

**LICENSING (2003 ACT) SUB COMMITTEE**

**14<sup>th</sup> February 2007**

**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-140207-REP-FS-CJ**

<b>SECTION A – MATTERS FOR DECISION</b>		
<b>Report Item</b>	<b>Page Nos</b>	<b>Wards Affected</b>
<b>1 Licensing Act 2003 Premises Licence Applications</b>		
Ref.No.: 005761 Premises Name: Massala Tandoori Premises Address: 29 Windsor Road, Neath, West Glamorgan, SA11 1NB	<b>2 - 5</b>	Neath North
Description: Vary Premises Licence Ref.No.: 005764 Name: The Lord Caradoc Address: 69-73 Station Road, Port Talbot, W Glam, SA13 1NW	<b>6-14</b> <b>Appendix 1</b>	Port Talbot



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

The customers that attend are mainly interested in Madras and Tandoori dishes. Any potential difficulties will be stopped at the door.

##### Prevention of Crime & Disorder

As the restaurant does not now supply alcohol, the customers who attend are essentially interested in the Indian food.

##### Public Safety

Risk assessment and fire safety policies are being implemented.

##### Prevention of Public Nuisance

There have been no issues of public nuisance in relation to the premises due to the nature of the services provided.

##### Protection of Children from Harm

Due to the services provided, children are unlikely and do not attend the premises, due to the strong qualities of the meals provided.

#### **1.5. Relevant Representations**

##### **Responsible Authorities**

##### Police

The police have withdrawn their representations following amendment of the application.

##### Interested Parties

None.

## **1.6. Policy Considerations**

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

### *Statement of Licensing Policy*

#### **6.0 *Crime and Disorder***

6.1. *Neath Port Talbot County Borough Council is committed to improving the quality of life for its residents, by continually striving to reduce crime and the fear of crime.*

6.2. *The council acknowledges that licensed premises, especially those offering late night/early morning entertainment, alcohol and refreshment for large numbers of people, can be a significant source of crime and disorder problems. The council expects the licensing trade to fully co-operate and play its part in minimising crime and disorder.*

6.3. *Applicants for licences to sell alcohol should ensure that the operating schedule specifies the designated premises supervisor. The designated premises supervisor has day-to-day responsibility for the running of the premises, and as such the council expects that they would be present on the premises on a regular basis.*

### *Secretary of State's Guidance*

5.22. *The Secretary of State considers that the key licensing objectives in connection with late night refreshment are the prevention of crime and disorder and public nuisance, and it is expected that both will normally have been adequately covered in the conditions relating to the other licensable activities on such premises.*

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

The hours for licensable activity indicated at 1.2 overleaf have been agreed by the South Wales Police and the applicant.

## **1.8. Recommendation**

That members approve the application.

**List of Background Papers**

Application for Premises Licence

**Officer Contact**

J.Sullivan - Licensing Manager

Tel (01639) 686326

e-mail [j.sullivan@npt.gov.uk](mailto:j.sullivan@npt.gov.uk)

**Wards Affected**

Neath North



From 6.00am until the beginning of the standard hours or until 3.00am as follows:-

On no more than 12 occasions per calendar year. These extensions for the supply of alcohol can only take place if at least 10 days notice is provided to the Police and the Licensing Authority and only if the Police give their consent.

**Films:**

Sunday to Thursday 07.00 - 00.30

Friday to Saturday 07.00 - 01.00

Non-standard Timings:

Times as above.

**Live Music:**

Sunday to Thursday 07.00 - 00.30

Friday to Saturday 07.00 - 01.00

Non-standard Timings:

Times as above.

**Recorded Music:**

Times as above.

Non-standard Timings:

Times as above.

**Performance of Dance:**

Times as above.

Non-standard Timings:

Times as above.

**Activity like Music/Dance:**

Times as above.

Non-standard Timings:

Times as above.

**Facilities for Making Music:**

Times as above.

Non-standard Timings:

Times as above.

Facilities for Dancing:  
Times as above.  
Non-standard Timings:  
Times as above.

Facility like Music/Dance:  
Times as above.  
Non-standard Timings:  
Times as above.

Late Night Refreshment:  
Times as above.  
Non-standard Timings:  
Times as above.

The opening hours of the premises

Standard Timings:  
Sunday to Thursday           07.00 - 00.30  
Friday & Saturday           07.00 - 01.00  
Non-standard Timings:  
Times as above.

### **2.3. Variation Application**

The applicant seeks to vary the licence as follows:-

Supply of Alcohol:  
Sunday to Wednesday       09.00 - 00.30  
Thursday                       09.00 - 01.00  
Friday & Saturday           09.00 - 01.30

Films:  
Sunday to Wednesday       07.00 - 01.00  
Thursday                       07.00 - 01.30  
Friday & Saturday           07.00 - 02.00

Live Music:  
Sunday to Wednesday       07.00 - 01.00  
Thursday                       07.00 - 01.30  
Friday & Saturday           07.00 - 02.00



Recorded Music:  
Sunday to Wednesday 07.00 - 01.00  
Thursday 07.00 - 01.30  
Friday & Saturday 07.00 - 02.00

Performance of Dance:  
Sunday to Wednesday 07.00 - 01.00  
Thursday 07.00 - 01.30  
Friday & Saturday 07.00 - 02.00

Activity like Music/Dance:  
Sunday to Wednesday 07.00 - 01.00  
Thursday 07.00 - 01.30  
Friday & Saturday 07.00 - 02.00

Facilities for Making Music:  
Sunday to Wednesday 07.00 - 01.00  
Thursday 07.00 - 01.30  
Friday & Saturday 07.00 - 02.00

Facilities for Dancing:  
Sunday to Wednesday 07.00 - 01.00  
Thursday 07.00 - 01.30  
Friday & Saturday 07.00 - 02.00

Facility like Music/Dance:  
Sunday to Wednesday 07.00 - 01.00  
Thursday 07.00 - 01.30  
Friday & Saturday 07.00 - 02.00

Late Night Refreshment:  
Sunday to Wednesday 23.00 - 01.00  
Thursday 23.00 - 01.30  
Friday & Saturday 23.00 - 02.00

Opening Hours - Standard Timings:  
Sunday to Wednesday 07.00 - 01.00  
Thursday 07.00 - 01.30  
Friday & Saturday 07.00 - 02.00

#### **1.4. Relevant Representations**

##### **Police**

See Appendix 1.

#### **1.5. Promotion of Licensing Objectives**

The following information has been provided by the applicant:

General - all four Licensing Objectives:

Existing conditions on the premises licence will continue to apply.

#### **1.6. Policy Considerations**

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

##### Statement of Licensing Policy

- 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*
  - (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.*
- 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.*

- 7.3 The Council requires that operating schedules demonstrate that suitable and sufficient measures are in place to ensure public safety, appropriate to the individual style and characteristics of the premises and events. Matters which should be considered by the applicant include:*

- *The occupancy capacity of the premises*
- *The age, design and layout of the premises, including means of escape in the event of fire or other emergency, including provision for the safe evacuation of disabled or infirm persons.*
- *The nature of the licensable activities to be provided, in particular the sale or supply of alcohol, and/or the provision of music and dancing and including whether those activities are of a temporary or permanent nature*
- *The hours of operation (differentiating the hours of opening from the hours when licensable activities are provided, if different)*
- *Customer profile (e.g. age, disability)*
- *The use of special effects such as lasers, pyrotechnics, smoke machines, foam machines etc.*

### **1.7. Secretary of State's Guidance**

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.*

#### Prevention of Crime & Disorder

3.46 *Licensing policy statements should indicate that conditions attached to premises licences and club premises certificates will, so far as possible, reflect local crime prevention strategies. For example, the provision of closed circuit television cameras in certain premises.*

*Where appropriate it should reflect the input of the local Crime and Disorder Reduction Partnership.*

**1.8. Recommendations**

That members determine the application after considering all representations.

**List of Background Papers**

Application for Premises Licence

**Officer Contact**

J.Sullivan - Licensing Manager

Tel (01639) 686326

e-mail [j.sullivan@npt.gov.uk](mailto:j.sullivan@npt.gov.uk)

**Wards Affected**

Port Talbot

# Appendix 1

Please  
Scan-

005764

## Val Cotton

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**From:** John.B.Williams@south-wales.pnn.police.uk  
**Sent:** 15 January 2007 12:27  
**To:** Alwyn Hughes; Neil Chapple; Ron Staddon; Sarah Bartle; Val Cotton  
**Subject:** Lord Caradoc, Port Talbot

In respect of the application to vary the premises licence for the above, I have spoken to Sector Inspector Simon Belcher who has asked me to make the following observations:

1. On occasions when the premises are licensed to sell intoxicants until 01:00 hrs or later, and provide regulated entertainment until 01:30 hrs, a minimum 3 SIA door supervisors will be required to be on duty at the premises from 21:00 hrs. Two supervisors to be located at the front entrance and one to the rear supervising the rear landscaped area and interior. This is to prevent crime and disorder and to assist in ensuring public safety. A duty record, ie name, address, licence number etc, of all door staff must be completed at the start of the tour of duty, and those records must be kept for examination by Police and Local Authority licensing officers.
2. A CCTV system must be in place of a coverage and quality agreed by the police crime prevention officer. CCTV recordings must be kept for a period of 28 days with access given to police and Local Authority Licensing Officers. The landscaped area is required to be covered by a CCTV camera. This is in the interests of the prevention of crime and disorder and public safety.
3. The premises is to be a participating member of the Port Talbot Pubwatch Scheme, and a participating member of Port Talbot nite-net radio system.
4. In the interests of public safety, I require a capacity for the premises, with a ratio towards a figure that does not indicate a high volume vertical drinking environment, i.e. one person per metre square. How is it proposed to monitor the capacities of each of the areas of the premises, ie. interior and landscaped area.
5. The premises will use only safety or polycarbonate drinking vessels to promote the licensing objectives of prevention of crime and disorder and public safety.

Submitted for your information and consideration,

**PC John Williams**  
**Licensing Officer 'G'**  
**Ext 51-207**  
**Direct Line 01639 640207.**  
**E-mail : John.B.Williams@south-wales.pnn.police.uk**

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### **Datganiad Cyfrinachedd E-bost**

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