

**LICENSING AND GAMBLING ACTS
SUB COMMITTEE
(LICENSING ACT 2003 HEARING)**

(Civic Centre, Neath)

Members Present:

9th June, 2009

Chairman: Councillor E.V.Latham

Vice Chairman: Councillor A.P.H.Davies

Councillor: H.N.James

Officers in Attendance: J.Sullivan (Licensing Manager)
I.Davies (Legal Section)
A.John (Environmental Health Section)
Miss G.Cirillo (Committee Section)

Representatives of the Police Authority: Chief Inspector A.Kingdom, Inspector M.Lenihan
and PC J.Williams

Report of the Head of Legal and Democratic Services

1. **APPLICATION FOR A PREMISES LICENCE – BACK TO MINE,
39-41 STATION ROAD, PORT TALBOT, SA13 1NN**

The Sub Committee was asked to consider an application for a premises licence for Back to Mine, 39-41 Station Road, Port Talbot, SA13 1NN. Mr.S.Keller, James Morgan Solicitors, attended the meeting with the applicant Mr.R.Hopkin and Mr.R.Keeble of Back to Mine Limited.

Mr.J.Sullivan, Licensing Manager, informed Members that the premises had been licensed in the past under the former business known as Tobins. Mr. Sullivan confirmed therefore that this application was a new application and not linked at all with any previously held licenses. He also informed the Sub Committee that the area to be licensed would be at the ground floor level only, as indicated on the Plan tabled at the meeting.

Mr. Sullivan also explained that since this application, the Applicants had been in discussions with the Police Authority and had made amendments to the original operating hours as detailed in the circulated report.

The amended hours for the Sub Committee to consider were as follows:-

The opening hours of the premises

Sunday to Wednesday: 11.00 – 02.00

Thursday: 11.00 – 03.00

Friday & Saturday: 11.00 – 04.00

Supply of Alcohol

Sunday to Wednesday: 11.00 – 02.00

Thursday: 11.00 – 03.00

Friday & Saturday: 11.00 – 04.00

Indoor Sporting Events

Sunday to Wednesday: 11.00 – 02.00

Thursday: 11.00 – 03.00

Friday & Saturday: 11.00 – 04.00

Live Music: Indoors

Sunday to Wednesday: 11.00 – 02.00

Thursday: 11.00 – 03.00

Friday & Saturday: 11.00 – 04.00

Recorded Music: Indoors

Sunday to Wednesday: 11.00 – 02.00

Thursday: 11.00 – 03.00

Friday & Saturday: 11.00 – 04.00

Entertainment like Music/Dance: Indoors

Sunday to Wednesday: 11.00 – 02.00

Thursday: 11.00 – 03.00

Friday & Saturday: 11.00 – 04.00

Facilities for Making Music: Indoors

Sunday to Wednesday: 11.00 – 02.00

Thursday: 11.00 – 03.00

Friday & Saturday: 11.00 – 04.00

Facilities for Dancing: Indoors

Sunday to Wednesday: 11.00 – 02.00

Thursday: 11.00 – 03.00

Friday & Saturday: 11.00 – 0400

Late Night Refreshment: Indoors

Sunday to Wednesday: 11.00 – 02.00

Thursday: 11.00 – 03.00

Friday & Saturday: 11.00 – 04.00

P.C. J.Williams of the South Wales Police Authority, advised the Committee that he had discussed the application in detail with the applicants and provided Members with a list of conditions that he wished to see attached to the licence. He indicated that, subject to the applicants agreeing to these conditions, he would then withdraw his representations.

Mr.T.John, the Environmental Health Officer outlined his concerns in respect of potential for noise nuisance and asked Members to consider attaching the condition as set out in his written representations.

The Sub Committee also heard from the interested party, Mr.R.M.Read, who expanded on his written representations regarding noise.

After listening to all Parties concerned, the Sub Committee adjourned to make their decision.

- RESOLVED:**
- (a) that the application be approved subject to the conditions submitted by the Police at the hearing;
 - (b) that all windows and doors be closed when amplified entertainment is taking place.

2. **APPLICATION FOR A SUMMARY REVIEW OF A PREMISES LICENCE – JIMMY’S BAR, 33 STATION ROAD, PORT TALBOT, SA13 1NN**

Mr.J.Sullivan, Licensing Manager, gave an overview of the grounds regarding the application for a Summary Review to the Sub Committee as detailed in the circulated report. He also reminded the Sub Committee of the decision made at the meeting held on the 21st May 2009, where interim steps were taken to suspend the licence. Mr. Sullivan also informed the Sub Committee that Mr.J.Hall, the licence holder, had not exercised his right to make representations following the decision of that meeting.

Two of the licence holders Mr. J. Hall and Mrs.M.Hall along with the manager, Ms M. McCook, attended the meeting. They were represented by Mr.J.Hussell, Solicitor, and Mr.G.Jones, Counsel.

After hearing all relevant representations the Sub Committee adjourned to make their decision.

RESOLVED: that the above Licence be revoked with immediate effect.

CHAIRMAN