

Public Document Pack  
**Bridgend County Borough Council**  
Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr



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

Legal and Regulatory Services /  
**Gwasanaethau Cyfreithiol a Rheoleiddiol**  
Direct line / Deialu uniongyrchol: 01656 643148  
Ask for / Gofynnwch am: M A Galvin

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

**Date / Dyddiad:** 10 December 2014

Dear Councillor,

**LICENSING ACT 2003 SUB-COMMITTEE (A)**

A meeting of the Licensing Act 2003 Sub-Committee (A) will be held in Council Chamber, Civic Offices, Angel Street, Bridgend CF31 4WB on **Tuesday, 16 December 2014 at 9.00 am.**

**AGENDA**

1. Apologies for Absence  
To receive apologies for absence (to include reasons, where appropriate) from Members/Officers.
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 1 September 2008.
3. Application for Premises Licence 3 - 32

Yours faithfully  
**P A Jolley**  
Assistant Chief Executive Legal and Regulatory Services

**Distribution:**

Councillors:

P James  
RD Jenkins  
B Jones

Councillors

JE Lewis  
HE Morgan  
E Venables

Councillors

R Williams

1.

This page is intentionally left blank

## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO SPECIAL LICENSING ACT 2003 SUB COMMITTEE

16 DECEMBER 2014

### REPORT OF THE ASSISTANT CHIEF EXECUTIVE LEGAL AND REGULATORY SERVICES

#### LICENSING ACT 2003 : SECTION 17 APPLICATION FOR PREMISES LICENCE OLIVIA'S COFFEE HOUSE, 15 WELL STREET, PORTHCAWL

#### 1. Purpose of Report

- 1.1 This is an application made by Annette Emalene De Graaf for a new Premises Licence for the above premises.

#### 2. Connection to Corporate Improvement Plan / Other Corporate Priority

- 2.1 None.

#### 3. Background

- 3.1 A copy of the application form is attached at Appendix A together with a location plan. A full sized copy of the plan indicating the proposed licensed area will be available at the meeting.
- 3.2 The application has been advertised in accordance with Regulations.

#### 4. Current situation / proposal.

- 4.1 Representations have been received from the Chief Officer of Police, Licensing Authority and a member of the public. Copies of the representations are attached at Appendix B, C and D. Copies of the representations received have been forwarded to the applicant for consideration.
- 4.2 The representations submitted by the Public Protection Department have been withdrawn. An agreement has been reached with the applicant and the application has been amended as follows:-

#### Conditions/Restrictions

The following conditions/restrictions are therefore necessary to promote the licensing objective of the prevention of public nuisance and protection of children from harm:

Timings for licensable activities and Opening Hours:

#### **Opening Hours for Standard Timings**

Sunday- Thursday 09:00 - 23:00

Friday- Saturday 09:00 - 00:00

### **Opening Hours for Non-Standard Timings**

Fridays, Saturdays and Sundays preceding Bank Holidays, Bank Holiday Mondays, Christmas Eve, Boxing Day and New Years Day: 09:00 - 00:30

New Years Eve- 09:00 – 02:30

### **For Standard Timings for the supply of alcohol, recorded music and late night refreshments:**

Sunday- Thursday 10:30 - 22:30

Friday- Saturday 10:30 - 23:30

### **For Non-Standard Timings for the supply of alcohol, recorded music and late night refreshments:**

Fridays, Saturdays and Sundays preceding Bank Holidays, Bank Holiday Mondays, Christmas Eve, Boxing Day and New Years Day: 09:00 - 00:00

New Years Eve- 09:00 – 02:00

### **For Standard Timings for the provision of live music, karaoke and DJ:**

Sunday- Thursday 11.00 - 22:00

Friday & Saturday 11.00 - 23:00

### **For Non-Standard Timings for the provision of live music, karaoke and DJ:**

Fridays, Saturdays and Sundays preceding Bank Holidays, Bank Holiday Mondays, Christmas Eve, Boxing Day and New Years Day: 10:30 - 23:30 hours

New Years Eve 11.00 - 00.30

1. The premises licence holder will undertake routine monitoring of the external area to monitor and control the noise from any patrons outside the premises.
  2. There shall be no drinks consumed outside the curtilage of the premises.
  3. There shall be no licensable activities outside in the rear courtyard area.
  4. No drinks shall be consumed in the rear courtyard area after 21:30.
  5. All litter, including cigarette ends, shall be cleared from the front pavement area in front of the premises and to the rear lane of the premises as shown on the attached plan A at the close of business each day.
- 4.3 The Licensing Section is aware that there have been discussions between the applicant, South Wales Police and the Licensing Authority but no agreement has been reached at the time of preparing this report.
- 4.4 The Planning Department has submitted the following information in the form of an observation only:

*“P/03/373/FUL – The use hereby permitted shall not be open to customers outside the following times:-*

*0900 – 1800 hours Monday to Sunday*

*Reason : In the interests of residential amenities”.*

4.5 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 consider each application on its own merits having regard to the application, the operating schedule submitted and the representations made.

4.6 Sections 2, 8, 9, 10 and 13.57 of the Home Office Guidance apply to this application. There are no specific local licensing policies applicable to the Porthcawl area.

## **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 Council's Statement of Licensing Policy and the 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**

**Assistant Chief Executive Legal and Regulatory Services**

**Date: 10 December 2014**

**Contact Officer:** Rachel Morris  
Senior Licensing and Registration Assistant

**Telephone:** (01656) 643294

**E-mail:** Rachel.Morris@bridgend.gov.uk

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

**Background documents**

Application for Premises Licence

Representations from Responsible Authorities and a Member of the Public

Observation letter from the Planning Department

Council's Statement of Licensing Policy available at [www.bridgend.gov.uk](http://www.bridgend.gov.uk)

Amended Guidance issued under Section 182 of the Licensing Act 2003 – October 2014

Available at [www.homeoffice.gov.uk](http://www.homeoffice.gov.uk)





Darren Mepham  
Chief Executive

©Crown Copyright and database right 2014 Ordnance Survey 100023405  
Aerial Imagery: Cities Revealed aerial photography copyright The Geoinformation Group 2011  
Countryside Council for Wales. ©Crown Copyright and database right 2014 Ordnance Survey 100018813  
Forestry Commission, ©Crown Copyright and database right 2014 Ordnance Survey 100025498

## Licensing Sub-Committee

1:1250

Time of Plot:  
10:31

Date of Plot:  
04/12/2014

Plot generated by:  
HPD

Department :  
Licensing and Registration





## BRIDGEND COUNTY BOROUGH COUNCIL



**Application for a premises licence to be granted  
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 ANNETTE EMALENE DE GRAAF trading as 'Olivias Coffee House'  
*(Insert name(s) of applicant)*

**apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I am making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003**

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description			
15 Well Street			
<b>Post town</b>	Porthcawl	<b>Postcode</b>	CF36 3BE
<b>Telephone number at premises (if any)</b>			
<b>Non-domestic rateable value of premises</b>		£7,500	

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- |   |                                     |                             |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals *               | <input checked="" type="checkbox"/> | please complete section (A) |
| b) a person other than an individual *          |                                     |                             |
| i. as a limited company                         | <input type="checkbox"/>            | please complete section (B) |
| ii. as a partnership                            | <input type="checkbox"/>            | please complete section (B) |
| iii. as an unincorporated association or        | <input type="checkbox"/>            | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/>            | please complete section (B) |

- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or   
 a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input checked="" type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b> DE GRAAF			<b>First names</b> ANNETTE EMALENE		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note 1)

The Premises occupy the ground floor only and rear outside area of 15 Well Street, Porthcawl CF36 3BE and already trades under the style 'Olivias' as a coffee house with sweet and savoury snacks and cooked meals. It has been operating on that basis for approximately 6 months.

It is situated in a retail area within Porthcawl town centre and there are a number of establishments within and near Well Street that are licensed to supply alcohol with meals.

The proprietors wish to extend the range of meals, primarily into *Tapas* type food of which alcohol, primarily good quality wines, would be a suitable accompaniment for diners.

There are 24 tables and a dining area, which would accommodate approximately 50 persons. It is proposed that alcohol is served with meals only from 11.30 to 02.00 or such other period(s) as the Licensing Authority deems suitable

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any 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)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
		<input type="checkbox"/>			
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
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 5)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 3)		
Tue					
Wed			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Thur					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<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 5)
Fri			
Sat			
Sun			



D

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)					
Mon								
Tue								
Wed						<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)		
Thur								
Fri						<b><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></b> (please read guidance note 5)		
Sat								
Sun								

E

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	
			Indoors	<input checked="" type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3) Occasional live music of a suitable and complimentary nature e.g. guitar solo / flamenco etc. Any music will be limited to end at 02.00 (or such other period at the Licensing Authority permit) to minimise nuisance except on New Years Eve and New Years day	
Mon	10.30	02.00		
Tue	10.30	02.00		
Wed	10.30	02.00		
Thur	10.30	02.00		
Fri	10.30	02.00		
Sat	10.30	02.00		
Sun	10.30	24.00		
			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4) As above	
			<b>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</b> (please read guidance note 5) When hours for sale of alcohol are extended on Bank Holidays and ‘Event Days’ those hours are extended in line with any extension granted	

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	10.30	02.00	<b>Please give further details here</b> (please read guidance note 3) Recorded music with or without DJ during normal business hours or as part of functions and including audience participation		
Tue	10.30	02.00			
Wed	10.30	02.00	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4) None		
Thur	10.30	02.00			
Fri	10.30	02.00	<b>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</b> (please read guidance note 5) When hours for sale of alcohol are extended on Bank Holidays and 'Event Days' these hours are also extended in line with the same hours.		
Sat	10.30	02.00			
Sun	10.30	12.00			

G

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)	
Mon				
Tue				
Wed				
Thur				
Fri				
Sun				
			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)	
			<b>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</b> (please read guidance note 5)	

H

<p><b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><b><u>Please give further details here</u></b> (please read guidance note 3)</p>		
Wed					
Thur			<p><b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)</p>		
Fri					
Sat			<p><b><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></b> (please read guidance note 5)</p>		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3) Provision of hot drinks meals and snacks		
Mon	18.00	02.00			
Tue	18.00	02.00			
Wed	18.00	02.00	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4) None		
Thur	18.00	02.00			
Fri	18.00	02.00	<b><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></b> (please read guidance note 5) When hours for sale of alcohol are extended on Bank Holidays and ‘Event Days’ these hours are also extended in line with the same hours.		
Sat	18.00	02.00			
Sun	18.00	24.00			

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4) None		
Mon	10.30	02.00			
Tue	10.30	02.00			
Wed	10.30	02.00			
Thur	10.30	02.00			
Fri	10.30	02.00			
Sat	10.30	02.00			
Sun	10.30	24.00	<b>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</b> (please read guidance note 5) 10.00 New Years Eve to 23.00 New Years Day 10.00 – 03.00 on Bank Holiday weekends, Christmas eve and Boxing Day 10.00 – 03.00 on up to 12 other event days per annum at applicants discretion		

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:**

Name	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	
Bridgend	



**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 8).

None

**L**

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	09.00	02.00	<p><b>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</b> (please read guidance note 5)</p> <p>Trading hours may be extended on Bank Holidays and 'Event Days' in line with any extension granted</p>
Tue	09.00	02.00	
Wed	09.00	02.00	
Thur	09.00	02.00	
Fri	09.00	02.00	
Sat	09.00	02.00	
Sun	09.00	12.00	

**M** Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)**

The types of regulated entertainments proposed enhance and augment the normal food catering facility. Staff will be trained on the requirements of the Licensing Act 2003 when they are recruited. No new steps have been identified by risk assessment in relation to the four licensing objectives except as below. We have considered the terms of your local Licensing Policy in preparing this application.

**b) The prevention of crime and disorder**

Insofar as may be relevant, given that the provision of alcohol is secondary to the provision of food, to provide a 30 minute extension to opening hours after the end of alcohol sales with access to the Premises toilet facilities and the provision of non-alcoholic refreshment during such period..

It is intended that the Personal Licence holder will be present on the Premises whenever trading and if for any reason the Personal Licence holder herself cannot be present then written authority will be given by the DPS to another appropriate person trained in the requirements of the Licensing Act 2003 or a personal Licence Holder in their own right. No less than five working days written notice will be given to the police if required when “Events Days” are planned.

The DPS is prepared to be a member of the local Pubwatch scheme.

**c) Public safety**

Normal catering numbers will not be exceeded and for functions the numbers will be limited to 75 persons or such other number as the consultative authorities shall determine. No specific risks regarding public safety have been identified. In the very unlikely event that a risk of overcrowding is identified (i.e on Event Days) the DPS will liaise with both the police and the fire authority to discuss how best to deal with any issue.

The Applicant and her staff will continue to assess all aspects of the Health & Safety at Work etc Act 1974 and prominent signs relating to nearest fire exits will be displayed together with a notice of the fire policy to be adopted in the event of an emergency.

**d) The prevention of public nuisance**

All windows will be kept closed after 23.00.

All amplified music shall be inaudible at the façade of the nearest residential premises after 23.00

There shall be no removal of waste bottles after 23.00

Any live music will end at 02.00 except on Bank Holidays, New Years Eve and New Years Day

e) The protection of children from harm

The restrictions set out in the Licensing Act 2003 will apply. Photographic proof of age will be required to be shown by anyone seeking to purchase alcohol who appears to be under 20 years of age. No unusual risks to children have been identified albeit children will be permitted into the dining area with responsible adults taking meals.

**Checklist:**

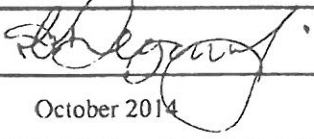
**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- 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 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 11).  
**If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	1 <sup>st</sup> October 2014
Capacity	Applicant

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent** (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Nicholas Pounder LLB Vasari UK Limited 69 West Road			
Post town	Porthcawl	Postcode	CF36 3SF
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) nicholas.pounder@sky.com			

**Notes for Guidance**

1. 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.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. 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.
7. 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'.
8. 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.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

KEEPING SOUTH WALES SAFE • CADW DE CYMRU'N DDIOGEL



Community Safety Partnership  
Licensing Department  
Police Station  
Brackla Street  
Bridgend  
CF31 1BZ  
B.3-502/14

Friday, 14 November 2014

Nicholas Pounder  
**Vasari UK Ltd**  
69 West Road  
Porthcawl  
Bridgend  
CF36 3SF

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

Sir/Madam,

**RE: APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER SECTION 17 OF THE LICENSING ACT 2003**

**OLIVIA'S COFFEE HOUSE, 15 WELL STREET, PORTHCAWL, BRIDGEND CF36 3BE**

**REPRESENTATIONS**

South Wales Police make representations to the Bridgend County Borough Licensing Authority that they are of the view that the likely effect of the grant of this application on the licensing objectives would be to increase crime and disorder and public nuisance at or in the vicinity of the premise.

Furthermore approval would fail to protect children from harm.

The representations are strengthened having regard to the steps intended to be taken in the Operating Schedule to promote the licensing objectives.

Information and evidence is set out below for the Licensing Sub-Committee's consideration.

## THE PREMISE

The Olivias Coffee House is currently open and trading as a restaurant in Porthcawl town centre without a premises licence. Customers therefore cannot consume hot food after 23.00 hours or be sold alcohol. They bring their own alcohol and the premises supplies the diners with glasses. Regulated entertainment is also provided on a weekend by way of a live acoustic music set. The premise operates primarily as a 'Tapas bar' where customers may dine at the premise.

This application to grant a premises licence at this premise is asking for opening hours from 09.00am until 02.00am Monday to Saturday. However this closing time is the same for the performance of live music, recorded music, late night refreshment provision and supply of alcohol timings.

These hours are only from 09.00 am till 12.00 on Sundays.

This application is also asking for additional timings to these times listed to incorporate an additional hour on Bank Holiday 'weekends', Christmas Eve and Boxing Day the material timings being 10.00am - 03.00am.

Also to allow 'Special timings on special event days' to allow any extension from 10.00 am to 03.00 am for 12 special events per year.

Recorded music, with or without DJ to include audience participation until these times.

Except New Years Eve and New Years day which specifies timings from 10.00 am – 23.00 hours continuous.

## THE APPLICANT

The current applicant is not a personal licence holder and therefore although wishes to be the Designated Premises Supervisor at the premise, this cannot be granted until the applicant actually becomes a personal licence holder herself.

## THE OPERATING SCHEDULE

Within the Operating Schedule (M - boxes A to E) the Act requires the applicant to describe any additional steps intended to be taken in order to promote all four licensing objectives namely: -

### **The prevention of crime and disorder**

### **Public safety**

### **The prevention of public nuisance**

### **The protection of children from harm**

The steps detailed are adopted as conditions of the Premises Licence and arguably attempt to negate responsible authorities from making representations in respect of the application.

Having made an assessment of the schedule some of the conditions proposed are either not relevant, are catered for under other legislation, appear in duplicate or are clearly unenforceable.

South Wales Police are of the opinion therefore that the licensing objectives have not been adequately addressed.

Home Office guidelines issued under Section 182 of the Licensing Act 2003 and Bridgend County Borough Councils "Statement of Licensing Policy" allows representations to be amplified at hearings.

Yours faithfully,



Licensing Sergeant 623 Williams

## Representations – Licensing Enforcement

### Olivias Coffee House, 15 Well Street, Porthcawl, CF36 3BE

Licensing authority officers in their role as a responsible authority make the following representations:

- a. There is no wind down period of 30 minutes after the Sale of Alcohol has ceased, as to enable customers to finish their drinks in a timely manner prior to the premises closing, even though an extension to hours' is referred to in Section M (b) The Prevention of Crime and Disorder
- b. In the application under the premises description and shown on the premises plan, it is stated there is a rear outside area, there is no reference in the operating schedule to the management and supervision of the said area, as to prevent public nuisance, crime and disorder, public safety and protection of children from harm.
- c. It is stated in the application that alcohol will only be served with meals, it is impractical to suppose that patrons will be attending the premises up to 02:00 for the consumption of food and therefore suggest the end of alcohol consumption and late night refreshment ceases at 23:30.
- d. There is no reference to any CCTV operating within the licensed area
- e. Non-Standard timings state '12 other event days per annum at the applicant's discretion', no information is given on the type of events or if the Local Authority will be informed of such events.

Regards

Fiona Colwill  
Licensing Enforcement Officer  
Legal & Regulatory  
Public Protection  
Civic Offices  
Angel Street  
Bridgend  
CF31 4WB

Tel: 01656 643180

Text phone | Ffon testun: 18001 01656 643180



This page is intentionally left blank

11/11/2014

10A Well St.

Porthcawl Appendix D  
CF36 3BE

Licensing & Registration Officer

B.C.B.C.

Civic Offices

Angel St.

Bridgend

CF31 4WB.



Re: Olivia's, 15 Well St, Porthcawl.

Statement of intended Licensable Activities

I would like to place my objection to the above restaurants proposed licensing hours i.e Monday to Saturday 23.00 to 02.00 Sunday 23.00 to 24.00. Non standard timing 10.30 Am to 02.00 Monday to Saturday, & from 10.30 to 24.00 on Sunday, 10.00 New Years Eve to 23.00 New Years day, 10.00 to 03.00 on Bank Holidays Week ends & Christmas Eve & Boxing day, 10.00 to 3.00 on up to 12 other event days per annum. Live / recorded music.

Well St. is a residential street as well as a business location & those proposed extra licensing hours will severely interrupt sleeping hours of residents. Even now music is being played loud & chairs & tables are being placed on the pavement & customers sit there drinking & smoking, a lot of sleep is interrupted. It is a very very loud restaurant.

This page is intentionally left blank