

# LICENSING AND GAMBLING ACTS SUB COMMITTEE

(Via Microsoft Teams)

**Members Present:**

**4 October 2021**

**Chairperson:** Councillor S.Paddison

**Vice Chairperson:** Councillor D.Whitelock

**Councillors:** Councillor N.Davies and M.Peters

**Officers in Attendance:** N.Chapple, M.Shaw and N.Jones

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## 1. **Application for the Review of a Premises Licence - The Old Surgery (The Surge)**

Members considered an application for the review of a Premises Licence and to consider representations received in respect of the following application made under the Licensing Act 2003:

Premises Name	The Old Surgery (The Surge)
Premises Address	74 Commercial Road, Taibach, Port Talbot, SA13 1LR
Applicant Name	Mrs Leah Morgan
Applicant Address	Environmental Health, Neath Port Talbot Council, The Quays, Brunel Way, SA11 2GG
Licence Holder Name	Mr Mark Cubberley
DPS	Mr Mark Cubberley

**RESOLVED:** The Sub-Committee decided to modify the conditions of the premises licence so that the following conditions would apply

- a. By virtue of S177 (A) the Licensing Act 2003 the conditions of the Premises Licence relating to regulated entertainment shall be in force between 8.00 hours and 23.00 hours.

- b. There shall be no external amplified sound (i.e. in the beer garden, car park, or anywhere else outside the curtilage of the building).
- c. There shall be no regulated entertainment in the form of live or recorded music at the premises until such time that the licence holder and/or owner of the premises commissions an independent acoustic consultant to undertake a Noise Impact Assessment and the recommended control measures contained within the assessment are implemented. A copy of the Noise Impact Assessment along with supporting evidence that the requirements have been complied with shall be provided to the Local Authority for written approval prior to the commencement of regulated entertainment.
- d. To comply with the above the following criteria must be met;
  - i. The report must be carried out by an acoustic consultant who shall be a member of the Association of Noise Consultants and a member of the Institute of Acoustics.
  - ii. The methodology for the noise assessment shall accord with current UK guidance and British Standards and agreed with the Local Authority in advance of the assessment commencing.
  - iii. Prior to implementation of the control measures the Local Authority shall be given the opportunity to review and comment on the Noise Impact Assessment and its recommendations.
- e. The Premises Licence Holder or a nominated person shall carry out proactive noise observations outside the premises at least once an hour during the provision of regulated entertainment, and take any necessary remedial action. A written record of proactive external noise assessments and, where applicable, remedial actions taken shall be kept for a minimum of 31 days from the date of the last entry in the record and this record

shall be available for inspection on demand by authorised council officers at all times the premises are open.

- f. Speakers shall not be located in the entrance and exit of the premises or outside the building.
- g. All windows and external doors shall be kept closed after (21:00) hours or at any time when regulated entertainment takes place, except for the immediate access and egress of persons. (*To replace the existing condition relating to windows and doors being closed during amplified music*)
- h. The smoking areas, including the beer garden, must be provided with suitable ashtrays/bins, the use of which shall be monitored by the Premises Licence Holder or a nominated person. The smoking areas, including the beer garden and adjacent highways must be regularly swept to remove cigarette ends and kept in a clean and tidy manner at all times.
- i. A Digital CCTV system shall be installed, or existing system maintained, at the premises which will be operational at all times when the premises is open to the public & be capable of providing pictures of evidential quality in all lighting conditions particularly facial identification. The CCTV recordings must be correctly timed and date stamped & retained for a period of 31 days and made available for viewing by the Police or an authorised Officer of the Licensing Authority on request. The system must provide coverage of the following areas:-
  - The exterior perimeter of the premises
  - The entrances and exits to the premises;
  - The interior & exterior public areas of the premises (i.e. beer garden and carpark)
- j. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the

premises at all times when the premises is open to the public. This staff member shall be able to show and provide Police or authorised officers, recent data or footage with the absolute minimum of delay following a lawful request.

- k. Every Friday and Saturday night, the Sunday night of any bank holiday, Christmas Eve, Boxing Day, when entertainment is provided, a minimum of 2 SIA registered door supervisors will be on duty from 20:00 hours until closing time and when no entertainment is provided, 1 SIA registered door supervisor will be employed. At all other times, the premises licence holder will risk assess the need for door supervisors and provide door supervision between such times and in such numbers as is required by the risk assessment.
- l. Door Supervisors shall display their S.I.A licence in a reflective armband whilst on duty.
- m. A daily register of security personnel will be maintained. The register shall show the name, address and licence number of each door supervisor, and the dates and times that they operate. The register must be kept available for inspection by the Police and authorised officers of the Local Authority
- n. An incident recording book shall be maintained at the premises showing details of the date and time of any assaults, injuries, accidents, interventions by staff or ejections, as well as details of the members of staff involved, the nature of the incident and the action/outcome. The book must be kept.
- o. Provide prominent signs throughout the premises and at all exits requesting patrons to leave in a quiet and orderly manner so as to minimise impact on local residents.

