
- 6) To ensure that all staff are aware that those who are heavily intoxicated or disorderly are to be managed in such a way that they will not be a harm to staff, patrons or themselves.
- 7) To support the objectives of the schemes which are designed to maintain and improve the licensing objectives.
- 8) To ensure that all members of staff are vigilant to prevent the use or supply of illegal drugs.
- 9) To ensure that all staff are mindful of the problems of under age drinking and when in doubt to request age identification by reference to driving licence or passport.
- 10) To maintain a similar policy to the above paragraph with regard of the sale of tobacco.
- 11) To ensure that staff prevent glasses and bottles being brought into or out of the premises by patrons.
- 12) To ensure that there is a provision of regular collection of glass and bottles.
- 13) To ensure that all staff will report to the relevant authorities (the police and the Council) anyone dealing with illegal drugs or where illegal drugs are found on the premises.
- 14) To ensure that staff do not permit entry or where they have entered shall not serve anybody who is heavily intoxicated or seems to be under the influence of drugs.
- 15) To provide notices as appropriate in connection with under age drinking etc.
- 16) To ensure that all members of staff are mindful of the above

objectives, not only insofar as the licensed premises is concerned but also to consider those who live or work within the vicinity of the premises or are passing by.

Public Safety:

- 1) To ensure that the premises does not become overcrowded
- 2) To ensure that means of escape in the event of fire or other emergency are always kept clear.
- 3) To ensure that the staff are informed about safe evacuation procedures.
- 4) To ensure that the disabled or infirm are able to evacuate the premises.
- 5) To provide a sufficient number of people employed or engaged to secure the safety of the premises and its patrons.
- 6) To provide appropriate instruction, training, and supervision of those employed or engaged to secure the safety of the premises and patrons, including the disabled and infirm.
- 7) To ensure that all applicants and systems pertinent to safety are tested on a regular basis and that a written record of the tests are kept and will be available to all relevant authorities.

The Prevention of Public Nuisance:

- 1) To ensure that noise from amplified music does not have an adverse impact on those living or working in the vicinity of the premises e.g. closing windows and doors.
- 2) To ensure that staff are made aware of the steps that are to be taken should there be any disorderly conduct on the premises e.g to ask disorderly persons to leave but at the same time to alert the relevant authorities.
- 3) To ensure that patrons arriving and leaving by taxi and minibuses are reminded that they should do so without disturbing the residents and those who work in the vicinity of the premises and suggest that they avoid using horns etc.
- 4) To consider whether any light pollution is caused by lighting

appliances at the premises and if so to minimise light pollution.

- 5) To ensure that any refuse is stored and disposed of appropriately.
- 6) To be mindful of those who live and work in the vicinity when disposing of empty bottles or when deliveries are being made.
- 7) To remind staff to minimise noise when leaving the premises particularly if it is late at night or in the early hours of the morning.
- 8) To take appropriate steps to avoid any noxious smells.

The Protection of Children From Harm:

- 1) To ensure that staff are aware that it is prohibited to sell alcohol to children.
- 2) To ensure that staff are aware that it is prohibited to sell tobaccos to children.
- 3) To ensure that any child on the premises is accompanied by a responsible adult.
- 4) Where films or television are available to ensure if children are in the premises that the films are in accordance with the recommendations of the British Board of Film Classifications.
- 5) To request proof of age where there is any doubt as to the age of anyone at the premises.
- 6) To display restrictions on admission of children and sale of alcohol and tobaccos.
- 7) To provide a non-smoking area.
- 8) Children are permitted in the premises up until 9pm, but they must be accompanied by an adult and after 9pm no-one under 18 is permitted in the premises.

2.4. Relevant Representations:

Responsible Authorities Representations

Fire

See Appendix 3

Interested Parties Representations

No representations

2.5. Policy Considerations

It is considered that the following policies are relevant to this application:

Statement of Licensing Policy

7.0. *Public Safety*

7.2 *Each of these types of premises present a mixture of risks, with many common to most premises and others unique to specific operations. It is essential that premises are constructed or adapted and operated so as to acknowledge and safeguard occupants against these risks. The council is committed to ensuring that the safety of any person visiting or working in licensed premises is not compromised.*

2.6. Officer's Report

The fire officer's report refer to a fire safety audit carried out on the premises and as a result a schedule of required works was issued to the applicant. It is understood that these works have not yet been completed.

Recommendation

That members adjourn the application until such time as the required works are completed and the Fire Officer withdraws his representations.

List of Background Papers

Application for premises licence

Officer Contact

J Sullivan - Licensing Manager

Tel no (01639) 686326 email j.sullivan@npt.gov.uk

Wards Affected

Gwynfi

Friday	18.00 - 01.00
Saturday	12.00 - 01.00
Sunday	12.00 - 20.00

Performance of Dance:

Thursday	19.00 - 23.00
Friday	19.00 - 01.00
Saturday	12.00 - 01.00
Sunday	12.00 - 20.00

Facilities for Making Music:

Friday	19.00 - 02.00
Saturday	10.00 - 02.00
Sunday	10.00 - 20.00

Facilities for Dancing:

Friday	19.00 - 00.00
Saturday	10.00 - 00.00
Sunday	10.00 - 20.00

Late Night Refreshment:

Friday & Saturday	23.00 - 02.00
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3.2. Background Information

Pontardawe Festival is an inter-cultural music and dance event which has taken place on the third weekend of August each year for the last 28 years, recently as a street festival within the village, but this year it will again be held in its traditional home within and on sports fields to the rear of Pontardawe Leisure Centre which are hired from Neath Port Talbot County Borough Council by Pontardawe Festival Limited. Layout of the festival site is documented on a plan deposited with all interested parties. This risk assessment has been carried out to discharge the duty of the directors of the Festival Company in respect of the licensed public entertainment event.

The risk assessment process includes evaluation and reduction or elimination of specific physical hazards on a location by location basis utilising a check sheet and carried out before and several times during the event by competent personnel. (See sample pro-forma attached). This approach does not include overall, non-physical or non-specific hazards which are evaluated below as

General Risk Assessments. Some relate to the entire festival but there are four main areas which have different characters of risk and for these the assessment is later subdivided to take account of the different nature of risk in the various areas.

3.3. Promotion of Licensing Objectives

The following information has been provided by the applicant:

General - all four licensing objectives:

Full risk assessment.

Secure site admission to ticketholders.

Accent on families.

The Prevention of Crime & Disorder:

Professional security guards (Showsec) retained and teams of volunteer stewards.

Police cover throughout the event.

Access to ticket holders only.

Public Safety:

Dedicated emergency route for emergency vehicles.

Full compliance with fire/police access requirements.

Exterior lighting.

Full risk assessment.

The Prevention of Public Nuisance:

Mains toilets/showers in changing rooms and mobile toilets on site.

Security guards on patrol 24 hours.

Secure site

Emphasis on families.

No glass bottles and plastic glasses.

No drink to be brought on to site by visitors

The Protection of Children from Harm:

Age verification.

All children under 10 to be accompanied by an adult.

All stewards/security staff CRB checked.

Special armbands.

Child protection policy.

Family camping.

3.4. Relevant Representations:

Responsible Authorities Representations

Environmental Health

See Appendix 4

The applicant has amended the application to take into account these representations and as a result the Environmental Health Officer has withdrawn the representations.

3.5. Recommendation

That the amended application be approved.

List of Background Papers

Application for a Premises Licence.

Officer Contact

J Sullivan Licensing Manager

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

Wards Affected

Pontardawe