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Bridgend County Borough Council



Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont, CF31 4WB / Civic Offices, Angel Street, Bridgend, CF31 4WB

*Rydym yn croesawu gohebiaeth yn Gymraeg.
Rhowch wybod i ni os mai Cymraeg yw eich
dewis iaith.*

*We welcome correspondence in Welsh. Please
let us know if your language choice is Welsh.*

**Gwasanaethau Gweithredol a Phartneriaethol /
Operational and Partnership Services**

Deialu uniongyrchol / Direct line /: 01656 643148
Gofynnwch am / Ask for: Mr Mark Anthony Galvin

Ein cyf / Our ref:
Eich cyf / Your ref:

Dyddiad/Date: 13 June 2016

Dear Councillor,

LICENSING ACT 2003 SUB-COMMITTEE (B)

A meeting of the Licensing Act 2003 Sub-Committee (B) will be held in Conference Room 1, Level 4, Civic Offices, Angel Street, Bridgend on **Friday, 17 June 2016 at 10.00 am.**

AGENDA

1. Apologies for Absence
To receive apologies for absence from Members.
2. Declarations of Interest
To receive Declarations of personal and prejudicial interest (if any) from members/ officers in accordance with the provisions of the Members Code of Conduct adopted by Council from the 1st September 2008.
3. Licensing Act 2003: Section 34 - Application to vary Premises Licence, Sax Bar and Nightclub, Derwen Road, Bridgend. 3 - 62

Yours faithfully

P A Jolley

Corporate Director Operational and Partnership Services

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Rydym yn croesawu gohebiaeth yn y Gymraeg. Rhowch wybod i ni os yw eich dewis iaith yw'r Gymraeg

We welcome correspondence in Welsh. Please let us know if your language choice is Welsh

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO SPECIAL LICENSING ACT 2003 SUB-COMMITTEE

17 JUNE 2016

REPORT OF THE CORPORATE DIRECTOR OPERATIONAL AND PARTNERSHIP SERVICES

LICENSING ACT 2003: SECTION 34 APPLICATION TO VARY A PREMISES LICENCE SAX BAR AND NIGHTCLUB, DERWEN ROAD, BRIDGEND

Purpose of report

- 1.1 This is an application made by Richard Hopkins, premises licence holder, to vary a premises licence in force at the above-mentioned venue.
- 1.2 This application must be determined by a sub-committee as relevant representations have been received from the South Wales Police and Licensing Enforcement team, and the Council as the licensing authority has adopted a special cumulative impact policy in respect of the area in which this premises is located.
- 1.3 At the time this report was prepared, the licensing authority had not received confirmation from all parties that a hearing of this application would not be necessary.
- 1.4 The legislation provides for the promotion of the four statutory licensing objectives which must be addressed by the authority when licensing functions are undertaken:

The prevention of crime and disorder
Public safety
The prevention of public nuisance
The protection of children from harm.

2. Connection to Corporate Improvement Plan / Other Corporate Priority

- 2.1 None.

3. Background

- 3.1 The application has been advertised in accordance with Regulations.
- 3.2 The application seeks to:
 - Extend the opening hours of the premises
 - Extend the permitted hours for the sale by retail of alcohol
 - Remove conditions on the current licence

The application is attached at Appendix A.

- 3.3 A copy of the current premises licence is attached at Appendix B.
- 3.4 A copy of the plan attached to the premises licence is attached at Appendix C.
- 3.5 A copy of a location plan is attached at Appendix D.
- 3.6 In brief, the application seeks to increase the licensable activity of the sale by retail of alcohol from 1000-0300 hours Sunday to Friday and 1000-0430 hours Saturday to 1000 -0430 on all days of the week.

The application seeks to extend the terminal hour for the provision of late night refreshment from 0300 hours Sunday to Friday and 0430 hours on Saturday to 0500 hours on all days of the week.

The application seeks to extend the terminal hour for the performances of dance to 0430 hours throughout the week and add the category of regulated entertainment of a similar description to live music, recorded music and performances of dance from 1000 to 0430 hours on all days of the week. The applicant has not indicated what activities are proposed under this category.

- 3.7 The applicant is requesting that conditions be removed relating to the external area, which include the provision of seating and the use of the external seating area.
- 3.8 The applicant is also seeking to remove a condition which states that there shall be no admission or readmission to the premises after 0230 hours, and for the removal of the non-standard timings which apply to the licence on Good Friday and Christmas Day.
- 3.9 For the information of the Sub-Committee, the proposed Operating Schedule is contained within the application marked Box M for reference. These contain the additional steps which the applicant intends to take to promote the four licensing objectives of:
 - The prevention of crime and disorder
 - Public Safety
 - The prevention of public nuisance
 - The protection of children from harm

4. Current situation / proposal.

- 4.1 Representations have been received from the South Wales Police and are attached at Appendix E.
- 4.2 Representations have been received from the Licensing Enforcement Officer acting on behalf of the licensing authority. These are attached at Appendix F.
- 4.3 The Sub-Committee must have regard to the Council's Statement of Licensing Policy and the Home Office Guidance issued under Section 182 of the Licensing Act 2003. However, the Sub-Committee must also consider each application on its own merits

having regard to the application, the operating schedule submitted and the representations made.

4.4 Sections 5, 6 and 9 of the Council's Statement of Licensing Policy are relevant to this application. Section 6 relates to a special policy in force in relation to the cumulative impact of premises in Bridgend Town Centre and specifically Derwen Road Bridgend where this premises is located.

"6.4 The effect of adopting a special policy of this kind is to create a rebuttable presumption that applications for new premises licences or club premises certificates or variations which are likely to add to the existing cumulative impact will normally be refused, if relevant representations to that effect are received, unless applicants can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives. Whilst each case will be determined on its merits the term variation is taken to mean an increase in the hours during which licensable activities may take place, additional licensable activities, or an increase in the extent of the premises, insofar as these are likely to add to the negative cumulative impact.

6.5 Applicants will need to address the special policy issues in their operating schedules in order to rebut the presumption, i.e. that the operation of the premises would not add to the negative cumulative impact experienced. The licensing authority will give proper regard to the different types of premises and the differing impact they will have on the local community. However, if no relevant representation is received, the licensing authority will grant the application in terms which are consistent with the operating schedule.

6.6 This special policy will be kept under review and will not be used as grounds for revoking an existing licence or certificate.

6.7 Notwithstanding the special policy, applicants are asked to note that each application will be dealt with on its merits. Following receipt of representations in respect of a new application in the above mentioned streets, the licensing authority will and must consider whether it would be justified in departing from its special policy in the light of the individual circumstances of the case."

4.5 Sections 2, 8, 9, 10, and 13.20 to 13.39 of the Home Office statutory Guidance are relevant to this application.

4.6 Paragraph 9.37 of the Statutory Guidance states that in

"determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:

- The steps that are appropriate to promote the licensing objectives
- The representations (including supporting information) presented by all the parties
- [The] Statutory Guidance
- Its own statement of licensing policy

5. Effect upon Policy Framework & Procedure Rules.

5.1 None

6. Equality Impact Assessment.

6.1 A full Equality Impact Assessment has not been undertaken in relation to this service, however due regard has been given to the implications on persons protected by equality legislation and human rights. Adverse impact of this Legislation on the equality protected groups is very unlikely. Consideration has been given to the guidance issued to accompany the Licensing Act 2003 relating to need to eliminate duplication and conflict with existing disability legislation and to reference and highlight the Council's Race Equality Scheme, policies and codes of conduct to applicants. We do not consider, on the basis of the above, that a detailed Equality Impact Assessment is required for this service. In line with our Inclusive Equalities Scheme we will monitor for any adverse impacts that may develop.

7. Financial Implications.

7.1 None

8. Recommendation.

8.1 The Sub-Committee is asked to determine the application having regard to the licensing objectives, operating schedule, the representations received, together with the Council's Statement of Licensing Policy and Special Policy, and statutory Guidance issued by the Home Office.

8.2 The Sub-Committee is requested to confirm whether any additional conditions are to be imposed or only those which are consistent with and set out in the operating schedule. Sections 10.8, 10.9 and 10.10 apply to the imposition of conditions. Mandatory conditions will apply to the licence, if granted, in respect of the specification of a Designated Premises Supervisor, age verification policy and authorisation by personal licence holders.

Andrew Jolley
Corporate Director Operational and Partnership Services

Date: 13 June 2016

Contact Officer: Yvonne Witchell
Team Manager Licensing
Telephone: (01656) 643105
E-mail: Yvonne.Witchell@bridgend.gov.uk

Postal Address Civic Offices, Angel Street, Bridgend, CF31 4WB

Background documents
Application
Representations

Council's Statement of Licensing Policy available at www.bridgend.gov.uk
Amended Guidance issued under Section 182 of the Licensing Act 2003 – March 2015
Available at www.homeoffice.gov.uk

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BRIDGEND LOCAL AUTHORITY COUNCIL
RECEIVED
12 APR 2016
SECTION

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Richard Hopkins

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number BCBCLP302

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description SAX Bar & Nightclub Derwen Road
--

Post town	Bridgend	Postcode	Cf31 1lh
-----------	----------	----------	----------

Telephone number at premises (if any)	[REDACTED]
---------------------------------------	------------

Non-domestic rateable value of premises	£
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Part 2 – Applicant details

Daytime contact telephone number	Richard Hopkins [REDACTED]		
E-mail address (optional)	[REDACTED]		
Current postal address if different from premises address	[REDACTED]		
Post town	Bridgend	Postcode	[REDACTED]

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY
[]	[]	[] [] [] []

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?
(Please see guidance note 1) Yes No

<p>Please describe briefly the nature of the proposed variation (Please see guidance note 2)</p> <p>Extension of opening hours Extension of hours on Alcohol sales Removal of conditions on licence</p>
--

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number

[] [] [] [] [] [] [] [] [] []

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment **Please tick all that apply**

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G) x
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) x

Provision of late night refreshment (if ticking yes, fill in box I) x

Supply of alcohol (if ticking yes, fill in box J) x

In all cases complete boxes K, L and M

expected to attend:

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish				
Mon			<u>Please give further details here</u> (please read guidance note 4)			
Tue						
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)			
Thur						
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)			
Sat						
Sun						

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue			
Wed			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)					
Mon								
Tue								
Wed						<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat								
Sun								

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 4)					
Mon								
Tue								
Wed						State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur								
Fri								
Sat						Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun								

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 4)					
Mon	-----	-----						
Tue	-----	-----						
Wed	-----	-----				State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	-----	-----						
Fri	-----	-----						
Sat	-----	-----				Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun	-----	-----						

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4) <u>State any seasonal variations for the performance of dance</u> (please read guidance note 5) <u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Mon	10.00	4.30			
	-----	-----			
Tue	10.00	4.30			
	-----	-----			
Wed	10.00	4.30			
	-----	-----			
Thur	10.00	4.30			
	-----	-----			
Fri	10.00	4.30			
	-----	-----			
Sat	10.00	4.30			
	-----	-----			
Sun	10.00	4.30			
	-----	-----			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon	10.00	4.30		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	10.00	4.30	<u>Please give further details here</u> (please read guidance note 4)		
Wed	10.00	4.30			
Thur	10.00	4.30	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri	10.00	4.30			
Sat	10.00	4.30	<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun	10.00	4.30			

I

Late night refreshment Standard days and timings (please read guidance note 7)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	23.00 -----	5.00 -----			
Tue	23.00 -----	5.00 -----			
Wed	23.00 -----	5.00 -----			
Thur	23.00 -----	5.00 -----			
Fri	23.00 -----	5.00 -----			
Sat	23.00 -----	5.00 -----			
Sun	23.00 -----	5.00 -----			
			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	10.00 -----	4.30 -----			
Tue	10.00 -----	4.30 -----			
Wed	10.00 -----	4.30 -----			
Thur	10.00 -----	4.30 -----			
Fri	10.00 -----	4.30 -----			
Sat	10.00 -----	4.30 -----			
Sun	10.00 -----	4.30 -----			
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	10.00	5.00	
Tue	10.00	5.00	
Wed	10.00	5.00	
Thur	10.00	5.00	
Fri	10.00	5.00	
Sat	10.00	5.00	
Sun	10.00	5.00	

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

There shall be no Admission/readmission after 2.30 hours (annex 3 1.)

4 tall cafe bar tables to be placed and secured during operational hours directly inside the front enclosure closest to the public footpath to which tall chairs are required to be placed with.(annex 3 6.1)

The premises licence holder will ensure that the external seating area will not be used for the consumption of alcohol after 04.00 hours

The removal of condition non standard timing for good Friday and Christmas day

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

CCTV to be maintained with 32 cameras internal + external, for a minimum of 31 days, Replaces condition for cctv. Of only 13 cameras

b) The prevention of crime and disorder

Installing extra CCTV cameras
CCTV to be maintained with 32 cameras internal + external, for 30 a minimum of 31 days, Replaces condition for cctv

c) Public safety

Using only Polycarbonate drinking vessels and no Glass over the bar

d) The prevention of public nuisance

Reinforce the exiting condition to the relevant licensing adjective
Put up extra signage asking patrons to leave quietly and respect the neighbours

e) The protection of children from harm

Challenge 21 policy

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
I have not made or enclosed payment of the fee because this application has been made in
relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where
applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be
rejected.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING
LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003,
TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

Part 5 – Signatures (please read guidance note 11)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	Richard Hopkins 
Date	12.04.2016
Capacity	

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 14)

<p>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 14)</p>			
Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.
2. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

BRIDGEND COUNTY BOROUGH COUNCIL

THE LICENSING ACT 2003 (PREMISES LICENCES) REGULATIONS 2005

PREMISES LICENCE

PART A

PREMISES LICENCE

Premises Licence Number : BCBCLP302

Premises Details: Sax Bar & Bowlers
Derwen Road
Bridgend
CF31 1LE

Telephone Number: 

Where the licence is time limited the dates:

N/A

Licensable activities authorised by the licence:

Supply of alcohol
Films
Indoor Sporting Events
Boxing or Wrestling
Live Music
Recorded Music
Performance of Dance
Provision of Late Night Refreshment



Times the licence authorises the carrying out of licensable activities:

Sale by retail of alcohol:-

Sunday to Friday: 1000 - 0300 hours

Saturday: 1000 - 0430 hours

Non standard timings:-

Good Friday & Christmas Day: 1000 - 0300 hours

An additional hour to the standard and non standard times on the day when British Summertime commences.

New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

In the event of a screening of any international sporting event involving any of the countries from the United Kingdom and the Republic of Ireland which falls outside the current permitted hours on the premises licence to permit the supply of alcohol commencing one hour before the start of the event and finishing one hour after the end of the event, the details of the transmission to be notified to the Police 7 days beforehand and provided the Police have not objected to the additional hours within 72 hours of being notified.

Films:-

Sunday to Friday: 1000 - 0300 hours

Saturday: 1000 - 0430 hours

Non standard timings:-

Good Friday & Christmas Day: 1000 - 0300 hours

An additional hour to the standard and non-standard times on the day when British Summertime commences.

New Years Eve - from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

In the event of a screening of any international sporting event involving any of the countries from the United Kingdom and the Republic of Ireland which falls outside the current permitted hours on the premises licence to permit the showing of films commencing one hour before the start of the event and finishing one hour after the end of the event, the details of the transmission to be notified to the Police 7 days beforehand and provided the Police have not objected to the additional hours within 72 hours of being notified.

Boxing or wrestling entertainment:-

Sunday to Friday: 1000 - 0300 hours

Saturday: 1000 - 0430 hours



Non standard timings:-

Good Friday & Christmas Day: 1000 - 0300 hours

An additional hour to the standard and non-standard times on the day when British Summertime commences.

New Years Eve - from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

Live music:-

Sunday to Friday: 1000 - 0300 hours

Saturday: 1000 - 0430 hours

Non standard timings:-

Good Friday & Christmas Day: 1000 - 0300 hours

An additional hour to the standard and non-standard times on the day when British Summertime commences.

New Years Eve - from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

Performances of dance:-

Sunday to Friday: 1000 - 0300 hours

Saturday: 1000 - 0430 hours

Non standard timings:-

Good Friday & Christmas Day: 1000 - 0300 hours

An additional hour to the standard and non-standard times on the day when British Summertime commences.

New Years Eve - from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

Provision of late night refreshment:-

Sunday to Friday: 2300 - 0300 hours

Saturday: 2300 - 0430 hours

Non standard timings:-

Good Friday & Christmas Day: 2300 - 0300 hours

New Years Eve - from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

An additional hour to the standard and non-standard times on the day when British Summertime commences.

In the event of a screening of any international sporting event involving any of the countries from the United Kingdom and the Republic of



Ireland which falls outside the current permitted hours on the premises licence to permit the provision of hot food and drinks commencing one hour before the start of the event and finishing one hour after the end of the event, the details of the transmission to be notified to the Police 7 days beforehand and provided the Police have objected to the additional hours within 72 hours of being notified.

Recorded music:-

Monday to Sunday: 24 hours a day

Indoor sporting events:-

Monday to Sunday: 1000 - 0300 hours

Non standard timings:-

Good Friday & Christmas Day: 1000 - 0300 hours

An additional hour to the standard and non-standard times on the day when British Summertime commences.

New Years Eve - from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

Opening hours of the premises:

Sunday to Friday: 1000 - 0330 hours

Saturday: 1000 - 0500 hours

Non standard timings:-

Good Friday & Christmas Day: 1000 - 0330 hours

An additional hour to the standard and non standard times on the day when British Summertime commences.

New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

In the event of a screening of any international sporting event involving any of the countries from the United Kingdom and the Republic of Ireland which falls outside the current permitted hours on the premises licence to permit the supply of alcohol commencing one hour before the start of the event and finishing one hour after the end of the event, the details of the transmission to be notified to the Police 7 days beforehand and provided the Police have not objected to the additional hours within 72 hours of being notified.



BRIDGEND COUNTY BOROUGH COUNCIL

THE LICENSING ACT 2003 (PREMISES LICENCES) REGULATIONS 2005

PREMISES LICENCE

PART A

PREMISES LICENCE

Premises Licence Number : BCBCLP302

Premises Details: Sax Bar & Bowlers
Derwen Road
Bridgend
CF31 1LE

Telephone Number: [REDACTED]

Where the licence is time limited the dates:

N/A

Licensable activities authorised by the licence:

- Supply of alcohol
- Films
- Indoor Sporting Events
- Boxing or Wrestling
- Live Music
- Recorded Music
- Performance of Dance
- Provision of Late Night Refreshment

Where the licence authorises supplies of alcohol whether these are on and/or off supplies:

Both on and off the premises

PART 2

Name (registered) address, telephone number and e-mail (where relevant) of holder of premises licence:

Richard Hopkins

[Redacted address]

Telephone Number : [Redacted]

Registered number of holder, for example company number, charity number (where applicable):

N/A

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Jamie Lee Keeble

[Redacted address]

Telephone Number : [Redacted]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

BCBCLI1038
Bridgend County Borough Council

Annex 1 - Mandatory Conditions:

1. No supply of alcohol may be made under the premises licence:
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;



- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. The premises licence holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
6. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-
- (a) a holographic mark, or
(b) an ultraviolet feature.
7. The responsible person must ensure that-
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
- (i) beer or cider: ½ pint;
(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
(iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
8. The Licensing Act 2003 (Mandatory Conditions) Order 2014 applies to relevant premises licences. (Permitted price of alcohol). A copy of the relevant document setting out the mandatory condition can be found at www.legislation.gov.uk.



9. Where one or more individuals must be at the premises to carry out a security activity, each such individual must be licensed by the Security Industry authority.
10. The admission of children aged under 18 to the exhibition of any film is to be restricted in accordance with any recommendation made by:
 - a) the film classification body designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) or
 - b) the relevant licensing authority.

Annex 2 - Conditions Consistent with the Operating Schedule

General – All four licensing objectives:-

1. This Premises Licence Holder will continue to train its staff required by relevant legislation.
2. No disorderly conduct shall be permitted therein or any exhibition, recitation, acting, singing or dancing which is of an obscene character or offensive.
3. Explosives, inflammable liquids or highly inflammable articles shall not be permitted on the premises without the consent of the Licensing Authority.
4. No structural alterations or alteration to the layout of the premises including ceiling and wall linings shall be carried out without the consent of the Licensing Authority.
5. No exhibition, demonstration or performance of hypnotism (as defined in Section 6 of the Hypnotism Act 1952) shall be given by any person at the place licensed except with the express written consent of the Licensing Authority and in accordance with any conditions attached to such consent.
6. An application for consent under Condition 15 (a) shall be in writing and signed by the Licence holder or his agent and shall be made not less than 28 days in advance of the exhibition, demonstration or performance concerned. A copy of the application shall at the same time be forwarded to the Superintendent of Police and the South Wales Fire Service.
7. The parts of the premises licensed for public entertainment and the maximum number of persons permitted to resort to those parts are as follows:-

Ground Floor

Internal area - 875 persons

External area - 40 persons (these are not in addition but taken from the above figure of 875)

First Floor - 220 persons

8. The Premises Licence Holder shall at all times maintain a register of security personnel employed on the premises, such personnel to hold current registration as a door supervisor with the Security Industry Authority.
9. The size of the proposed dance floor in respect of the first floor shall be not smaller than 10ft by 10ft and that should the proposed dance floor be portable, then it be adequately secured when in use.

The prevention of crime and disorder:-

1. The Premises Licence Holder will ensure that a risk assessment is carried out to determine the number of door staff who shall be on duty for each public opening.
2. The Premises Licence Holder will ensure that 13 camera digital CCTV system with 10 internal and 3 external cameras will operate during trading times with a hard drive memory of one month.
3. The Premises Licence Holder will ensure that notices stating that CCTV is in operation 24 hours a day will be displayed throughout the venue.
4. The Premises Licence Holder will ensure that any person who appears to be intoxicated or who is behaving disorderly will not be allowed entry to the venue. Any person within this venue who appears to be intoxicated or who is behaving disorderly will be given care and consideration in leaving the venue.
5. The Premises Licence Holder will ensure that the venue actively participates in the local Pubwatch or equivalent scheme.
6. Where already used text/radio pagers will continue to be used for the additional hours of trading and will be monitored by a responsible member of staff.
7. The Premises Licence Holder will ensure that toughened glass is used during hours of trading.
8. The Premises Licence Holder will ensure that only photographic driving licences, passport or in agreement with the Police a form

of identification with the PASS hologram will be accepted as proof of age.

9. The Premises Licence Holder will ensure that an SIA registered doorman supervises the external area from 2000 hours.
10. The Premises Licence Holder will ensure that the external seating area will not be used for the consumption of alcohol after 0400 hours.
11. There is a first aid/security room available for the searching of customers and where appropriate and legally permissible, the holding of customers whilst the Police are called.
12. When the venue holds occasional events which may involve striptease, the Premises Licence Holder will ensure:-
 1. Any such event would be a designated event where the artists would be under the supervision of the Designated Premises Supervisor or a Personal License Holder and in an area which would have additional allocated security.
 2. There will be no exposure of genitalia and no contact of a sexual nature between artist and any member of the audience.

Public safety:-

1. The Premises Licence Holder will ensure that a person trained in first aid will be at the venue who will have received training in any problems associated with alcohol and drug misuse.
2. The Premises Licence Holder will ensure that a qualified first aider shall be present throughout any sporting entertainment involving boxing, wrestling, judo, karate or sport of a similar nature.
3. Where a ring is used it will be constructed by a competent person and shall be inspected by a competent authority before use and any material used to form the skirt of the ring shall be flame retardant.
4. The seating layout shall be agreed with the appropriate authorities.

The prevention of public nuisance:-

1. The Premises Licence Holder will ensure that if a DJ is used on any night then he/she will ask customers to leave quietly.



2. The Premises Licence Holder will ensure that reasonable steps are taken to recognise the need of local residents and businesses.
3. The Premises Licence Holder will ensure that litter is collected by members of staff after trading has finished for at least 15 yards either side of the premises.
4. A lobby is provided to the main entrance to prevent noise emission.
5. Air conditioning is provided within the premises.

The protection of children from harm:-

1. A person under the age of 18 years will only visit the venue with a responsible adult usually for the purpose of dining unless there is an event especially organised for the youth market. Unaccompanied persons under the age of 18 are not welcome in the venue except at events especially organised for the youth market.
2. The Premises Licence Holder will ensure that when the venue holds specially organised events for the youth market, the venue will adhere to the following attached documentation:-
 1. Admission policy.
 2. General Policies Statement.
 3. Code of Conduct for Staff Statement.
 4. Child Protection Policy.
3. If the venue holds occasional events which may involve a striptease or an act involving hypnotism, the Premises Licence Holder will ensure that no persons under 18 years are admitted to the premises.

Annex 3 - Conditions attached after a hearing by the licensing authority:

1. There shall be no admission/re-admission after 0230 hours.
2. Non-glass receptacles will be used in the new external area at all times.
3. Wheelie bins will be secured and contained within the curtilage of the building (except on collection/emptying days).



4. Collection day for wheelie bins to be notified to the Police. Any changes to this day will also be subject of written notification to the Police.
5. The rear wall of the smoking area (the physical external wall of Sax Nightclub) to have a ledge type surface permanently fixed to the full length of the smoking area for the placement of plastic drinking vessels.
6. Four tall cafe bar type tables to be placed and secured during operational hours directly inside of the front enclosure closest to the public footpath to which tall chairs are required to be placed with. (The Premises Licence Holder will provide a reasonable number of chairs in respect of each said table).
7. Adequate numbers of purpose built bins will be provided for discarded cigarettes.
8. An SIA registered door supervisor to permanently man the internal area of the smoking area from 2300 hours until the close of trade to ensure that no members of the public gain access to the venue by entering the area that would be in breach of the premises licence conditions, e.g. under-age or members of the public attempting to gain entry after 0230 hours.

Annex 4 - Plans

Attached

Name of Designated Premises Supervisor where the premises licence authorises for the supply of alcohol:

Jamie Lee Keeble

Name and address of holder of premises licence:

Richard Hopkins



Registered number of holder/company number/charity number (if applicable)

8222285

Access to the premises by children is restricted or prohibited

1. A person under the age of 18 years will only visit the venue with a responsible adult usually for the purpose of dining unless there is an event especially organised for the youth market. Unaccompanied persons under the age of 18 are not welcome in the venue except at events especially organised for the youth market.
2. The Premises Licence Holder will ensure that when the venue holds specially organised events for the youth market, the venue will be adhere to the following attached documentation:-
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ALL DIMENSIONS TO BE CHECKED BY THE CLIENT AND APPROVED BY THE ARCHITECT PRIOR TO THE COMMENCEMENT OF WORK.

NOTES:

1. ALL DIMENSIONS TO BE CHECKED BY THE CLIENT AND APPROVED BY THE ARCHITECT PRIOR TO THE COMMENCEMENT OF WORK.
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LEGEND:

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GENERAL NOTES:

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REVISIONS:

NO.	DESCRIPTION	DATE

BLUEPRINT
 INTERIOR DESIGN ASSOCIATES LIMITED

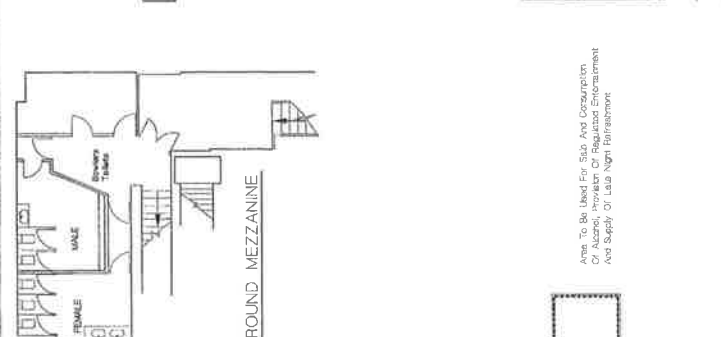
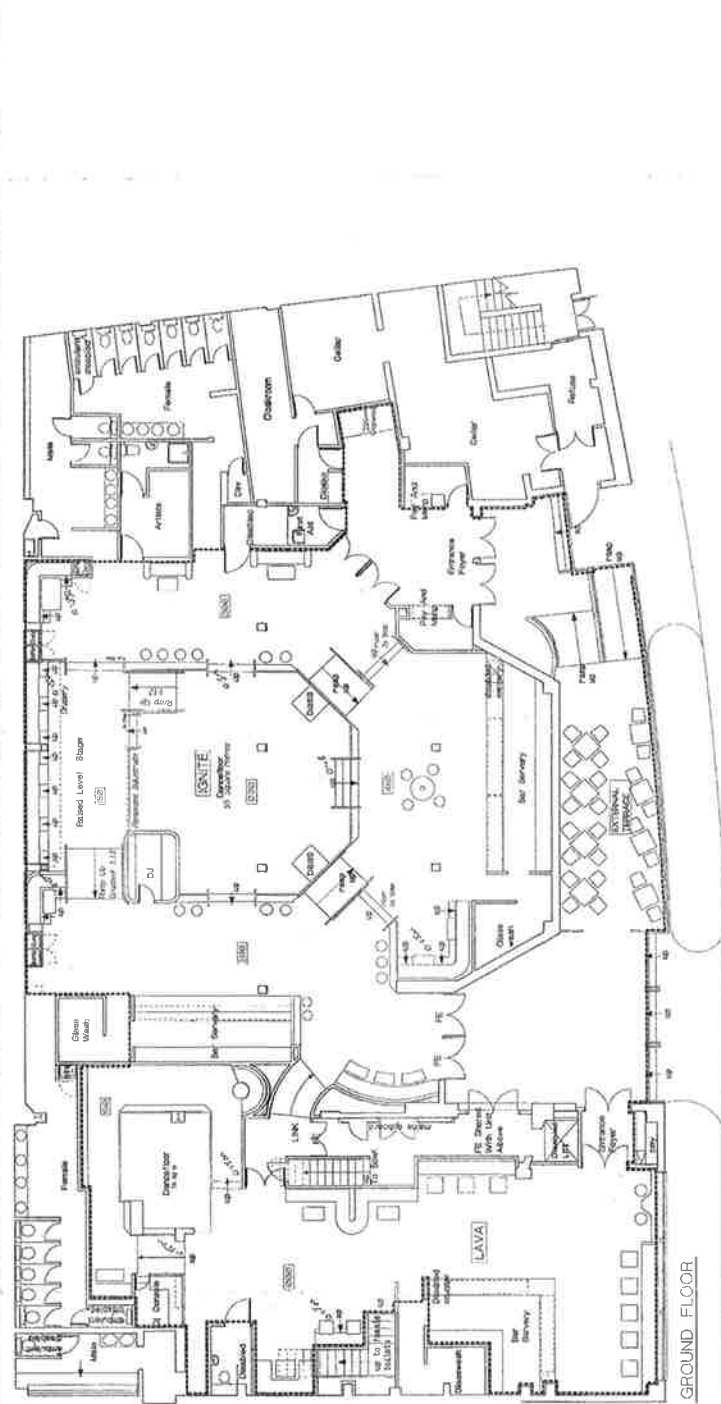
3000 SHEPPARD AVENUE EAST
 SCARBOROUGH, ONTARIO M1S 1T7
 TEL: (416) 292-3295 FAX: (416) 292-3338

PROJECT: SAX AND BOWLERS BRIDGEND

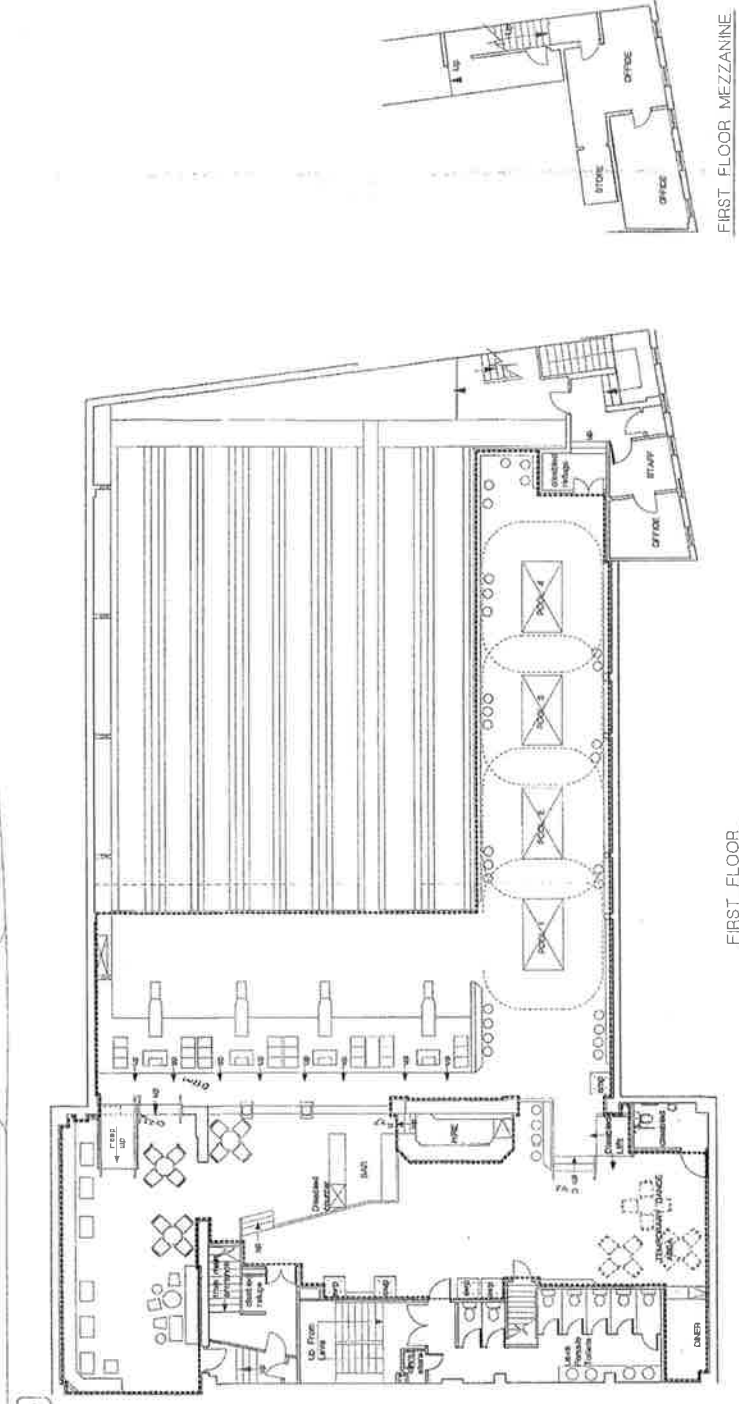
DATE: 01/05 SCALE: 1/100 DRAWN BY: [Name]

CHECKED BY: [Name]

PROJECT NO: 263 04 100 REV: B



Area To Be Used For Sign And Circulation Of Access, Privacy Of Required Enforcement And Supply Of Lab Night Refreshment



Area To Be Used For Sign And Circulation Of Access, Privacy Of Required Enforcement And Supply Of Lab Night Refreshment

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Cyngor Bwrdeistref Sirol



Darren Mephram
Chief Executive

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Plan for Committee Report

1:2500

Time of Plot:
14:14

Date of Plot:
03/06/2016

Plot generated by:
HP

Department :
Licensing

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KEEPING SOUTH WALES SAFE • CADW DE CYMRU'N DDIOGEL



PC Sarah Rowlatt - Licensing Officer
 Community Safety Partnership
 Bridgend Police Station
 Cheapside
 Bridgend
 CF31 1BZ

Tel 01656 306022

Ref: SR B3-117

Monday, May 09, 2016

Legal Services Department
 Corporate Services
Bridgend County Borough Council
 Angel Street
 Bridgend
 CF31 4WB

CC: Richard HOPKINS



Dear Sir/madam

RE: OBJECTION NOTICE

RE: APPLICATION TO VARY A PREMISES LICENCE UNDER SECTION 34 OF THE LICENSING ACT 2003 by Richard HOPKINS for Sax bar and nightclub, Derwen Road, Bridgend

REPRESENTATIONS

The South Wales Police refer to the above variation application and wish to inform Bridgend County Borough Council Licensing Authority, that there are police objections in respect to this application for the extension of hours at the premises trading as Sax bar and nightclub.

This application is made on behalf of Chief Superintendent Parfitt, the Chief Officer of Police who is of the view that if this application were granted it would have a negative effect on the promotion of the licensing objectives, namely, the prevention of crime and disorder, public nuisance, public safety and the protection of children from harm.

SOUTH WALES POLICE	HEDDLU DE CYMRU
South Wales Police Headquarters, Cowbridge Road, Bridgend CF31 3SU	Pencadlys Heddlu De Cymru, Heol y Bont-faen, Penybont CF31 3SU
Telephone: 01656 869200 Facsimile: 01656 869209	Teliffon: 01656 869200 Ffacsimili: 01656 869209

The premises is situated in DERWEN ROAD which is within the cumulative impact area and has a special policy that has been adopted stating that any applicant must include within their operating schedule how the likely grant of the application will have a positive impact on the area.

South Wales Police submits this report which contains such data and information as to why this application should not be granted and appeal to the Licensing committee members to refuse it.

Officers will provide additional evidence at the hearing, should this be deemed necessary and proportionate to amplify these findings. Some of this information provided by the police is restricted with a probability to be heard in a closed session.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Police have met with the applicant so far this year on the 9th February 2016 and the 1st March 2016. At the time of writing the police wished to schedule a further meeting on the 4th May 2016 but the applicant has become absent since this application was served and has failed to answer all emails.

Police originally called the applicant to a meeting on the 1st March 2016, in relation to the promotion of the licensing objective especially the prevention of crime and disorder. Police were concerned with the amount of assault calls that had been attributed to the premises in the previous year. The police were interested in working with the applicant to reduce these calls hence a written Action Plan was created by the police.

The written Action plan, was rebutted by the applicant, however, SWP were happy to overcome this, to try and work together to put in special measures in an attempt to reduce these reports of crime. New measures were proposed and discussed, some implemented, some due to be implemented, some not. Therefore, a variation application to be served whilst police have reported increased crime and disorder at a premises is highly unconventional and is detrimental to the partnership approach to improve the licensing objectives. How can additional hours of alcohol sales NOT lead to an increase in crime, when crime levels are already too high?

At this time, SWP believe it is too soon to comment or make judgement on the effectiveness the new solutions are having. In fact, some of these remedies have not yet been implemented. However, this application has been served and is requesting an increase in the opening times and the sale of alcohol hours of 6 days a week to mirror what hours they already have on a Saturday. This is not an application agreed by police and does not promote any of the additional remedies that are currently being trialled. The police see this as highly unprofessional at such an important developmental stage and shows alternative motives of the applicants away from the licensing objectives.

Police have not lost sight of the fact that crime levels in and around the premises are too high, hence the need of these meetings and the chance for the applicant to bring these levels down. If not the police will have to adopt alternative methods, like review. Police wish the licensing authority to also note how seriously important it is that crime is not increased at this premises. How can additional hours, not add negatively and how will disorder not be increased when the premises would ordinarily be shut?

SWP also remind the licensing authority that once a variation is granted, it is an expensive and timely review application that is the only remedy to it. This is only after an even higher number of crime and disorder occurrences are attributed to the premises. So by granting this application you will be allowing further serious crime to take place, prior to police being able to do anything about it. This does not promote the cumulative impact policy, section 17 of the Crime and Disorder Act and even your own BCBC Statement of Licensing policy.

This application at no point remedies the existing levels of crime at the premises or in fact has it established what it will do to remedy the new hours. It has not adopted the current solutions that have been discussed with the police that are soon to be implemented. This is evidence alone, that the impact of extra hours will be negative because they have not been considered.

Furthermore, the extra hours of increased alcohol sales will mirror the existing high level crime figures that are already reported for a Saturday, Sunday morning. Proof itself that increased hours and disorder, go hand in hand. Therefore SWP cannot support this variation application and only advise that it should be rejected.

The current premises operating times already puts extra demand on service industries, police and emergency services during the night time economy. Data from these organisations are contained within this report and shows the weekend, specifically Saturday night, Sunday morning is the highest level of crime and disorder within the whole of Bridgend town centre. Although, the application has included Saturday hours within it, this is not an increase to existing times.

However, the application is asking to mirror the Saturday later times throughout the week. Therefore crime and disorder will also mirror the figures of a Saturday night. In short other businesses of Bridgend town centre cannot afford to accommodate such hours that will have a detrimental effect on the dynamics of the town centre.

With regard to the information supplied within the Operating Schedule, SWP state that nothing offered have met the licensing objectives for the premises or the

cumulative impact area. Therefore, the likelihood of further crime and disorder if the sale of alcohol hours are increased are also highly likely to increase.

Cumulative Impact Area

Bridgend Town centre has experienced particular outbreaks of serious and prolonged public disorder during the late night time economy. Some licensed premises operating under the original hours they proposed in 2005, have had to be shut down by SWP. Premises within this area have been subject of various and prolonged enforcement over the years due to the failure to promote the licensing objectives.

In fact the situation deteriorated to such an extent that SWP were forced to make application under Section 51 of the Act to review the licence of most problematic venues within this area.

In some cases the expedited review process was adopted under Section 53(A) of the Violent Crime Reduction Act 2006 in order to close premises immediately pending review.

The vast majority of these venues were not only granted increased opening hours despite strong opposition from SWP, but some premises again had additional hours approved despite the cumulative impact policy being in place.

These reviews did not solely relate to premises licensed to sell alcohol but also late night refreshment houses and the level of crime associated with their operating hours.

This action has positively resulted in the dispersal of drunken, violent persons remaining in the vicinity of these premises and does show a reduction on the impact they had on the town centre. (Roof Review 2011 to 2016) showed that in 2011 Morfa ward reported a grand total of 4739 offences, a figure that has not been repeated since police took such draconian action.

Police can clearly equate the correlation between shutting premises down and the reduction of crime, especially violent crime. If intoxicated individuals can no longer buy and consume alcohol at such venues then they cannot cause disturbances in the streets after leaving them.

However, numerous alcohol related incidents are still regularly recorded and [REDACTED] shows this is on the increase, 2015 showed a record of [REDACTED] 3781 incidents an increase on the previous two years.

The Bridgend licensing authority has adopted a special policy in respect of the cumulative impact of premises within Bridgend town centre known as 'the saturation policy' or 'the cumulative impact area' because of such reported disorder. Derwen Road, which used to be populated with many late night venues, is within that special 'cumulative impact area' and is where Sax, this premises is located. So although many of the old late night venues are closed and have been converted to coffee shops, flats and restaurants, Derwen Road still contains the highest number of reported incidents and crimes within the whole county borough.

Sax itself, has the most amount of reported crime linked to a premises the majority being behaviour due to drunkenness or more seriously, violent crime like assault. Ranging from common assaults towards another, towards door staff and actually assaults involving door staff. Last year, **1500036082** on 7th February 2015, several occurrences were investigated where door staff were charged by police with common assault. These were prosecuted at court and SIA badges revoked.

Yet Sax bar and nightclub remains one of the few premises within the late night economy of Bridgend town centre that has NOT been reviewed by police. This is not down to less crimes being reported there, or a better run establishment, it is purely down to the ability that both parties will work together, up until now.

That said, Sax Bar and nightclub does already have the latest hours in the county borough, it can sell alcohol on a Saturday from 10.00 am until 04.30 am and close 30 minutes afterwards at 05.00 am. Because of the lateness in hours, Sax is also one of the greatest demands for police and other emergency services, which the granting of this application will only make worse.

Derwen Road features quite highly in the crime statistical analysis yet now only houses two pubs in that street. It features highly in the top three for the most amount of crimes reported (2011 – 2015) and is in the top seven for non-crime occurrences reported (2011-2015).

There are and there continues to be, problems of crime and public disorder, anti-social behaviour, litter, noise and public nuisance within this town centre which under the article 7 of the Crime and Disorder Act 1998 this licensing authority has a duty to reduce. The statistic for 2015 showed a rise on the previous years' figures, for Morfa ward including Derwen Road for crime and even for non-crime occurrences.

BCBC Statement of Licensing policy

6. Special Policy: Cumulative Impact Area

6.3 The authority has considered the following factors when considering whether to adopt a special policy:

- *The identification of serious and chronic concern from a responsible authority about crime and disorder and disorder and public nuisance in an area*
- *Evidence and assessment that crime and disorder and public nuisance are arising and are caused by the customers of licensed premises*
- *Evidence identifying the area from which problems are arising and the boundaries of the area*

SWP can demonstrate serious and chronic concern for this premises and the fact that this level has increased.

(See [REDACTED] review 2011 to 2016)

Morfa Ward (cumulative impact area)				
Year	2012	2013	2014	2015
No of Offences	1107	1061	1093	1123

A comparison over the last 4 years for MORFA ward has been carried out and shows that 2015 showed a rise in offences.

Top Streets - offences

Year	2012	2013	2014	2015
DERWEN ROAD position	1st	1st	1st	1st
Amount of offences in streets	208	152	136	147

This report highlights that Derwen Road is consistently the top street that records the most amount of offences compared to any other. This report also highlights how offences for 2015 have shown an increase. Hence the reason why SWP have called the premises into question as many of these offences are attributed to drunken customers of the premises.

This report contains the most up to date figures, being only commissioned on 1st March 2016 however, similar data is available attached to the Statement of Licensing policy at appendix two.

Many of these incidents are clearly attributed to customers of Sax. For example, **1600125290** is such a reported that on the 10th April 2016 at 04.56 hours when police were originally called to a disturbance in Derwen Road. This call resulted in 4 males being arrested for fighting after leaving Sax. In interview they stated how this incident escalated as they left Sax, some boys ganging up on others. All highly intoxicated at the time and this then escalated within the cumulative area. If they hadn't left Sax nightclub at that time, or hadn't even left together, maybe they would not have assaulted one another and police would not have to investigate another violent crime.

Another such incident linked to the premises is **1600096663** on the 20th March 2016 where police were called to an incident of an aggressive male. On this occasion, two males were arrested for violence and public order offences in the street after they had been ejected from the club for an incident inside.

Revised Guidance issued under section 182 of the Licensing Act – March 2015

section 13.24

Information which licensing authorities may be able to draw on to evidence the cumulative impact of licensed premises on the promotion of the licensing objectives includes:

- *Local crime and disorder statistics*
- *Statistics on local anti-social behaviour offences*
- *Health related statistic such as alcohol related emergency attendances*

NHS Wales PUBLIC Health Wales February 2016 report
Police, ambulance and emergency department (ED) recorded violence:
Central Basic Command Unit (BCU)

(Nov – Dec 2015)

SWP beat with the highest number of AWI victims were Morfa (28)

Beats with the highest number of WAST call out were Morfa (6)

Sharp increase in female attendees reporting assaults on the street from 4% (Sept- Oct 15) to 32% (Nov-Dec).

These figures suggest that the highest number of reported AWI (Assault with injury) calls were reported in Morfa ward. The figures also suggest that the highest number of (WAST) Welsh Ambulance Service trust calls out were also for Morfa ward.

The report goes on to highlight the streets within MORFA ward where ambulances were called out and names DERWEN ROAD as being the specific street location with the most amount of call outs to an area. The report also states the age of these persons being 18-25 and mostly male.

Research carried out by Simon Christmas and Fiona Seymour for drinkaware.co.uk
September 2014

Introduced the term **DRUNKEN NIGHT OUT**

And their field studies revealed widespread excessive drinking among users of the night time economy.

Roughly two fifths of 18 to 24 year olds agree with the statement

'I really enjoy going out to get drunk'

And 15% of this age group stated that they drink with the intention of getting drunk every time or most times they drink alcohol.

They go on to state how this age group do not think of the risks associated with being drunk or on a drunken night out...

THERE IS A SIGNIFICANT PROBLEM OF VIOLENCE ASSOCIATED WITH DRUNKEN NIGHTS OUT, SKEWED TOWARDS MORE SERIOUS INCIDENTS SUCH AS WOUNDING. MANY OF OUR PARTICIPANTS HAD WITNESSED OR BEEN VICTIMS OF VIOLENCE ON A DRUNKEN NIGHT OUT.

The emergency services data reflects that of the police and of drinkaware.co.uk. That Morfa ward is a strain on resources and continues to be so. That the type of customers are young and aggressive causing assaults, whilst being fuelled by alcohol.

Police data goes on to highlight the busiest time frame for disorder is linked to SAX as it is their current closing time.

Problem Profile Sax night club 01/04/2015 – 19/11/2015

The key findings of this report are:-

The peak days/times for violent crime at Sax nightclub
SUNDAY 04.00 – 05.00 HOURS.

This is when customers are leaving Sax as the sale of alcohol has ceased and customers who are already intoxicated become rowdy and disorderly in the streets after they have left the premises.

This is a seriously indication that should the variation application be granted, the likely effect will be to replicate this existing report but not just on Saturday, but throughout the week. That crime will not only be present on the one day that Sax open late, but all days it wishes to open late. Not only will there be additional crime and disorder at the premises but also within the town centre and effectively this will add to the already high cumulative impact area. The whole reason why the policy was adopted in the first place, was so that these types of applications will be rebuffed.

Problem Profile Sax night club 01/04/2015 – 19/11/2015

This report also highlights:-

THE OFFENCE TYPE REPORTED AT SAX NIGHTCLUB WERE

ASSAULT WITH INJURY	6
DRUNK AND DISORDERLY	3
ASSAULT POLICE	2
COMMON ASSAULT	2
AFFRAY	1

Police currently work an overlap shift on weekends to accommodate the demand that the late night economy requires. Officer will work what's called 'a Super noon' shift from 17.00 until 03.00 am when they would ordinarily finish at midnight. This is in the middle of their 6 day tour. Officers have to police Bridgend town centre on foot to try and prevent crime and to deal with low level issues prior to them escalating. This is the only way that police can meet the extra demand that late night venues have by their operating times and with no adoption of a late night levy in this area, this type of policing will not change.

SWP cannot facilitate the safe policing of these type of hours which this application requires, and serious crime will only escalate.

Historical Perspective

The current applicant is both the designated premises supervisor and the premises licence holder and has been linked to Sax since 12th July 2010 when he became the designated premises supervisor (DPS) and the premises licence holder (PLH) under a company trading as 'Sax bar and bowlers Ltd'. The names of the holding companies have changed, regularly, over the years, but effectively the management has remained the same with three key individuals. Each year a new limited company is set up to take on the role of the PLH putting distance between the responsibilities of the current management and any potential future case.

The applicant is currently showing on the police licensing database as the DPS and PLH of 'Route 66' in Maesteg, DPS of 'Suzy Bar' in Tonyreuil, (suspended no payment Aug 2015) DPS and PLH of 'Back to Mine' Port Talbot as well as running other business ventures. A DPS is the day to day controller who oversees all actions. It is not possible for him to be in all places at once.

It is also believed he has business interests further afield, in the Forest of Dean and Birmingham, although unsure if these are still active.

The premises benefits from an existing premises licence BCBC LP 302 Issue 15 issued on the 28th April 2016. This was originally converted from a Public entertainment licence (PEL), a Sunday entertainment licence (SEL) and an Indoor Sports Entertainment licence (ISEL) when the Licensing Act came into being. Many pages of special conditions were carried over leaving page after page of restrictions that the management must comply with, one example being the capacity figures. A variation application is the vehicle in which to amend these restrictions, which this application choses to ignore.

Annex 2 - Conditions Consistent with the Operating Schedule

General – All four licensing objectives:-

7.The parts of the premises licenced for public entertainment and the maximum number of persons permitted to resort to those parts are as follows:-

Ground floor

Internal area	875 persons
External area	40 persons

(these are not in addition but taken from the above figure of 875)

The maximum capacity of the premises as converted from the old PEL (prior to the Licensing Act 2003) is stated as **1095** for both ground and first floor areas. However, the current premises does not operate on both floors but instead operates as Sax bar, to the left of the premises (as you look towards it from the street) and Sax nightclub (to the right). The current premises licence states that it is therefore licensed for only **875** persons to be located on the ground floor of the premises including the front external smoking area at any one time.

The building also compromises a ten pin bowling alley on the first floor which is not currently open to the public. Clarity is required regarding this space as a gym facility is believed to function on this floor. The lease of this premises alone which covers one of the largest late night premises in Bridgend is large let alone the extensive running costs it needs to function. It seems to make little business sense and although the management company has tried to copy this model in several other parts there appears to be little financial gain. This variation would not encourage more business to the area, in fact it may be detrimental to the day time economy.

Previously, the premises' location on Derwen Road was key as traditionally there were other close late night venues nearby. At that time Derwen Road had to be closed off to vehicle traffic because of the amount of revellers spilling out onto the streets. Sax was then and still is the only 'true' nightclub in Bridgend town centre. Hence the late night opening it has on a Saturday night / Sunday morning till 05.00am. Yet the old times have moved on and most other places have closed down leaving Sax as only one of two late alcohol venues in Derwen Road. Currently, it is located in a Business area, next to Hope chapel on the one side and business premises and offices on the other side flanked around restaurants and coffee houses that appeal to the day time trade.

Sax is a Young person's venue, (YPV) and a High volume vertical drinking establishment (HVVD) attracting a young crowd (18-25) who go there to drink and dance mainly, one night a week, that being a Saturday night, Sunday morning.

These type of customers drink irresponsibly with no consideration for their actions or their own safety and police deal with these levels of intoxication in many different ways.

The premises charges an entry fee and attracts a later crowd after the customer base has preloaded at home or other premises within the borough. It is fair to state that the majority of customers are intoxicated on entry, hence the proportion of crime and disorder going up at the time of night when customers are attempting to gain entry and refused due to intoxication. It just depends on the range and interpretation of these intoxication levels and how 'drunk' is drunk.

This application's operating schedule does not appear to have considered the negative impact it will have on service delivery companies within Bridgend town centre, who will now have to cater for potentially large groups of customers leaving this premises after 5am every day of the week. As there are no current facilities SWP believe that these revellers will turn to crime either as victims or perpetrators as they get left in the town centre with no means of access to other services, no ability to sober up and no means to get home.

SWP have concerns with several of the application parameters. As this is an application to vary we have very little time in which to consult with the applicant and no recent meetings have been set up to facilitate this.

The police cannot support such application which is detrimental to the 'status quo' of Bridgend town centre and state the application cannot be supported in any shape or form.

The application has errors within it, requiring unnecessary objections to be clarified at any hearing. The applicant has asked for performance of dance, or anything of a similar nature to cease at 04.30 a.m. daily, with no application to consider live or recorded music.

Supply of alcohol till 04.30 a.m. daily has also been applied for, with no indication of whether this is on the premises, off the premises or both. Late night refreshment has also been applied for, with no indication in the operating schedule of the impact litter will have on the area and how this will be managed with allowing this service.

By asking for the sale of alcohol from 10.00 a.m. till 04.30 a.m. seven days a week, the premises will only remain closed for 5.30 hours a day, seven days a week, allowing little time for cleaning, bottle recycling, bin clearances, etc. This also includes a request to remove the condition of 'non standard timings for Good Friday and Christmas Day', although there is no indication for which licensable activities this is intended for as the non standard boxes have not been filled out on the application.

At no time have the dangers of extra drinking been highlighted or considered and how these customers will be safe or can be made safe with potential of 875

persons leaving Sax, mid-week, for example at 05.00 am. How on earth can any town centre manage such crowds, let alone Bridgend town centre with its limited resourcing levels. This will only have a negative impact as these drunk people descend on the town.

The licensing objectives given by the applicant to suggest the safe running of these hours and amendments have recorded nothing new and are a repetition of current practices. SWP believe therefore that public safety or the prevention of crime and disorder has not been considered.

Offences recorded against the Premises

As per the Hampton Report, South Wales Police take a 'light touch' to all of its licensed premises within the Bridgend borough and attention from the police licensing team is not warranted until repetitive complaints are received. Such complaints have been received since the applicant took over control of the premises in 2011 that affect all four of the licensing objectives. In fact, Christmas Eve the first year of operation for the applicant, 24th December 2010, police were investigating a 17 year old, engaged in the consumption of alcohol involved in a bottling incident which took place inside the venue. **62100444572** therefore highlighted not only licensing offences at the premises but also violent crime.

Further evidence in relation to the four licensing objectives can be disclosed at a later date and be relied upon should this be deemed necessary.

In short a total of two police warning letters have been issued, and one action plan, not including the current one, two council warning letters and a number of meetings have been carried out to facilitate safer running procedures at the club and several operations with SWP licensing attend and promote.

The Operating Schedule

This application wished to extend its existing opening hours and to extend its sales of alcohol hours yet no additional measures are being given for you to consider. The operating schedule is a part of the Premises application that details how the individual premise will operate and what activities are proposed. In this part of the document, the applicant should include a general description of the style and character of the business and the facilities provided to the customers. The operating schedule translates then into lawful orders and how the licensing objectives will be upheld by converting them into workable conditions. The conditions offered in this schedule do not show South Wales Police how this premise will be managed effectively or any differently from its current procedure, yet it wants to remain open for such long hours that gives a far greater risk of disorderly customers or drunken customers who are clearly linked to disorder.

This application requires the premises to be open for 17 hours a day, 7 days a week. With later hours to be considered for Good Friday and Christmas Day. The current licence already allows a later hour till 05.00am on Saturday, an additional hour when British summer time commences, all day sales for New Year's Day and cover for international sporting events.

[REDACTED] seven days a week, which have a negative impact on workers of the daytime economy of Bridgend town centre as they intercept drunks who can't get home. In essence this premise therefore wants to sell alcohol for much longer with no preventative measures being considered or the licensing objectives being upheld.

This would have a considerable impact on neighbouring premises as allowing customers an increased ability to drink alcohol late into the night, essentially the morning is only going to have a negative effect on public safety and crime and disorder.

Currently no risk assessment has been viewed so there are no guidelines put in place as to how this late night venue will not effect neighbouring establishments and nearby properties. There is nothing currently in place to prevent noise drifting to neighbouring premises from inside and outside from revellers leaving the premises during the course of the early morning hours. The application does not stipulate that this variation will only cover the internal area in fact, the outside smoking area has been included. The application wishes to lift current restrictions outside, meaning people can drink outside all night long, until 05.00 am. The application also requires a condition in relation to tables and chairs to be removed. This is a negative impact as in essence it stops customers putting their drinks down, therefore they continue to drink. It also means that potentially more customers will be squeezed into the area, breaching the capacity limit contained within the application.

A variation application has been discussed several times with this applicant, over several years and with several responsible authorities, including the licensing authority. SWP have notes and advise on how extensive changes need to be made to this licence to make it fit for purpose and totally usable. This time spent has been completely wasted as all information and advice has been completely ignored, therefore this application is not effective and should not be issued.

The current application has made no facility to assess the current conditions and how risks will be averted with this extension of hours. How will customers be prevented from causing further crime and disorder and how will staff prevent this?

At this current time, South Wales Police believes that an objection notice is a necessary and proportionate step in order to address the problems with this application and to advise that it should not be granted in any shape or form.

South Wales Police can evidence reported incidents at the premises and that no extension of sale of alcohol hours should be considered until it is clear that the licensing objectives are being upheld. This will be evident that the prevention of crime and disorder is being upheld, once the statistics are reduced. If the applicant wants to extend its hours, then special measures should be considered to support the Licensing objectives to allow these changes to go ahead without adding negatively. These responsibilities lie with the applicant not the licensing authority.

The applicant has offered no evidence for you to support this application.

South Wales Police therefore cannot support this variation application and wish for the panel to reject it outright. SWP believe that a hearing is necessary and proportionate.

Yours sincerely,

Police Constable Sarah ROWLATT
Central West Licensing Officer

Pen-y-bont ar Ogwr
Mwy Diogel



Safer Bridgend

www.saferbridgend.org.uk

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From: **Fiona Colwill - Licensing Enforcement Officer**

To: **Licensing Department**

our ref.	ext. no.	your ref.	date
FC	3180		10 May 2016

LICENSING ACT 2003

APPLICATION FOR VARIATION OF A PREMISES LICENCE

APPLICANT: SAX BAR AND NIGHTCLUB, DERWEN ROAD, BRIDGEND, CF31 1LH

Licensing authority officers in their role as a responsible authority make the following representations: that the application, in its current format, does not support the licensing objectives and in particular, the operating schedule offers very little extra conditions.

Observations

Currently there are a number of conditions on the premises licence, the applicant has applied to substantially extend his licensable hours, but has offered very little additional information in the Variation application on how they intend to promote the licensing objectives on a premises that will, potentially, carry out licensable activities until 04:30 hours and will be open to the general public until 05:00 hours.

A strict age policy and a policy advising how staff will be trained on the requirements of the Licensing Act 2003 or any details of the proof of age scheme must be in force. The current licence, under the protection of children from harm, offers a challenge 25 policy, although it does not offer inspection by authorised officers of any records.

Due to the location and nature of the premises it recommended that a refusals register is maintained.

It is a mandatory condition that an age verification policy applies to a premises selling or supplying alcohol. As a minimum any policy shall include:

- all reasonable steps to be taken to prevent sales of alcohol to children under the age of 18 years, including prominent notices being displayed, at each point of entry to the premises and at all sales points, advising customers that the premises operates the relevant proof of age scheme
- Specify a proof of age requirement before sale of alcohol is made
- all reasonable steps to be taken to prevent adults from purchasing alcohol for or on behalf of children under 18 years

- A scheme that ensures any person attempting to purchase alcohol who is, or appears to be under the age of the relevant proof of age policy provides documented proof that he/she is over 18 years of age.
- A policy must be available advising on how staff will be trained on the prevention of the Sale of Alcohol to intoxicated persons.

Conditions / Restrictions

If the licence is granted, in order to promote the licensing objectives it is recommended that, along with the current conditions and conditions offered by the applicant, the following are also imposed:

1. Challenge 25 will form part of the premises age verification policy, a copy of which will be made available for inspection upon request by authorised officers and responsible authority officers.
2. Challenge 25 signage will be displayed prominently in all service areas
3. The Premises Licence Holder and DPS will ensure that staff record any refusals of the sale of alcohol electronically or by way of a Refusals Register. The Register or records shall be made available for inspection upon request by authorised officers and responsible authority officers.

Licensing Enforcement also recommend the following condition replaces Condition 1 on the current licence at Annex 2 (General – All four licensing objectives) ‘This Premises Licence Holder will continue to train its staff required by relevant legislation’ to:

4. All staff shall be trained in all aspects of the Licensing Act 2003 on the commencement of employment, then annually or more frequently if necessary. Signed records will be kept by the DPS and made available for inspection upon request by authorised officers and responsible authority officers.

Regards

Fiona Colwill
Licensing Enforcement Officer
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Public Protection
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Fiona Colwill, Licensing Enforcement Officer

On behalf of **CORPORATE DIRECTOR – OPERATIONAL & PARTNERSHIP SERVICES**