

LICENSING (2003 ACT) SUB-COMMITTEE

4th July 2005

DIRECTORATE OF FINANCE AND CORPORATE SERVICES

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

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SECTION A – MATTERS FOR DECISION

1.0 Licensing Act 2003 Transitional Premises Licence Applications

Licence Application for conversion and variation of **Transitional Premises Licence**

1.1 Ref.No.: 001519 Wards Neath North
Affected:

Premises Name: St Ives Inn
Premises Address: Old Market Street, Neath, SA11 3NA

Applicant Name: Ms Sian Rees
Applicant Address: 12 Old Market Street, Neath, SA11 3NA

DPS Name: Ms Sian Rees
DPS Address: 12 Old Market Street, Neath, SA11 3NA

Application Date: 17/05/2005

1.2 Conversion Application

The premises have traded as a public house for many years and are entitled to a premises licence for the sale of alcohol with the previous permitted hours becoming conditions of the new licence.

1.3 Variation Application

The application is for variation of the premises licence during the transitional period under Schedule 8 Licensing Act 2003. The relevant licensable activities are presently:-

- Sale of alcohol 11.00am – 11.00pm (on and off sales)

The application seeks to extend the licensable activities as follows:-

Sale of alcohol 10.30am – 2.00am Monday – Sunday (on and off)

Regulated Entertainment

Live music 5.00pm – 1.00am Monday – Saturday
2.00pm – 1.00am Sunday

Recorded music 9.30am – 1.30am Monday – Sunday

| | | |
|--|------------------------------------|-----------------------------|
| Karaoke | 5.00pm – 1.30am 3.00pm – 1.30am | Monday – Saturday Sunday |
| <u>Facilities for making music</u> | 5.00pm – 1.30am 2.00pm – 1.30am | Monday – Saturday Sunday |
| <u>Facilities for Dancing</u> | 5.00pm – 1.30am 2.00pm – 1.30am | Monday – Saturday Sunday |
| <u>Entertainment of similar description to above</u> | 5.00pm – 1.30am 2.00pm – 1.30am | Monday – Saturday Sunday |
| <u>Late Night Refreshment</u> | 10.00am – 2.00am | Monday – Sunday |
| <u>Hours Premises open to the public</u> | 9.30am – 2.30am | Monday - Sunday |

1.4 **Background Information**

The premises are located in the Neath Town centre within a terrace of commercial properties. Although within the town centre there's a mix of residential properties – mainly purpose built flats for the elderly and commercial premises including one other licensed premises.

1.5 **Promotion of Licensing Objectives**

The following information has been provided by the applicant.

The Prevention of Crime & Disorder

Crime prevention notices to be displayed.

Member of Pub Watch Scheme.

No glass bottles to be taken from the premises.

CCTV to be installed in premises.

Public Safety

Local Authority CCTV coverage to front and rear of premises.

Emergency exit to be lit at all times.

The Prevention of Public Nuisance

Amplified music to be kept at a low at all times.

Windows and doors to be kept shut.

Noise to be kept to a low on leaving.

The Protection of Children from Harm

Controlled access of unaccompanied children.

No sale of alcohol.

Proof of age cards.

Statutory Consultee Responses:

1.6 Relevant Representations **Responsible Authorities**

Representations have been received from responsible authorities as follows:

Police

1. The premises wishes to remain open and conduct the sale of alcohol until 2 a.m. and to remain open until 2:30 a.m. each day. Live music, recorded music and dance will be permitted until 1:30 a.m. each day. This will extend the time for potential social disturbance, and although the premises is in the town centre area, there is a residential complex for elderly persons in the close vicinity. Late night music etc will have an impact on these elderly residents.
2. The premises, should they be granted these permitted hours, they fall into the "category" of late night premises. Other late night music orientated premises are required to provide door supervisors, and this is a consideration under the Local Authority licensing policy, however, no mention is made of this in the application. This is a consideration which would address the objectives of public safety and the prevention of crime and disorder.
3. CCTV is to be installed in the premises to address the prevention of crime and disorder. This system should be shown on the plan of the premises to show the level of coverage and the extent to which the prevention of crime and disorder is promoted.

4. No numerical capacity for the premises has been submitted, which does not promote public safety.
5. There is no policy in respect of combating illegal substance misuse.
6. Paragraph Q, part d, amplified music to be kept "low", what is low? These objectives have to be converted into conditions of the licence, how can this be made a condition?
7. Paragraph Q, part e, how is the access of unaccompanied children controlled?

Interested Parties

No representations.

1.7 Policy Considerations

It is considered that the following policies have a bearing upon the application:-

Statement of Licensing Policy

The following paragraphs of the Neath Port Talbot Statement of Licensing Policy are considered relevant to the application.

6.0 Crime and Disorder

6.9 The Council considers that certain types of premises are likely to require additional measures or conditions due to the nature, type and mode of operation. These would include premises, which sell alcohol and cater mainly for the 16-25 age group and provide regulated entertainment, or premises which provide events or entertainment mainly for children.

In order to ensure the safety of patrons and other persons in the vicinity of the premises, the council suggests that operating schedules give consideration to the following measures and may require any or all of these measures to be implemented in the interests of minimising crime and disorder.

(i) Door Supervisors

The need for door supervisors is normally a matter, which is considered and determined by the applicant within the operating schedule. However, where an applicant has made no provision for providing door supervisors, but it is considered that they are

essential to meet the crime and disorder or public safety objective the council may specify that the premises must provide registered door supervisors. The council may also require a duty log / register of door supervisors be kept for the premises. Where door supervisors are provided they must be licensed by the Security Industry Authority. Generally one door supervisor per 100 persons would be required to be present on the premises. However, additional supervisors may be necessary in certain situation, e.g. where there is a significant number of very young persons, or where there is a potential for boisterous or excitable behaviour, e.g. stag nights; football matches; celebrity visits. Applicants are advised to give consideration to these matters within the operating schedule as well as the days and hours of operation of the door supervisors.

(ii) CCTV

The provision of CCTV is a very useful tool in monitoring premises to assist in ensuring the safety of patrons and preventing crime and disorder. The council may specify that a suitable system approved by the police and council, covering the interior and exterior of the premises, is installed. This should be properly maintained and fully operational whilst the premises are open. The areas to be covered should normally be entrances, both external and internal and any part of the premises not routinely under visual supervision including beer gardens. CCTV tapes should be kept for twenty-eight days and made available to the police and local authority officers at any time.

(iii) Glasses/Bottles

Applicants should, where appropriate be able to demonstrate that they have adequate procedures in place to prevent glasses and bottles being brought into or out of the premises, and there is provision for regular collection of glasses and bottles. The use of toughened drinking vessels and plastic bottles should be considered. Where the consumption of alcohol is likely to be in the open air, e.g. in beer gardens or outside events, toughened or plastic vessels should be used.

(iv) Drugs

Applicants are expected to be able to demonstrate that they can comply with Home Office Guidance “Safer Clubbing” and have an agreed protocol with the council and the police for dealing with illegal drugs found on their premises. Matters likely to be required

may include: - condition of entry to all premises, drugs amnesty boxes, CCTV coverage, log of all seizures, stop and search policy, and the availability of free water.

7.0 Public Safety

7.5 Certain types of premises, due to the nature of activities being provided, may give rise to a significant risk if occupancy numbers are not set. The council following representations will consider setting occupancy limits particularly in respect of the following types of premises:

- (i) night clubs/public houses providing regulated entertainment*
- (ii) theatres*
- (iii) cinemas*
- (iv) any other premises where the authority is satisfied that the nature and operation of the premises is such that it requires regulation of numbers at the premises.*

7.6 The council following representations may also impose occupancy limits when it considers it appropriate for other reasons, e.g. to minimise crime and disorder.

8.0 Prevention of Public Nuisance

8.2 The Council will expect operating schedules to demonstrate that suitable and sufficient measures have been identified, and will be implemented and maintained to prevent public nuisance. The extent and nature of these measures will be determined by the style and characteristics of the premises and events.

8.3 The Council may require applicants for premises licences to provide documented noise assessments with a view to minimising noise nuisance.

8.4 Noise from amplified music is a common source of disturbance. In order to minimise the impact in the vicinity, the licensing authority may require a range of measures to be taken. These may include the installation of soundproofing, air conditioning, acoustic and sound limitation devices.

8.5 In premises where regulated entertainment is provided, the licensing authority will require a documented noise assessment for the premises, which must indicate whether there is likely to be any

nuisance or disturbance to the local community, and if so, what measures are to be implemented to prevent this.

8.6 The licensing authority may at its discretion waive the requirement for a noise assessment where it can be demonstrated that the nature, type or location of the premises is such that the likelihood of nuisance arising is negligible.

Secretary of State's Guidance

The following provisions of the Secretary of State's Guidance appear to be relevant to this application:-

Licensing hours

3.29 With regard to licensing hours, the statement of policy should generally emphasise the consideration which will be given to the individual merits of an application. The Government strongly recommends that statements of policy should recognise that longer licensing hours with regard to the sale of alcohol are important to ensure that the concentrations of customers leaving premises simultaneously are avoided. This is necessary to reduce the friction at late night fast food outlets, taxi ranks and other sources of transport which lead to disorder and disturbance. The Government also wants to ensure that licensing hours should not inhibit the development of thriving and safe evening and night-time local economies which are important for investment and employment locally and attractive to domestic and international tourists without compromising the ability to resource local services associated with the night-time economy. Providing consumers with greater choice and flexibility is an important consideration.

6.10 Licensing authorities should also not seek to engineer "staggered closing times" by setting quotas for particular closing times, for example, by allocating closing times of 11.00pm, 12 midnight, 1.00am, 2.00am, 3.00am etc. to specific premises. In the Government's view, this would only serve to replace the current peaks of disorder and disturbance after 11.00pm and after 2.00am with a series of smaller peaks, minimising any potential improvement in the prevention of crime and disorder or public nuisance and would not be necessary to promote the licensing objectives. The general principle should be to support later opening so that customers leave for natural reasons slowly over a longer period. This prevents any artificial concentrations. At present, permitted hours for ordinary public houses are set at times that research evidence suggests are artificially early, causing a high proportion of customers to remain until the fixed closing time. The benefit of later closing times, even if many are similar, is that customers will leave for a variety of reasons at a variety of times. For

example, if all the public houses in a single street could open until 3.00am, this would allow customers a far longer period than now to leave and disperse from that area.

Public Nuisance

7.39 The 2003 Act requires licensing authorities following receipt of relevant representations and, through the making of representations, responsible authorities to make judgements about what constitutes public nuisance and what is necessary, in terms of conditions attached to specific premises licences and club premises certificates to prevent it. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on impacts of the licensable activities at the specific premises on persons living and working (including doing business) in the vicinity that are disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

7.40 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning for the Act's purposes. The prevention of public nuisance could therefore include low-level nuisance perhaps affecting a few people living locally as well as major disturbance affecting the whole community. It may also include in appropriate circumstances the reduction of the living and working amenity and environment of interested parties (as defined in the 2003 Act) in the vicinity of licensed premises.⁶

7.41 Conditions relating to noise nuisance will normally concern steps necessary to control the levels of noise emanating from premises, from simple mechanisms like ensuring that doors and windows are kept closed after a particular time in the evening to more sophisticated mechanisms like sound level inhibitors on amplification equipment or sound proofing. Any conditions necessary to promote the prevention of public nuisance should be tailored to the style and characteristics of premises and the type of activities expected to take place there.

7.42 As with all conditions, it will be clear that conditions relating to noise nuisance may in certain circumstances not be necessary where the provisions of the Environmental Protection Act 1990 and of the Noise Act 1996 adequately protect those living in the vicinity of the premises in question. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be necessary.

7.43 Where applications have given rise to representations, any necessary and appropriate conditions should normally focus on the most sensitive periods. For example, music noise from premises usually occurs from mid-evening until either late evening or early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. In certain circumstances, conditions relating to noise may also prove necessary to address any disturbance anticipated as customers enter and leave the premises and therefore, in the immediate vicinity of the premises.

1.8 Officer Observations

The committee is required to determine this application after taking into consideration the need to promote the licensing objectives and also the guidance issued by the Secretary of State and the Neath Port Talbot Statement of Licensing Policy.

The following observations are made in respect of the representations received from the police:-

Noise and Social Disturbance

The premises are close to flats for elderly residents, and in view of the hours sought is likely to give rise to some disturbance to residents. Committee should consider whether appropriate conditions are necessary to prevent public nuisance from noise from the premises, and social disturbance.

Door Supervisors

The need for door supervisors is usually decided by the management of the premises. However, where no provision has been made, the licensing authority can require that they are provided if it is considered essential for ensuring the prevention of crime and disorder or for public safety reasons. It is submitted that the committee should be satisfied that (1) the premises meets all the criteria specified in the licensing policy before deciding on this course of action or (2) the level of crime and disorder at or in the vicinity of the premises is such as to require this measure.

CCTV

It is submitted that Committee give consideration to specifying the requirements in accordance with the Neath Port Talbot Licensing Policy.

Occupant Capacity

The licensing policy suggests that this type of premises should have a specified occupant capacity. The applicant may wish to take advice from Mid & West Wales Fire and Rescue Service in this matter.

Policy re: Illegal Substances

This is one of the matters to be considered by applicants when preparing their operating schedules. A condition would be appropriate if the premises was frequented by significant number of young persons or where it is likely that illegal substances are used or sold on the premises.

Amplified Music

It may be appropriate to require noise assessments in order that noise levels can be established so that the music is inaudible in dwellings in the vicinity.

Unaccompanied Children

Further information should be sought from the applicant.

1.9 Recommendation

That members determine the application taking into account representations received.

List of Background Papers

Application for premises licence.

Officer Contact

J Sullivan – Principal Officer – Licensing

Tel: (01639) 686326 e-mail: j.sullivan@npt.gov.uk

Wards Affected

Neath North

2.0 Licensing Act 2003 Transitional Premises Licence Applications

Licence Application for conversion and variation of **Transitional Premises Licence**

2.1 Ref.No.: 001515 Wards Tonna
Affected:

Premises Name: Royal Oak Inn
Premises Address: Henfaes Road, Tonna, Neath, SA11 3EZ

Applicant Name: Mr Garry Morgan
Applicant Address: Henfaes Road, Tonna, Neath, SA11 3EZ

DPS Name: Mr Garry Morgan
DPS Address: Henfaes Road, Tonna, Neath, SA11 3EZ

Application Date: 13/05/2005

2.2 Conversion Application

The premises have traded as a public house for many years without conditions and are entitled to a premises licence for the sale of alcohol with the previous permitted hours becoming conditions of the new licence.

2.3 Variation Application

The application is for variation of the premises licence during the transitional period under Schedule 8 Licensing Act 2003. The relevant licensable activities are presently:-

- Sale of alcohol 11.00am – 11.00pm (on and off sales)

The application seeks to extend the licensing activities as follows:-

| | | |
|------------------------------|-----------------|---|
| <u>Indoor Sporting Event</u> | Monday – Sunday | 11.00am – 2.00am |
| <u>Live music</u> | Monday – Sunday | 11.30am – 2.00am (outside music to cease at 11.30pm) |
| <u>Recorded music</u> | Monday – Sunday | 11.00am – 2.00am (outside music to cease at 11.30pm) |

| | | |
|--|-----------------|------------------|
| <u>Anything of a similar description</u> | Monday – Sunday | 11.00am – 2.00am |
| <u>Provision of facilities for dancing</u> | Monday – Sunday | 11.30am – 2.00am |
| <u>Late Night Refreshment</u> | Monday – Sunday | 7.00pm – 2.00am |
| <u>Supply of Alcohol</u> | Monday – Sunday | 11.00am – 2.00am |
| <u>Hours premise open to the public</u> | Monday – Sunday | 11.00am – 2.30am |

2.4 **Background Information**

The premises is located in a terrace of residential properties on the main road through the village of Tonna.

The premises currently hold a licence for the sale of alcohol only.

2.5 **Promotion of Licensing Objectives**

The following information has been provided by the applicant.

Prevention of Crime & Disorder

A responsible member of staff on duty at all times.

Ensure staff are aware of and prevent use of drugs and notify authorities where illegal substances are identified.

Ensure there is no under-age drinking and provide signage in respect of underage drinking.

Do not serve overly intoxicated persons.

To participate in any schemes to support licensing objectives.

Disorderly persons are removed from the premises.

Public Safety

Ensure safe evacuation from premises especially disabled persons.

Ensure premises does not become overcrowded.

Provide plastic glasses for outside drinking when appropriate.

Ensure fire exits are kept clear at all times.

Consider CCTV for in and around the premises.

Ensure staff are aware of the location of fire extinguishers and exits.

Prevention of Public Nuisance

Curtains are closed at a reasonable time.

Windows and doors to be closed at a reasonable time.

At closing time ensure all bottles and rubbish is disposed of quietly.

Ensure any music does not affect people living nearby.

Ensure customers leave the premises in a quiet and orderly manner.

All music outside to finish at 11.30pm.

The Prevention of Children from Harm

To display signs advising of the restrictions in respect of the sale of alcohol.

Staff made aware it is illegal to sell alcohol to children.

Children must be accompanied by a responsible adult.

Proof of age to be required where necessary.

2.6 Relevant Representations

Responsible Authorities

Police

1. The area where each licensable activity takes place is not indicated on the plan of the premises, this is required by the Act.
2. The representation of the Beer Garden does not appear accurate. There is a paved area between the premises and the beer garden, the plan indicates that this area linking the two will not be used. There are tables and chairs to the front of the premises, these are not indicated on the plan.
3. Live music is requested until 2am inside the premises and until 11.30pm outside the premises. Given the location of these premises, i.e. in the middle of a terraced row of houses, this would appear to be inappropriate. This would contravene the licensing objective of preventing public nuisance.
4. In the Public Safety objectives, there are two statements which require quantifying. "The provision of plastic glasses when appropriate", who decides what is appropriate? The premises is "looking at CCTV", what does this mean?
5. In relation to Public Nuisance, there is no mention of noise limiters or cut-off devices fitted to windows and doors. Bottles and rubbish will be disposed of at closing time "as quietly as possible". This means nothing, and disposal on the

morning of the following day would be better. “Curtains will be closed “at a decent time”, what time is decent? These details have to be transferred into conditions on the operating schedule for the premises. It is not possible to make these statements into conditions.

6. It is intended that the premises be permitted to remain open until 2.30am each day. Given the location of these premises, the risk of public nuisance would increase, as a result of social disturbance, pedestrian and vehicular traffic from the premises. This would not promote the licensing objectives.

Environmental Health

1. Music until 11.30 outside of the main building – I feel that having regards to the position of the application premises that it would be impossible to have music outside of the building without causing nuisance to adjoining and nearby residents.
2. Music inside until 2.00am. Bearing in mind that we are dealing with a mid terrace property, I would question whether or not the party walls will be of sufficient sound insulation so as to ensure no nuisance is caused. I would want to see details of the party walls and the sound insulation values. These details should be provided by a suitably qualified person and if necessary include acoustic testing.
3. Consumption of alcohol outside of the premises – again because of the close proximity of residential property the use of the outside areas may cause problems from bad language etc.

Interested Parties

No representations submitted.

2.7 Policy Considerations

It is considered that the following policies have a bearing upon the application:-

Statement of Licensing Policy

The following paragraphs of the Neath Port Talbot Statement of Licensing Policy are considered relevant to the application:-

Public Nuisance

- 8.2 *The most important aspect of the system of permitted temporary activities is that no authorisation as such is required for these events from the licensing authority. The system involves notification of an event to the licensing*

authority and the police, subject to fulfilling certain conditions. In general, only the police may intervene to prevent such an event taking place or to agree a modification of the arrangements for such an event; and it is characterised by an exceptionally light touch bureaucracy. The licensing authority may only ever intervene of its own volition if the limits set out in the 2003 Act on the number of temporary event notices that may be given in various circumstances would be exceeded. Otherwise, the licensing authority is only required to issue a timely acknowledgement.

- 8.6 *Many premises users giving temporary event notices will not have commercial backgrounds or ready access to legal advice. They will include, for example, people acting on behalf of charities, community and voluntary groups, schools, churches and hospitals all of which may stage public events to raise funding at which licensable activities will take place. Licensing authorities should therefore ensure that local publicity about the system of permitted temporary activities is clear and understandable and should strive to keep the arrangements manageable and user-friendly for these groups.*

Secretary of State's Guidance

The following provisions of the Secretary of State's Guidance appear to be relevant to this application:-

Licensing hours

- 3.29 *With regard to licensing hours, the statement of policy should generally emphasise the consideration which will be given to the individual merits of an application. The Government strongly recommends that statements of policy should recognise that longer licensing hours with regard to the sale of alcohol are important to ensure that the concentrations of customers leaving premises simultaneously are avoided. This is necessary to reduce the friction at late night fast food outlets, taxi ranks and other sources of transport which lead to disorder and disturbance. The Government also wants to ensure that licensing hours should not inhibit the development of thriving and safe evening and night-time local economies which are important for investment and employment locally and attractive to domestic and international tourists without compromising the ability to resource local services associated with the night-time economy. Providing consumers with greater choice and flexibility is an important consideration.*
- 6.10 *Licensing authorities should also not seek to engineer "staggered closing times" by setting quotas for particular closing times, for example, by allocating closing times of 11.00pm, 12 midnight, 1.00am, 2.00am, 3.00am etc. to specific premises. In the Government's view, this would only serve to replace the current*

peaks of disorder and disturbance after 11.00pm and after 2.00am with a series of smaller peaks, minimising any potential improvement in the prevention of crime and disorder or public nuisance and would not be necessary to promote the licensing objectives. The general principle should be to support later opening so that customers leave for natural reasons slowly over a longer period. This prevents any artificial concentrations. At present, permitted hours for ordinary public houses are set at times that research evidence suggests are artificially early, causing a high proportion of customers to remain until the fixed closing time. The benefit of later closing times, even if many are similar, is that customers will leave for a variety of reasons at a variety of times. For example, if all the public houses in a single street could open until 3.00am, this would allow customers a far longer period than now to leave and disperse from that area.

Public Nuisance

7.39 The 2003 Act requires licensing authorities following receipt of relevant representations and, through the making of representations, responsible authorities to make judgements about what constitutes public nuisance and what is necessary, in terms of conditions attached to specific premises licences and club premises certificates to prevent it. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on impacts of the licensable activities at the specific premises on persons living and working (including doing business) in the vicinity that are disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

7.40 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning for the Act's purposes. The prevention of public nuisance could therefore include low-level nuisance perhaps affecting a few people living locally as well as major disturbance affecting the whole community. It may also include in appropriate circumstances the reduction of the living and working amenity and environment of interested parties (as defined in the 2003 Act) in the vicinity of licensed premises.⁶

7.41 Conditions relating to noise nuisance will normally concern steps necessary to control the levels of noise emanating from premises, from simple mechanisms like ensuring that doors and windows are kept closed after a particular time in the evening to more sophisticated mechanisms like sound level inhibitors on amplification equipment or sound proofing. Any conditions necessary to promote the prevention of public nuisance should be tailored to the style and characteristics of premises and the type of activities expected to take place there.

7.42 *As with all conditions, it will be clear that conditions relating to noise nuisance may in certain circumstances not be necessary where the provisions of the Environmental Protection Act 1990 and of the Noise Act 1996 adequately protect those living in the vicinity of the premises in question. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be necessary.*

7.43 *Where applications have given rise to representations, any necessary and appropriate conditions should normally focus on the most sensitive periods. For example, music noise from premises usually occurs from mid-evening until either late evening or early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. In certain circumstances, conditions relating to noise may also prove necessary to address any disturbance anticipated as customers enter and leave the premises and therefore, in the immediate vicinity of the premises.*

2.8 Officer Observations

The committee is required to determine this application after taking into consideration the need to promote the licensing objectives and also the guidance issued by the Secretary of State and the Neath Port Talbot Statement of Licensing Policy.

The following observations are made in respect of the representations received from the police and environmental health:-

Plans/Beer Gardens

Police representations

Item 1 has been resolved. Regarding Item 2, it has been established that the plans need only show the areas presently covered by the existing Justices Licence.

Noise/Social Disturbance

Police and environmental health representations

The committee should consider whether appropriate conditions can prevent nuisance and social disturbance from the premises.

2.9 Recommendation

That members determine the application taking into account representations received.

List of Background Papers

Application for premises licence.

Officer Contact

J Sullivan – Principal Officer – Licensing

Tel: (01639) 686326 e-mail: j.sullivan@npt.gov.uk

Wards Affected

Tonna