

NEATH PORT TALBOT COUNCIL

Licensing and Gambling Acts Sub Committee

14th November 2022

Report of the Head of Legal Services – Craig Griffiths

Matter for Decision

Wards Affected: Port Talbot

Application for the Grant of a Premises Licence

Purpose of the Report

1. To consider representations received in respect of the following application made under the Licensing Act 2003.

Premises Name	Murphy's Main Stage
Premises Address	18 Station Road, Port Talbot, SA13 1JB
Applicant Name's	Phillip Murphy
Applicant Address	18 Station Road, Port Talbot, SA13 1JB
DPS Name	Phillip Murphy

Executive Summary

2. This is an application for the grant of a premises licence under the Licensing Act 2003 by Phillip Murphy. The premises licence will authorise the sale of alcohol, regulated entertainment and late night refreshment.
3. Representations were received in respect of the application from South Wales Police and the Legal Regulatory Service requesting that additional conditions be attached to the licence.
4. The applicant has agreed to the imposition of the additional conditions and consequently all parties agree that a hearing is unnecessary; final determination of the application needs to be made by the Licensing and Gambling Acts Sub Committee.

Background

5. The Licensing Act 2003 requires that any person wishing to provide licensable activities obtains a premises licence from the Licensing Section.
6. An application for the grant of a premises licence must be advertised in the prescribed manner and allows "Responsible Authorities" or "Other Persons" to submit representations in respect of the application.
7. Where all parties have reached an agreement and amendments have been made to the original application, the Licensing Authority can dispense with the need for a formal hearing; a meeting of the Sub-Committee is still required to consider the amendments.

Licence Application

8. The applicant has included the following information in the application outlining the requested hours of operation and details on how the applicant proposes to promote the 4 licensing objectives.

Opening Hours

9. Sunday – Wednesday 08.00 – 01.00
10. Thursday - Saturday 08.00 - 02.00
11. Non Standard Timings

12. The Sunday preceding any bank holiday, Christmas eve, Boxing day and good Friday 08.00 - 02.00

Supply of Alcohol (On and Off Sales)

13. Sunday – Wednesday 08.00 – 01.00
14. Thursday - Saturday 08.00 - 02.00
15. Non Standard Timings
16. Alcohol will be served up until half hour before the end of opening which times I have stated. The system wouldn't let me input the half hour time. Sunday - Wednesday 08.00- 12.30, Thursday-Saturday 08.00-01.30.

Films

17. Sunday – Wednesday 08.00 – 01.00
18. Thursday - Saturday 08.00 - 02.00
19. Non Standard Timings
20. The Sunday preceding any bank holiday, Christmas eve, Boxing day and good Friday 08.00 - 02.00

Indoor Sporting Events

21. Sunday – Wednesday 08.00 – 01.00
22. Thursday - Saturday 08.00 - 02.00
23. Non Standard Timings
24. The Sunday preceding any bank holiday, Christmas eve, Boxing day and good Friday 08.00 - 02.00

Boxing and Wrestling

25. Sunday – Wednesday 08.00 – 01.00
26. Thursday - Saturday 08.00 - 02.00
27. Non Standard Timings

28. The Sunday preceding any bank holiday, Christmas eve, Boxing day and good Friday 08.00 - 02.00

Live Music

29. Sunday – Wednesday 12.00 – 01.00
30. Thursday - Saturday 12.00 - 02.00
31. Non Standard Timings
32. The Sunday preceding any bank holiday, Christmas eve, Boxing day and good Friday 08.00 - 02.00

Recorded Music

33. Sunday – Wednesday 10.00 – 01.00
34. Thursday - Saturday 10.00 - 02.00
35. Non Standard Timings
36. The Sunday preceding any bank holiday, Christmas eve, Boxing day and good Friday 08.00 - 02.00

Performance of Dance

37. Sunday – Wednesday 10.00 – 01.00
38. Thursday - Saturday 10.00 - 02.00
39. Non Standard Timings
40. The Sunday preceding any bank holiday, Christmas eve, Boxing day and good Friday 08.00 - 02.00

Late Night Refreshment

41. Sunday – Wednesday 23.00 – 01.00
42. Thursday - Saturday 23.00 - 02.00
43. Non Standard Timings

44. The Sunday preceding any bank holiday, Christmas eve, Boxing day and good Friday 23.00 - 02.00

Licensing Objectives

45. The following information has been provided by the applicant.

General

46. Regular discussions with council officers about how we manage our objectives and any new regulations we need to be aware of. Look to get all staff that are capable to complete personal license and SIA license as soon as we can. Look to minimize the disruption caused to any locals by closing earlier than other clubs at the weekends. Promoting a respect the neighbours campaign when we have any events on at the premises.

Prevention of Crime and Disorder

47. A digital CCTV system shall be installed at the premises which will be operational at all times when the premises is open to the public and be capable of providing pictures of evidential quality in all lighting conditions particularly facial identification. The CCTV recordings must be 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 shall provide coverage of the entrance and exits of the premises and the interior public areas of the premises. A staff member who is conversant with the operations of the CCTV system will be on the premises at all time to make available recordings to police or authorised officer with the absolute minimum delay.
48. An incident recording book shall be maintained at the premises showing details of the date and time of any assaults, injuries, accidents or interventions by staff or ejections, as well as details of the member of staff involved. The nature of the incident and the actions/ outcome. The book must be kept available for inspection by the police and authorised officers of the local authority.
49. Staff will be trained in their responsibilities under the Licensing Act 2003 before making sales of alcohol and refresher training will take place at no less than 6 monthly intervals. All training will be recorded in either written or electronic format and made available to police and local authority officers on request.

50. Every Friday and Saturday night, the Sunday night preceding any public holiday, Christmas Eve, Boxing Day and Good Friday when regulated entertainment is provided a minimum of 1 SIA registered door supervisor will be on duty from 22.00 until the closing time. At all other times the premises license holder will risk assess the need for door supervision and provide adequate cover as such times where the risk assessment shows need. They shall also display their SIA licence in a reflective armband whilst on duty.
51. A daily register of security personnel will be maintained. The register shall show the name address and license number of each door supervisor, and the dates and times that they operate. The register must be kept available for inspection by police and authorised officer of the council.
52. I also already have CCTV in place.

Public safety

53. No glassware or glass bottles will be taken outside of the building by patrons of the premises. Staff shall be first aid trained.

The prevention of public nuisance

54. All windows and external doors shall be kept closed after 23.00 hours or at any time when regulated entertainment takes place except for the immediate access and egress for persons which is a double doorway where internal doors can remain closed.
55. Notices shall be prominently displayed at all exits requesting patrons respect the needs of local residents and to leave quietly.
56. No rubbish including bottles shall be removed or put outside during the hours of 23.00 and 08.00.
57. A direct telephone number for the manager of the premises shall be publicly available at all times when the premises is open. This telephone number is to be made available to all residents in the vicinity.

The protection of children from harm

58. Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification shall bear their photograph, date of birth and a holographic mark.

59. Signage shall be displayed in a prominent position within the premises informing of the challenge 25 policy.
60. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of refused sale and the name of the member of staff who refused the sale and the reason for refusal. The log shall be available for inspection at the premises by the police or an authorised officer of the council at all times while the premises is open.
61. The premises will keep an up to date training record available for inspection at the premises for police or council officer in respect of age related sales.

Relevant Representations

62. Nick Bailey - South Wales Police
63. The above representation is reproduced at Appendix 1
64. Peter Malough - Legal Regulatory Services
65. The above representation is reproduced at Appendix 2

Officer Report

66. The application is to authorise the sale of alcohol, regulated entertainment and late night refreshment.
67. Representations have been received from South Wales Police and Legal Regulatory Services who requested additional conditions be attached to the licence.
68. The applicant has agreed to all the conditions requested.

Legal Impacts

69. There is a right of appeal against the decision to the Magistrates' Court

Risk Management

70. Not Applicable

Consultation

71. Consultation has been undertaken in accordance with the Licensing Act 2003.

Recommendation

72. The members determine the application after considering all relevant representations.

Reasons for Proposed Decision

73. To ensure the licensing objectives as set out in the Licensing Act 2003 are promoted.

Implementation of Decision

74. The decision is for immediate implementation

Appendices

75. Appendix 1 - South Wales Police Representations
76. Appendix 2 - Legal Regulatory Services Representations

List of Background Papers

77. Application for the grant of a premises licence
78. Neath Port Talbot Licensing Policy
79. <https://www.npt.gov.uk/media/17641/appendix-1-draft-licensing-act-policy-2021-english.docx?v=20220627093306>
80. Secretary of State's Guidance
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

Officer Contact

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