

LICENSING AND GAMBLING ACTS SUB COMMITTEE

(Civic Centre, Neath)

Members Present:

24th March, 2009

Chairman: Councillor E.V.Latham

Vice Chairman: Councillor A.P.H.Davies

Councillor: L.W.Willis

Officers in Attendance: J.Sullivan (Licensing Manager),
I.Davies (Legal Section) and
Miss C.Grocutt (Committee Section)

South Wales Police Authority: Chief Inspector A.Kingdom, Inspector M.Lenihan and
P.C. J.Williams (Item 2 only)

Report of the Head of Legal and Democratic Services

1. **LICENSING ACT 2003 – LICENSING ACT 2003 (HEARINGS)
REGULATION 2005 – APPLICATION FOR A VARIATION OF
PREMISES LICENCE – THE CRADDOCK ARMS, GREEN PARK
INDUSTRIAL ESTATE, ABERAVON**

The Sub Committee was asked to consider an application for a Premises Licence for the above mentioned premises. The circulated report contained details of the application under the Licensing Act 2003.

The Licensing Manager updated the Sub Committee on the background of the premises as detailed in the circulated report. Members noted that the variation was to extend the operating hours of the premises.

Representations were made by the Environmental Health Section with the request for an additional condition to be added to the Premises Licence, which was contained in Appendix 1 of the circulated report. The Applicant had agreed to this condition and as a result the Environmental Health Section had withdrawn its representations.

RESOLVED: that the above application be approved subject to the additional condition as set out below:

“that entertainment noise shall be inaudible inside any noise sensitive property”.

2. **LICENSING ACT 2003 - LICENSING ACT 2003 (HEARINGS)
REGULATION 2005 - APPLICATION FOR A REVIEW OF A
PREMISES LICENCE - THE BIG CAM, 9 WINDSOR ROAD,
NEATH**

The Sub Committee was asked to consider an application for a review of an existing premises licence relating to the above mentioned premises, under the provisions of the Licensing Act 2003.

The request for the review had been received from the Police who were in attendance at the meeting. The Solicitor representing the Premises Licence Holder was also in attendance along with the Designated Premises Supervisor (DPS).

Pubfolio, as an interested party, along with their legal adviser were also in attendance.

The Licensing Officer outlined the grounds for the review as set out in the circulated report.

In accordance with the prescribed procedure, the Sub Committee then heard representations from all parties present.

Members noted that discussions had taken place between the parties prior to the meeting whereby a number of conditions had been agreed for submission to the Sub Committee for approval.

The Sub Committee then adjourned, following receipt of all representations, prior to reaching its final decision.

RESOLVED: that the above premises licence be suspended for one month and that the additional conditions as set out below be added to the licence:-

1. that the Designated Premises Supervisor attend a British Institute of Innkeepers Course Level 2 National Certificate for Designated Premises Supervisor; also the premises licence holder and the manager attend a B.I.I. Course Level 1 Responsible Alcohol Retailing;
2. that a Personal Licence Holder must be present at all times when the premises are open for business;
3. that the Premises Licence Holder maintain a written record of all Door Supervisors operating at the premises and that the record show the name, address and licence number of each door supervisor, and the dates and hours that they operate. The record must also be kept available for inspection by the Police or authorised officers of the Licensing Authority;
4. that the Premises Licence Holder ensure that a written record of staff at the premises be maintained detailing names, dates and hours worked. The record must also be kept available for inspection by the Police or authorised officers of the Licensing Authority;
5. that the Premises Licence Holder ensure that an incident log be maintained at the premises showing details of the date and time of all assaults, injuries, accidents or ejections, as well as information as to the members of staff involved, the nature of the incident and the action/outcome. The log must be kept available for inspection by the Police or authorised officers of the Licensing Authority;

6. that the Licensed Door Supervisors be at the premises on Fridays and Saturdays between 9.00pm and close of business. In addition Licensed Door Supervisors be present whenever Regulated Entertainment is provided at the premises and also whenever the Police indicate to the Designated Premises Supervisor that they are necessary due to the occurrence of a Major Sporting Event;

When Licensed Door Supervisors are required the minimum number to be provided is as follows:-

- (i) Fridays and Saturdays between 9.00pm and 11.00pm – minimum of 3. (After 11.00pm the side entrance must be closed which will reduce the requirement by 1)
 - (ii) at any other time - minimum of 2.
7. that Polycarbonate or equivalent safety drinking vessels shall be used as follows:-
- (i) From 8.00pm till close on Friday and Saturday;
 - (ii) Whenever regulated entertainment is provided;
 - (iii) When major sporting events are designated by the Police.

The above requirements will not apply to table service provided in the designated dining area;

8. that the premises licence holder or his representative shall actively participate in the Nite Net Radio Scheme, and be active members of the Neath Business Crime Reduction Partnership;
9. that the Challenge 21 Scheme shall be implemented at the premises and a refusals log be maintained showing details of the date and time of refusal as well as details of the person(s) involved and any identification provided;
10. that the premises will not provide or support irresponsible drinks promotions or activities;
11. that the CCTV system comply with the requirements of the Crime Prevention Officer of South Wales Police;
12. that the premises implement and maintain a random search policy of patrons;
13. that the premises implement and maintain a system for establishing the number of patrons at the premises at any one time;
14. that no person under the age of eighteen is permitted on the premises unless they are accompanied by an adult and taking table meals.

These conditions replace existing non-mandatory conditions relating to:-

- (i) Door Supervisors;
- (ii) Persons under the age of eighteen years.

CHAIRMAN