

**LICENSING (2003 ACT) SUB COMMITTEE**

**5th December 2005**

**DIRECTORATE OF FINANCE AND CORPORATE SERVICES**

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

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**PART 1 – Doc.Code: LICAS-051205-REP-FS-CJ**

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<b>1. Licensing Act 2003 Premises Licence Applications</b>		
Ref.No.: 002745 Premises Name: Mr Paul O'Dwyer Premises Address: 23 Sitwell Way, Port Talbot, West Glamorgan, SA12 6BH	<b>2-6 Appendix 1</b>	Sandfields East

### **1.1. Application for Premises Licence**

Ref.No.: 002745 Wards Sandfields East  
Affected:

Premises Name: Mr Paul O'Dwyer  
Premises 23 Sitwell Way, Port Talbot, West Glamorgan, SA12 6BH  
Address:

Applicant Name: Mr Paul O'Dwyer  
Applicant 73 Harvey Crescent, Aberavon, Port Talbot, SA12 6DF  
Address:

DPS Name: Mr Paul O'Dwyer  
DPS Address: 73 Harvey Crescent, Aberavon, Port Talbot, SA12 6DF  
Application 14/10/2005  
Date:

### **1.2. Licence Application**

The applicant seeks to provide licensable activities as follows:-

Supply of Alcohol:

Monday - Sunday 00:00 - 23:59

Opening Hours - Standard Timings:

Monday - Sunday 00:00 - 23:59

### **1.3. Background Information**

The licensed premises will be where the alcohol is stored all of the time. Customers will telephone the licensed premises and ask for whatever alcohol that they require to be delivered by a van.

The licensed premises is a domestic dwelling. The alcohol will be stored in a garage which is attached to the house.

At no time will people be able to call personally at the licensed premises to purchase alcohol.

### **1.4. Promotion of Licensing Objectives**

The following information has been provided by the applicant:

#### **The Prevention of Crime & Disorder:**

Not to supply to people whom I deem to be not responsible to carry on consuming alcohol.

Vehicle and premises security always reviewed and kept high.

Money banking carried out daily if large amounts are taken.

**Public Safety:**

Public liability insurance.

Vehicle insured and kept road legal.

Adhere to all highway and public road legislations.

**The Prevention of Public Nuisance:**

Alcohol delivered to homes and businesses only.

**The Protection of Children from Harm:**

Proof of age can be asked for before any delivery is complete.

**1.5. Relevant Representations:**

**Responsible Authorities Representations**

Police

See Appendix 1.

**Interested Parties Representations**

No representations.

**1.6. Policy Considerations**

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

*Statement of Licensing Policy*

***Crime & Disorder***

- 6.5 *Applicants will be required to consider measures to prevent crime and disorder The following are examples of control measures that may need to be addressed in the operating schedule, having regard to their particular type of premises and/or activities: -*
- (a) Effective and responsible management of premises*

- (b) Training and supervision of staff*
- (c) The internal layout and the location of various pieces of equipment within premises, including the position of cash registers, gaming machines etc.*
- (d) The provision location and suitability of any CCTV and the need for Police and local authority to have right of access to tapes.*
- (e) The use of plastic or toughened drinking vessels.*
- (f) The adequacy of staffing levels to maintain a safe environment.*
- (g) Management policy and action in relation to people who become intoxicated or disorderly.*
- (h) Participation in Pub watch or other similar schemes.*
- (i) The controls in place to prevent the use or supply of illegal drugs, including entry policies and search procedures.*
- (j) The policy/procedure in respect of age verification and preventing sales of alcohol to under age people.*
- (k) Adoption of best practice guidance (e.g. safer clubbing, Security by design etc)*
- (l) The likelihood of disorder, if a licence is granted.*

### ***Prevention of Crime & Disorder***

- 8.7 *When considering the potential for noise or disturbance, the licensing authority advises that where appropriate the following matters should be addressed in the operating schedule:*
- The need for these will be dependent to the style and characteristics of the premises and events.*
  - Obtaining advice from a suitably qualified acoustic specialist to determine any impact from activities. This applies both to music noise, and vibration.*
  - Steps taken to control the emission of noise from the premises by ensuring that doors and windows are kept closed, e.g. entertainment noise, plant noise and social noise.*
  - Structural alterations carried out to minimise noise leakage from the premises, including sound insulation, acoustic lobbies, provision of air conditioning.*
  - Systems in place to deal with disorder on the premises.*
  - Measures to be taken to ensure that windows and doors are kept closed during periods when amplified music is being played.*
  - Steps taken to ensure that fire doors are kept closed.*
  - The arrangements in place to ensure that patrons leaving the premises do so in a way that does not disturb nearby residents.*
  - The use of CCTV systems to monitor the immediate area*

*outside the premises and car park area.*

- *The measures taken to ensure that patrons arriving and leaving by taxi / minibuses do not disturb residents by arranging with taxi / minibus companies agreed pick up and drop off points and to avoid use of horns etc.*

- *Liaison with public transport providers.*

- *If the applicant has previously held a licence the history of enforcement action arising from these premises.*

- *Steps taken by the applicant to minimise any light pollution affecting the community.*

- *Details of any refuse storage, and disposal of any additional litter generated as a result of the activity.*

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- *Steps to avoid late night noise from disposal of empty bottles.*

- *Measures to minimise noise from staff leaving the premises.*

- *Details as to whether the use of a noise limiter has been considered to control noise levels.*

- *The use of prominent signs displayed requesting patrons to have regard to local residents when leaving the premises.*

- *Steps to be taken to avoid any noxious smells from causing nuisance to local residents.*

- *Details of actions to be taken in the case of an emergency.*

8.9 *The Council will consider attaching any appropriate Conditions to licences and permissions to prevent public nuisance and these may include Conditions drawn from the Model Pool of Conditions relating to Public Nuisance in Appendix 3.*

## **1.7. Officer's Report**

The police make representations in respect of crime and disorder and public nuisance. Concerns are expressed at the proposed mode of operation of the business. Recommendations are made with a view to alleviating some of these issues.

## **1.8. Recommendation**

That members determine the application after taking into account the representations received.

### **List of Background Papers**

Application for Premises Licence

**Officer Contact**

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**Wards Affected**

Sandfields East