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**Bridgend County Borough Council**  
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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: Mark Galvin

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

**Date / Dyddiad:** 23 February 2015

Dear Councillor,

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

A meeting of the Licensing Act 2003 Sub-Committee (B) will be held in Committee Rooms 2/3, Civic Offices, Angel Street, Bridgend CF31 4WB on **Friday, 27 February 2015 at 10.00 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. Licensing Act 2003: Section 17 Application for Premises Licence 33 Market Street, Bridgend 3 - 56

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

**Distribution:**

Councillors:  
PA Davies

Councillors  
PN John

Councillors  
DRW Lewis

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## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO SPECIAL LICENSING ACT 2003 SUB-COMMITTEE

27 FEBRUARY 2015

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

#### LICENSING ACT 2003: SECTION 17 APPLICATION FOR PREMISES LICENCE 33 MARKET STREET, BRIDGEND

#### 1. Purpose of Report

- 1.1 This is an application made by Zahid Rasul and Saima Rasul, for a new Premises Licence for the above premises. The premises is a two storey building described as a wine bar, café and nightclub. The plans indicate that the premises will comprise a ground floor and first floor areas with seating areas and designated areas for either dancing or dining.
- 1.2 At the time this report was drafted, some representations had not been withdrawn and a hearing is therefore required.

#### 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 is for a Premises Licence which authorises the supply of alcohol on and off the premises, plays, films, indoor sporting events, boxing or wrestling entertainment, live music, recorded music, performances of dance and anything of a similar description to that falling within live music, recorded music and performances of dance.
- 3.3 The timings applied for licensable activities are; Sunday to Wednesday from 1130 to 2330 hours and Thursday to Saturday from 1130 to 0200 hours. There are no non-standard timings. The application states that the premises will close to the public at 0000 hours Sunday to Wednesday and 0230 hours Thursday to Saturday. These are revised timings from the original application and have been agreed by the applicants and circulated to the responsible authorities.
- 3.4 The application has been advertised in accordance with Regulations.

3.5 For information, the applicants have been advised to contact the Building Control Section regarding obtaining the necessary consent for works being carried out at the premises.

#### **4. Current situation / proposal.**

4.1 Representations have been received from the South Wales Fire and Rescue Service, Public Protection Department, Chief Officer of Police and a person living within the vicinity of the premises.

4.2 Copies of the representations are attached at Appendix B, C D and E. Copies of the representations received have been forwarded to the applicants for consideration.

4.3 The applicants have indicated that measures identified in some of the representations are accepted and they are willing to submit an amended operating schedule. However, some issues are still under discussion. Therefore, without prejudice to the outcome of the hearing, the elements of the operating schedule and representations which have been agreed will be drafted for consideration at the meeting.

4.4 The applicants and the Public Protection Department are in discussion regarding the representations submitted, in particular relating to noise management generally and the management of the external area.

4.5 As outlined above, the South Wales Fire and Rescue Service has made representations that the application as submitted, does not promote the public safety licensing objective. At the time this report was prepared, the South Wales Fire and Rescue Service had asked the applicants to provide detailed calculations on how the proposed capacity figure was to be managed. The applicants were also required to provide exit widths and separate figures for the ground and first floor areas and advised that information is required to satisfy the representations relating to the safe evacuation of people from the above premises. The applicants have received an email setting out the precise requirements of the South Wales Fire and Rescue Service.

4.6 The South Wales Police has made representations that the application does not promote the crime and disorder, public nuisance and protection of children from harm licensing objectives.

4.7 They highlight that the Council has adopted a special licensing policy in respect of applications received for the Market Street area of Bridgend. The policy relates to the negative cumulative impact being experienced in certain Bridgend town centre streets as a result of a significant number of licensed premises concentrated in the area. The South Wales Police have made representations that the licensing objectives have not been adequately addressed, and that the grant of a licence to these premises will add to the negative cumulative impact already prevalent in the town centre.

4.5 Representations were also submitted by the Licensing Authority and have been withdrawn subject to the following additional conditions being incorporated into the operating schedule of a licence, if granted:

1. No children will be admitted to the premises unless accompanied by an

appropriate adult.

2. No children shall be permitted to remain in the premises after 2100 hours.
  3. 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.
  4. A Challenge 25 policy shall form part of the premises age verification policy, a copy of which shall be made available for inspection upon request by authorised officers and responsible authority officers.
  5. 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.
  6. Electronic till prompts shall be installed and maintained on all tills in respect of alcohol sales, to support the Challenge 25 policy.
- 4.6 A local resident has submitted representations, which had not been withdrawn at the time this report was prepared.

- 4.7 The Planning Department has submitted the following information in the form of an observation only:

*"P/98/555/FUL*

*The use hereby permitted shall not be open to the public between the hours of:-*

*24.00 Sundays – 07.00 Mondays  
24.00 Mondays – 07.00 Tuesdays  
24.00 Tuesdays – 07.00 Wednesdays  
24.00 Wednesdays – 07.00 Thursdays  
02.30 Fridays – 07.00 Fridays  
02.30 Saturdays – 07.00 Saturdays  
02.30 Sundays – 07.00 Sundays*

*Reason: in the interests of residential amenities".*

In response, the applicants have amended the application to accord with the above consent.

- 4.8 In summary, there are a number of outstanding representations which require a hearing of this application.
- 4.9 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.

4.10 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 Market Street, 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."

4.11 Sections 2, 8, 9, 10, 13.56 & 13.57 of the Home Office Guidance are relevant to this application. Paragraph 13.19 to 13.40 relates to the cumulative impact of a concentration of licensed premises.

## **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 operating schedule, the representations received, along 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**

**Assistant Chief Executive Legal and Regulatory Services**

**Date: 23 February 2015**

**Contact Officer:** Yvonne Witchell  
Licensing and Registration Officer

**Telephone:** (01656) 643105

**E-mail:** Yvonne.Witchell@bridgend.gov.uk

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

### **Background documents**

Application for Premises Licence

Representations from Licensing Authority, Public Protection Department, South Wales Fire and Rescue Service, Chief Officer of Police & a Person living within the vicinity of the premises

Observation from Planning Department

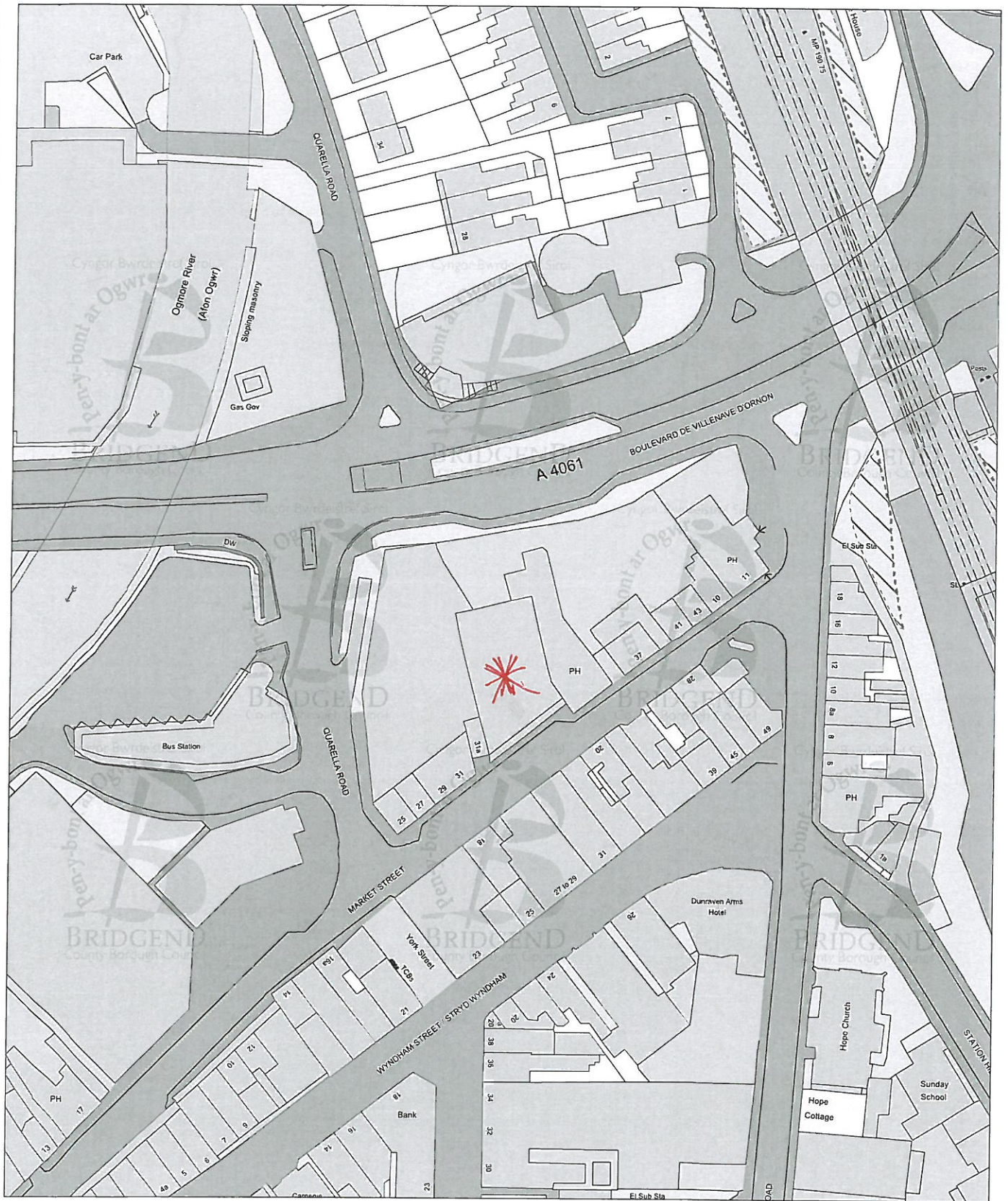
Council's Statement of Licensing Policy available at [www.bridgend.gov.uk](http://www.bridgend.gov.uk)

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

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

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Deborah McMillan  
Corporate Director for Children

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## Licensing Committee

1:1250

Time of Plot:  
11:25

Date of Plot:  
10/12/2014

Plot generated by:  
HPD

Department :  
Licensing and Registration



[Insert name and address of relevant licensing authority and its reference number (optional).]

Application for a premises licence to be granted  
under the Licensing Act 2003

22 DEC 2014

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 MR ZAHID RASUL

(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/we are 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			
33 MARKET STREET			
Post town	BRIDGEND	Postcode	CF31 1LJ
Telephone number at premises (if any)	01656 649062		
Non-domestic rateable value of premises	£		

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
- i. as a limited company  please complete section (B)
- ii. as a partnership  please complete section (B)
- iii. as an unincorporated association or  please complete section (B)
- iv. other (for example a statutory corporation)  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 checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname <b>RASUL</b>			First names <b>ZAHID</b>		
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		
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input checked="" type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname <b>RASUL</b>			First names <b>SAIMA</b>		
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	
Daytime contact telephone number					
E-mail address (optional)					

**(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
26	01	2015

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

DD	MM	YYYY

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

WINE BAR / CAFE / NIGHT CLUB  
 SALE & SUPPLY OF ALCOHOL  
 REFRESHMENT  
 PUBLIC ENTERTAINMENT  
 TWO STOREY BUILDING

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)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11.30	2.30	Please give further details here (please read guidance note 3)  1,000	Both	<input type="checkbox"/>
Tue	11.30	2.30			
Wed	11.30	2.30	State any seasonal variations for performing plays (please read guidance note 4)		
Thur	11.30	02.30			
Fri	11.30	02.00	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 (please read guidance note 5)		
Sat	11.30	02.00			
Sun	11.30	02.00			

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 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)		
Mon	11 <sup>30</sup>	23 <sup>30</sup>			
Tue	11 <sup>30</sup>	23 <sup>30</sup>	<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Wed	11 <sup>30</sup>	23 <sup>30</sup>			
Thur	11 <sup>30</sup>	02 <sup>00</sup>	<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)		
Fri	11 <sup>30</sup>	02 <sup>00</sup>			
Sat	11 <sup>30</sup>	02 <sup>00</sup>			
Sun	11 <sup>30</sup>	02 <sup>00</sup>			



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	11:30	23:30	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Tue	11:30	23:30	
Wed	11:30	23:30	
Thur	11:30	02:00	<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	11:30	02:00	
Sat	11:30	02:00	
Sun	11:30	02:00	
		02:00	

D

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b>Will the boxing or wrestling entertainment 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)		
Mon	11:30	23:30			
Tue	11:30	23:30	<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 4)		
Wed	11:30	23:30			
Thur	11:30	02:00	<b>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</b> (please read guidance note 5)		
Fri	11:30	02:00			
Sat	11:30	02:00			
Sun	11:30	02:00			

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)		
Mon	11:30	23:30			
Tue	11:30	23:30	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Wed	11:30	23:30			
Thur	11:30	02:00	<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)		
Fri	11:30	02:00			
Sat	11:30	02:00			
Sun	11:30	02:00			

F

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded 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)		
Mon	11 <sup>30</sup>	23 <sup>30</sup>			
Tue	11 <sup>30</sup>	23 <sup>30</sup>	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)		
Wed	11 <sup>30</sup>	23 <sup>30</sup>			
Thur	11 <sup>30</sup>	02 <sup>00</sup>	<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)		
Fri	11 <sup>30</sup>	02 <sup>00</sup>			
Sat	11 <sup>30</sup>	02 <sup>00</sup>			
Sun	11 <sup>30</sup>	02 <sup>00</sup>			

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11 <sup>30</sup>	23 <sup>30</sup>	<u>Please give further details here</u> (please read guidance note 3)		
Tue	11 <sup>30</sup>	23 <sup>30</sup>			
Wed	11 <sup>30</sup>	23 <sup>30</sup>	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur	11 <sup>30</sup>	02 <sup>00</sup>			
Fri	11 <sup>30</sup>	02 <sup>00</sup>	<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 5)		
Sat	11 <sup>30</sup>	02 <sup>00</sup>			
Sun	11 <sup>30</sup>	02 <sup>00</sup>			

H

<p>Anything of a similar description to that falling within (e), (f) or (g) 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> <p>LIVE MUSIC / BANDS / LIVE SINGER DJ / RECORDED MUSIC DANCING BOOKING FOR PARTYS &amp; WEDDINGS</p>		
Day	Start	Finish	<p><b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)</p>	Indoors	<input checked="" type="checkbox"/>
Mon	11 <del>30</del>	23 <del>30</del>		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	11 <del>30</del>	23 <del>30</del>	<p><b>Please give further details here</b> (please read guidance note 3)</p>		
Wed	11 <del>30</del>	23 <del>30</del>			
Thur	11 <del>30</del>	02 <del>00</del>	<p><b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 4)</p>		
Fri	11 <del>30</del>	02 <del>00</del>			
Sat	11 <del>30</del>	02 <del>00</del>	<p><b>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</b> (please read guidance note 5)</p>		
Sun	11 <del>30</del>	02 <del>00</del>			

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment 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 checked="" type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)			
Mon	11 <sup>30</sup>	23 <sup>00</sup>				
Tue	11 <sup>30</sup>	23 <sup>00</sup>	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)			
Wed	11 <sup>30</sup>	23 <sup>00</sup>				
Thur	11 <sup>30</sup>	23 <sup>00</sup>	<b>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</b> (please read guidance note 5)			
Fri	11 <sup>30</sup>	23 <sup>00</sup>				
Sat	11 <sup>30</sup>	23 <sup>00</sup>				
Sun	11 <sup>30</sup>	23 <sup>00</sup>				

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – <u>please tick</u> (please read guidance note 7)  [SUPPLY OF ALCOHOL TO CEASE 30MINS BEFORE CLOSING TIME]	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish	Both <input checked="" type="checkbox"/>		
Mon	11 <sup>30</sup>	23 <sup>30</sup>	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Tue	11 <sup>30</sup>	23 <sup>30</sup>			
Wed	11 <sup>30</sup>	23 <sup>30</sup>			
Thur	11 <sup>30</sup>	02 <sup>00</sup>	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 5)		
Fri	11 <sup>30</sup>	02 <sup>00</sup>			
Sat	11 <sup>30</sup>	02 <sup>00</sup>			
Sun	11 <sup>30</sup>	02 <sup>00</sup>			

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)	



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	11 <sup>30</sup>	24 <sup>00</sup>	CULTURAL EVENTS
Tue	11 <sup>30</sup>	24 <sup>00</sup>	
Wed	11 <sup>30</sup>	24 <sup>00</sup>	
Thur	11 <sup>30</sup>	02 <sup>30</sup>	
Fri	11 <sup>30</sup>	02 <sup>30</sup>	
Sat	11 <sup>30</sup>	02 <sup>30</sup>	
Sun	11 <sup>30</sup>	02 <sup>30</sup>	

**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)

b) The prevention of crime and disorder

SEE SUMMARY ATTACHED.

c) Public safety

SEE SUMMARY ATTACHED.

d) The prevention of public nuisance

SEE SUMMARY ATTACHED.

e) The protection of children from harm

SEE SUMMARY ATTACHED.

**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	19.12.2014
Capacity	

**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	Saima Rasul
Date	19.12.2014
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

## 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.

To whom this may concern,

Following our recent conversations regarding the licensing agreement please be aware that this draft will only come into effect when both parties have reached a mutual agreement. We hope you find the proposals we have made acceptable and has clarified your concerns. Please review it carefully. Should you feel as if something was overlooked or you would like to change a proposal, feel free to contact me at any time. If you have any further questions, do not hesitate to contact me.

Sincerely

### **Hours premises are open to the public**

The original opening times we have suggested are 11.30am – 24.00 from Monday to Wednesday and 11.30am – 2.30am from Thursday to Sunday. 30 minutes prior to closing the music and supply of alcohol will be stopped. Under no circumstances would there be a restart of either music or supply of alcohol after it has been turned off. After 2.00a.m there will be no entry or re-entry into the premises by new customers or existing which left the building. There will be a stamp or paper wrist band system for customers to enter the premises, so the security staff on the front entrance is aware of the people that have already entered and they do not congregate outside the building.

### **Cameras**

There is a CCTV system installed in the premises which has 48 cameras covering the whole building leaving no "blind spots" and records 24 hours a day. This system automatically has a footage saving life span of 28 days and is to a standard that the police and local authority find exceedingly acceptable. This footage is available at all times to the police and local authority on request.

### **Supply of alcohol and proof of age**

The alcohol times we are supplying from Monday to Wednesday is 11.30am – 23.30 and from Thursday – Sunday would be 11.30am – 2.00am. With the Eden wine bar there are no age restrictions up until 21.00. Under 18's are allowed in, with the condition of being in a company with a responsible adult or guardian. There is a strict policy for under 18's as they are not allowed to be served any alcohol. After 21.00 under no circumstance will there be anyone inside the premises from those who are under the age of 18. Age restriction signs and notices will be made visible at entering the premises as well as around each area of sale points and throughout the building. Valid identification is required when purchasing any type of alcohol, such as; driving license or a passport. Customers who are noticeably highly

intoxicated will be escorted out of the premises and into a taxi, so no disturbance in the street would be made and no hassle for other customers waiting to enter the premises. Anyone whom may be suspected to be under the age of 25 will be challenged to provide valid identification at the point of sale of alcohol.

### **Door staff**

All door staff would be valid SIA license holders and will be provided by a registered company. They would not require any training from the business as they have been trained by the company themselves. As part of their duties they would know how to manage the queue and the smoking area outside the premises. All incidents that take place at any time of opening will be recorded in writing in the incidents book. They will have the authority of drug searching any one that they may suspect and will be allowed to refuse entry if the custom may fail. Minimum of 3 door staff will be in the business during opening hours for 22.00 onwards. Nitenet radio will be on to communicate with the police at all times of operating in the business

Staff training is available on a separate document which is also attached to this email.

To whom this may concern,

Following our recent conversations regarding the licensing agreement please be aware that this draft will only come into effect when both parties have reached a mutual agreement. We hope you find the proposals we have made acceptable.

Please review it carefully. Should you feel as if something was overlooked or you would like to change a proposal, feel free to contact me at any time. If you have any further questions, do not hesitate to contact me.

Sincerely

**Hours Premises are open to the public**

1. The original opening times we have suggested are 11.30am – 24.00 from Monday to Wednesday
2. Thursday to Sunday will be 11.30am – 2.30am.
3. 30 minutes prior all music and drinks will be stopped, and there will be enough remaining time for customers to exit the premises (wind down period)
4. After 2.00a.m there will be no entry or re-entry into the premises by new customers or existing which left the building.
5. There will be a stamp or paper wrist band system for customers to enter the premises, so the security staff on the front entrance is aware of the people that have already entered and they do not congregate outside the building.
6. All sound and supply of alcohol will stop 30 minutes prior to closing.

### Supply of alcohol

7. The times we are supplying alcohol are from Monday to Wednesday is 11.30am – 23.30
8. Thursday – Sunday the timing of the supply of alcohol would be 11.30am – 2.00am.
9. With the Eden wine bar there are no age restrictions up until 21.00.
10. Under 18's are allowed in, with the condition of being in a company with a responsible adult or guardian.
11. There is a strict policy for under 18's as they are not allowed to be served any alcohol.
12. After 21.00 under no circumstance will there be anyone inside the premises from those who are under the age of 18.
13. Age restriction signs and notices will be made visible at entering the premises as well as around each area of sale points and throughout the building.
14. Valid identification is required when purchasing any type of alcohol, such as; driving license or a passport.
15. Customers who are noticeably highly intoxicated will be escorted out of the premises.
16. All identification will be checked at the point of entry after 9.00p.m
17. At each point of sales a customer who may be suspected to be under the age of 25 will be challenged for proof of age.

### Live Music

18. All windows and doors are to be kept closed during opening times and whilst live amplified music is being played.
19. Live bands would only play up until 23.00 hours.
20. All noise would be regularly monitored throughout the night.
21. There will be limiters on the amplifiers which will be provided to music acts downstairs.
22. Sound is supplied and managed by a separate company which the management nor the staff have any access to the level of output.
23. If management feel as if the sound level reaching outside is exceeds the limit, then a member of management will make it their responsibility to stand outside the building and judge the music level for noise pollution in the local area.
24. Further action would then be taken by the sound management company if the noise level is too high, to make sure the reduction of sound is limited and to adjust the limiters set on the amplifier.



### **Recorded Music**

25. Recorded sound will also be supplied and managed by Mr. Paul Morgan who is also the sound technician.
26. Before the opening of the premises there will be a sound check and on monthly basis also in which limiters will be set on the amplifiers to produce only an adequate amount of sound from the speakers.

### **Noise and Patrons Congregating Outside**

27. There will be a queuing system in place outside the building to prevent outbursts from customers, with the help of metal barriers.
28. There will be security at the front entrance at all times to control any situation that occurs that may lead to a disturbance.

### **Litter**

29. There will be wall fixed ashtrays outside for those customers who wish to smoke all along the outside of the building.
30. There is also an area away from non-smokers and customers who are queuing to enter.
31. This area would be away from the entrance, so it will no hassle other customers, as well as not having the front of the building gathered up with extra customers and noise.
32. At the end of each shift there will be a cleaner who will empty and sweep any waste from the floors as well as remaining cigarette waste outside.

The following points are the sound management plan

33. If music that is being played in the building is suspected to exceed the limit even after it is set to a certain decibel, then a member of management will make it their responsibility to go outside and check if the noise level is too loud for the area.
34. There will be limiters on the amplifiers which would not be accessed by anyone in the premises including management, there will be no
35. There will be sound checks monthly on the limiters which will be set on the amplifiers to produce only an adequate amount of sound from the speakers that is acceptable
36. Sound level will be restricted to a certain extent by limiters on the amplifiers
37. Mr. Morgan the sound technician will be the only person which would have control on the limiters set on the amplifiers throughout the building.
38. Live music acts which wish to bring and use their own equipment can do so, however there will be limiters at the start of the act set on their amplifiers so the sound doesn't exceed a certain level
39. There will be no entry or re-entry into the premises after 2.00a.m from Thursday to Sunday.
40. The door staff will ensure that the customers leaving the premises at night will leave in a respectable manner in regards to the local residents.
41. Identification will be asked at points of entry into the premises, and at all points of sales throughout the building.
42. Anyone suspected under the age of 25 will be challenged for identification at points of sale.
43. For the specification of limiters please contact Paul Morgan of Paul sounds
44. Limiters for live bands, who will provide their own amplifiers, will be set by agreement with the public protection department.
45. Once limiters have been set those limits will be maintained by the management.

1. Cctv system recoding

There will be 48 cameras and 3 DVR being installed in the premises.  
DVR recording is on 24 hours a day and kept 28 days. CCTV footage will be available for local authorities and police.

2. Age limitation

There is no age restriction up until 21.00. Children under age of 18 are allowed to come in with the condition of being in a company with a responsible adult or guardian. Age restrictions signs and notices will be made visible upon entering the premises as well as around each of sale points.

3. No alcohol supply at all under the age of 18.

Drivers licence or passport has to be shown for proof of age to buy alcohol.

Customers who are noticeably highly intoxicated will be escorted out of the premises.

Member of staff are allowed to ask for ID for alcohol to be served, if they notice customer looks under the age of 18.

Staff are allowed to refuse the customer alcohol if customer is unable to provide Identification.

4. All door staff will be provided by the registered company, who will all be SIA licence holder.

Door staff will manage outside customers who are queuing and the smokers.

Door staff will be allowed to check for identification if needed.

Door staff will be make sure all incidents will be logged into the incident book.

Door staff are allowed to drug search the customers if needs be, and refusal is allowed to stop them from entering the building.

Minimum 3 door staff will be starting at 22.00 until closing time.

5. Nitenet radio will be on to communicate with the police for any emergency.

# Staff Training Policy

## Door staff

- All door staff will be provided by a registered company
- All staff provided through this company will be SIA license holders
- Staff will be previously trained by the company on how to handle any disruption that may occur

## Glass collectors

- All Eden staff must only use poly carbon plastic glasses at all time
- Always check around for any empty glasses on the floor or anywhere in the building and hand over any glasses to the bar staff for washing
- If you see any spillage on the floor put a hazard sign around the area and clean it with a dry mop
- Be sure to report all incidences to management

## Cleaning

- Report any slippery floors or damages to walls to a supervisor urgent
- Use protective clothing, gloves and chemicals provided to clean up safely
- Store all chemicals safely and put away after use
- Be sure to report all incidences to management
- All checks for toilets are to be made every 30 minutes and cleaned at the same time as well as reporting back to a member of management after doing so
- All furniture should be kept cleaned with disinfectant, soap and water

## Bar staff

- If a customer is highly intoxicated then supply of alcohol is stopped
- Know what your customer wants
- Checking Identification thoroughly, for example asking politely for proof before serving them
- Knowing all the products and brands well so they are quick when it comes to serving, so no queue will have the chance to build up
- If an issue occurs with a rude customer, then staff are obliged to let security know

- Under no circumstances will the bar staff be allowed to serve any customer under the age of 18
- Staff will have to learn how to change a barrel in a correct manner
- Staff must know their way around each pump and how it works
- Carrying out stock in a correct way that does not harm the staff or anyone else
- Staff must know how to refill fridges correctly and accordingly
- To keep the bar and behind the bar as tidy as possible throughout the day/night
- Working the till correctly along with money handling
- Challenge all customers who may be suspected to be under the age of 25





Rachel Morris  
Senior Licensing Assistant  
licensing@bridgend.gov.uk

Our Ref: SJT/01E-15055 LA02  
Your Ref:

Date: 31 December 2014

Contact: Station Manager St.John Towell  
Tel: 07900227722  
E-mail: firesafety@southwales-fire.gov.uk

Dear Madam

**LICENSING ACT 2003  
APPLICATION FOR: GRANT OF PREMISES LICENCE.  
AT: 33 MARKET STREET, BRIDGEND, CF31 1LJ**

**REPRESENTATIONS AGAINST THE APPLICATION**

On behalf of the Fire and Rescue Authority, notice is hereby given of representations against the present application in respect of the above. The grounds for the representations are detailed in the enclosed report.

This authority cannot enforce these matters directly under current fire safety regulations until such times as persons are employed on the premises.

Please quote our reference in all future correspondence.

Yours faithfully

Signed  Print Name ST.JOHN TOWELL  
for Assistant Chief Fire Officer

Cc [saimarasul@yahoo.co.uk](mailto:saimarasul@yahoo.co.uk)

**SOUTH WALES FIRE AUTHORITY**

**LICENSING ACT 2003**

**NOTICE OF REPRESENTATIONS**

NAME AND ADDRESS OF PREMISES: 33 Market Street, Bridgend, CF31 1LJ

APPLICANT: Zahid Rasul

APPLICATION FOR: Grant of a Premises Licence

REASON FOR REPRESENTATIONS: This authority is of the opinion that the application, as submitted, does not appear to adequately promote the PUBLIC SAFETY licensing objective.

DATE OF INSPECTION: 30 December 2014

FIRE SAFETY OFFICER: SM St.John Towell

The Fire Authority makes representations against this application on the following grounds: -

An assessment of the plans provided has been carried out and the proposed means of escape is inadequate for the available floor space and potential occupancy figure. Our calculations identify sufficient exit capacities to be approximately 280 with available floor space close to 700 people. The proposed situation is unacceptable to this authority and the applicant is advised to contact the above Officer to discuss the matter.



# MEMORANDUM COFNOD



From: **ASSISTANT CHIEF EXECUTIVE  
LEGAL AND REGULATORY SERVICES**

To: **ASSISTANT CHIEF EXECUTIVE  
LEGAL AND REGULATORY SERVICES  
FAO – Yvonne Witchell – Licensing & Registration Officer**

Appendix C

our ref.  
EA/KE

ext. no.  
3226

your ref.

Date  
29<sup>th</sup> January 2015

## LICENSING ACT 2003

APPLICATION FOR A PREMISES LICENCE – 33 MARKET STREET BRIDGEND  
CF31 1LJ

APPLICANT – MR RASUAL

The above application has been examined by this Department in its role as a Responsible Authority. Consideration has been given to issues in connection with the Health & Safety at Work Etc Act 1974, pollution of the environment, harm to human health and protection of children. I can advise you that the Department has the following relevant representations to make:

### Public Safety

Public safety is concerned with the physical safety of people using or working in the premises. It is the responsibility of the applicant to ensure that the licensed premises is safe for the public and staff for the activity that is taking place, both inside and immediately outside the premises. During the last inspection at the premises on 20<sup>th</sup> November 2014 it was noted that the premises was still undergoing renovation and was not in a safe condition to open to members of the public. The applicant was therefore requested to ensure that the safety arrangements documented in appendix 1 were in place prior to opening to the public. However, to date, the applicant has failed to demonstrate that these issues have been addressed and has not provided any evidence of the documentation that has been requested.

### Prevention of Public Nuisance

This premises is situated opposite residential flats and is in an area of Bridgend town centre which has been determined as a cumulative impact area due to the high density of pubs, clubs and takeaways and the disproportionate amount of crime disorder. This means that the applicant would need to demonstrate in his operating schedule that the operation of the premises would not add to the negative cumulative impact experienced and that there will be no negative cumulative impact on one or more of the licensing objectives. However, the applicant has not addressed how public nuisance from licensable activities and operation of the premises will be prevented, particularly in respect of the following:



### **(1) Hours Premises are open to the Public**

The applicant has requested opening hours from 11.30 to 24:00 Monday to Wednesday and 11:30 to 02:30 Thursday to Sunday for standard timings, and for non-standard timings states "Cultural events" with no specified times or particular events. As previously advised the premises has a planning restriction to close at 24.00hrs on a Sunday, therefore it cannot open later in any event. The applicant is requested to amend the opening hours to: 11.30 to 24:00 Sunday to Wednesday.

### **(2) Supply of Alcohol**

The applicant has applied for the supply of alcohol from 11:30 until 23:30 Monday - Wednesday and 11:30 until 02:00 on Thursday- Sunday for standard timings, with no request for non-standard timings. As mentioned above the premises has a planning restriction to close at 24.00hrs on a Sunday. The applicant is requested to amend the supply of alcohol to Sunday - Wednesday from 11:30 to 23:30.

### **(3) Live and Recorded Music**

The applicant has applied to have live music until 24:00 Monday to Wednesday and until 02:00 Thursday to Sunday. However, this conflicts with the operating schedule provided with the application which states that "live bands would only play up until 23.00hrs. This needs to be clarified and amended.

The applicant has states that all windows and doors will be kept closed when live and recorded music are being played. However, the applicant has not addressed the potential noise problems that may arise due to the size of the existing double lobby at the front of the premises. The area between the outer and inner doors is so small that it is likely that the two sets of doors would be frequently opened at the same time, resulting in noise and disturbance to the flats opposite from the music when patrons are entering and leaving the premises. Consideration should therefore be given to either extending the double lobby or providing additional doors. The applicant should ensure that any such works comply with the relevant Building and Fire Regulations.

The applicant states that both live and recorded music will be controlled by the use of limiters and will be controlled and managed by Paul Morgan who is also the sound technician. It is suggested the applicant removes the named person from operating schedule.

The applicant has stated " for specification of the limiters please contact Paul Morgan of Paul sounds 07977264001" in the operating schedule. This is not acceptable, the applicant is requested to provide the specification of the limiters to be installed and how they will be set.

### **(4) Noise from Patrons Congregating Outside**

Point 28 of the operating schedule states that "there will be security at the front entrances at all times to control any situation occurs that may lead to disturbance". The applicant needs to demonstrate that the number of security staff on the front entrance will be proportionate to the number of patrons to adequately control disturbance from patrons outside. It is also noted that the applicant states security staff will only be present after 22.00hrs therefore the statement above that security at all times is incorrect and needs to be amended.

In view of the above, I wish to object to the application until such time that the applicant can demonstrate that the premises will have no negative impact on the area and can demonstrate that the premises will be safe. However should the premises license application be granted, I would recommend that the following conditions are imposed in order to promote the licensing objective in respect of the prevention of public nuisance and protection of public safety:

### Conditions/Restrictions

1. Hours of opening shall be restricted to :  
Sunday-Wednesday: 11.30-00.00  
Thursday- Saturday: 11.30-02.30

All other licensable activities (other than live music), shall cease 30 minutes before the closing time

2. Live music shall be restricted to:  
Sunday - Thursday 11.30-23:00  
Friday and Saturday 11.30-00.00.
3. Limiters shall be provided to all sound making equipment to control sound levels
4. All noise limiters shall be set at a level to be agreed with the Public Protection Department
5. There shall be no live music on the ground floor without a sound limiter.
6. Prior to the premises becoming operational, the premises licence holder shall submit a written noise management plan to the Public Protection Department, detailing how noise from the following will be controlled:
  - customers who congregate outside to smoke
  - customers queuing to enter the premises
  - customers leaving the premises
  - recorded and live music, particularly when patrons are entering and leaving the premises (if noise limiters are being used and the size of the existing lobby is not sufficiently extended, the noise level will be set with both sets of doors being in the open position).
7. The noise management plan referred to in condition (7) above, shall also include a timescale for implementing the controls, which shall be agreed in writing by the Public Protection Department. All controls which form part of the plan shall be implemented within the agreed timescales and shall be maintained thereafter. A copy of the noise management plan shall be kept on the premises.
8. The noise management plan shall be reviewed and amended accordingly at the request of any one of the Responsible Authorities where justified problems of noise and disturbance have occurred and any additional controls which are identified shall be carried out in full within a further timescale to be agreed with by the Responsible Authority requesting the review
9. There shall be no drinks consumed anywhere outside the curtilage of the premises.
10. I would request that the litter provisions as stated in the operating schedule numbers 29-32 are imposed as conditions.

11. The premises shall not be opened to members of the public, until it can be demonstrated that the premises is in a safe condition by ensuring that the matters identified in appendix 1 are addressed to the satisfaction of the Public Protection Department.

If you have any queries regarding this matter, please do not hesitate in contacting me on the above extension.

A handwritten signature in black ink, appearing to read 'E. Aston', with a horizontal line extending to the right from the end of the signature.

**Miss E Aston, Environmental Protection Officer**

On behalf of **ASSISTANT CHIEF EXECUTIVE LEGAL AND REGULATORY SERVICES**



## Appendix 1 Health & Safety Policy

1. Where there are five or more employees, a written statement of general policy with respect to health and safety must be provided and revised as often as appropriate. The health and safety policy statement should set out how health and safety will be managed in the premises. It is a unique document that shows **who** does **what**; and **when** and **how** they do it.

The matters normally dealt with in the 'Arrangements' section of the safety policy would include: -

- |                        |                                 |
|------------------------|---------------------------------|
| A) First Aid           | G) Accident recording/reporting |
| B) Fire Safety         | H) Training                     |
| C) Electrical Safety   | I) House Keeping                |
| D) Manual Handling     | J) Machine Maintenance          |
| E) Protective Clothing | K) Hazardous Chemicals          |
| F) Lift Safety         | L) Noise                        |

The above list is not exhaustive and any other matters relating to the specific business activities should be included.

### Risk Assessments

2. A suitable and sufficient assessment of the risks to health and safety of employees and others shall be made. The assessment is a systematic examination of all work activities undertaken and the risks they create for employees, visitors, customers and others. A written record is required of the assessment if there are **more than five employees**.

The following principles should be applied when deciding the necessary control measures:

- if possible avoid a risk altogether e.g. do the work in a different way, taking care not to introduce new hazards
- combat the risks at source e.g. replacing slippery steps is better than displaying a warning sign;
- adopt working requirements to the individual;
- take advantage of technological and technical process;
- implement risk prevention measures that protect the whole workstation rather than individuals;
- ensure that all workers and other people on site understand what they must do; &
- the existence of a positive safety culture that is recognised at all levels within the organisation.

### Procedures for Serious or Imminent Danger

3. Establish procedures to be followed in situations of serious or imminent danger e.g. fire, bomb alert etc. Procedures should set out clear guidance when workers should stop work and how they should move to a place of safety. Identify competent persons to implement procedures, identifying their specific roles and responsibilities. The procedures and competent persons must be brought to the attention of all staff.

## Passenger Lift

4. Provide a lifting equipment certificate for the passenger lift. The lifts must be thoroughly examined by a competent person at intervals: -
  - a) Equipment for lifting persons or a lifting accessory must be examined **every six months**;
  - b) Other lifting equipment every 12 months; &
  - c) or in accordance with an examination scheme.

A LOLER report of the examination must be sent to the person responsible for the equipment (duty holder). **A copy of the latest record of such a check to this office must be forwarded to the Public Protection Department.**

The maximum load, which the lift can carry must be clearly marked in a conspicuous position within the lift car, this should include the maximum number of persons to be carried.

## Gas Safety

5. All gas appliances and heating systems must be maintained in safe working order and checked for safety at least every 12 months by a competent person who is registered under the Gas Safe Register scheme. Up to date records of appropriate safety checks must be kept and made available for inspection. **A copy of the latest record of such a check must be forwarded to the Public Protection Department.**

## Electrical Safety

6. The electrical installations (mains electrics) and portable equipment must be maintained in a safe working condition. In most commercial premises it is appropriate for the electrical installation to be inspected by a suitably competent person at least every 5 years. A competent person must be employed to test and inspect the mains electrical installations and keep a copy of this certificate at the premises so that it can be checked as and when required for future inspections. **A copy of the latest electrical inspection report must be forwarded to the Public Protection Department.**

## Management of Asbestos

7. A person with responsibilities for the repair and maintenance of non-domestic premises must find out if there are, or may be, asbestos-containing materials (ACMs) within the building.

The duty to manage will require the duty holder to:

- Take reasonable steps to find asbestos on their premises and assess the condition of these materials;
- Presume that materials do contain asbestos unless there is strong evidence that they do not;
- Prepare a record of the location and condition of asbestos, or presumed asbestos, materials and assess the risks from them;
- Prepare and implement a plan to manage those risks; and
- Provide information on the location and condition of the materials to anyone who is liable to disturb them. (E.g. Staff, contractors)

The duty requires that information on the location and condition of the asbestos is made available to anyone liable to work on it or disturb it. Any employees involved in building



maintenance work and any contractors working on the premises should know if the building contains, or may contain, asbestos. They should also be told where it is and that there are potential risks to their health if they disturb it.





Appendix D

Licensing Department  
Community Safety Partnership  
Police Station  
Brackla Street  
Bridgend  
CF31 1BZ  
B.3-548/14

4th February 2015

Zahid Rasul & Saima Rasul  
14 Beverley Street  
Port Talbot  
SA13 1EA

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

Sir/Madam,

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

**UNNAMED PREMISE AT 33 MARKET STREET, BRIDGEND CF31 1LJ – APPLICANTS: ZAHID RASUL &  
SAIMA RASUL**

**Representations of South Wales Police**

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.

The proposals will also impact on the protection of children from harm objective.

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 building was originally the first Tesco's to open in Bridgend and is a massive venue spread over four storeys and the ground and first floors are intended to be licensed.

The business was previously a Chinese restaurant primarily concerned with the provision of hot food however; it closed a short time after opening due to a lack of sustainable trade and the licence lapsed in January 2013.

The proposed premise is unnamed on the application but is described as a, “*wine bar, café, nightclub*”.

In fact it will be known as the *EDEN CLUB* with the nightclub known as *PURE EGO*.

### The Application

The current intention is to open for 9 of the 10 licensable activities available under the Act i.e. those listed at A to H and J of the application.

The proposal to provide late night refreshment, I, is from 11.30 to 23.00 hours and must be disregarded as authorisation for hot food is required if one is providing same between 23.00 and 05.00 hours only.

The proposed opening hours under standard timings are: -

***Sunday to Wednesday from 11.30hrs to 00.00hrs.***

***Thursday to Saturday from 11.30hrs to 02.30hrs (i.e. into the early hours of Friday, Saturday, Sunday and Monday morning).***

Under non-standard timings i.e. seasonal variations *cultural events* is written but there are no specific timings, dates or events stipulated? This “proposal” must also be ignored.

Representations from the South Wales Fire & Rescue Service detail “*available floor space close to 700 people*” albeit the authority highlight that there are inadequate fire escapes to cope with such numbers and calculate a figure of 280.

This statement impacts on the public safety objective and the Licensing Sub-Committee should note the architectural plans.

### THE “Special Policy”

The premise has potential for a massive capacity which can facilitate scores of revellers and substantially increase the foot fall within Market Street.

It is important to note that this street, along with Derwen Road, Wyndham Street and part of Nolton Street, is situated within the “*hot-spot*” area designated within the local authorities “***Statement of Licensing Policy***” as being part of the special “***saturation area***” of Bridgend town centre agreed between the local authority and South Wales Police.

The area is particularly problematic.

#### Sub-section 6.4 of the “Special Policy”

***“The effect of adopting a Special Policy of this kind is to create a rebuttable presumption that applications for new Premises Licenses or material variations of licenses will normally be refused, if relevant representations to that effect are received, unless applicants can demonstrate that the operation of the premise involved will not add to the negative cumulative impact already being experienced in this area”.***

#### Sub-section 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”.***

Therefore it is for an applicant to prove that the venue will not add to the negative cumulative impact historically and currently being experienced in this locale and not for responsible authorities or interested parties to prove that it will.

Part of the policy relevant to the “***saturation area***” as well as the pertinent parts of Home Office guidance should be perused and digested.

### The "Saturation Area"

The area contains the highest concentration of public houses, nightclubs, restaurants, late night refreshment houses and takeaways anywhere in the borough and therefore experiences the highest volume of pedestrian and vehicular traffic and consequently the highest number of reported incidents.

There are continuous problems of crime and public disorder, anti-social behaviour, litter, noise and public nuisance within the town centre, particularly during the hours sought from Thursday to Sunday.

During particular outbreaks of serious and prolonged public disorder premises operating under the hours proposed have had to be shut down by South Wales Police to hasten the dispersal of drunken, violent persons remaining in the vicinity of these premises.

Such incidents can be attributed to intoxicated individuals availing themselves of alcohol at venues which were operating until the very early hours.

Indeed numerous alcohol related incidents are regularly recorded including violent crime.

Premises within this area have been subject of various and prolonged enforcement over the years due to the failure to promote the objectives.

Infact the situation deteriorated to such an extent that South Wales Police have been forced to make application under Section 51 of the Act to review the licence of every problematic venue 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 South Wales Police but some premises again had additional hours approved despite police objections and the policy being in place.

Reviews did not solely relate to premises licensed to sell alcohol but also late night refreshment houses.

### Dwellings Nearby

There are several flats situated opposite the property whilst another licensed venue actually abuts the building and has a flat above.

The occupant has complained of noise nuisance by music and speech, anti-social behaviour, urinating etc. as a consequence of the current licensed venue and these problems will increase.

The regulated entertainment timings proposed are 11.30 to 23.30 hours Sunday to Wednesday and 11.30 until 02.00 hours Thursday to Saturday and will include plays, films, indoor sporting events, boxing and wrestling, live music, dance, bands, live singers, parties, weddings, DJ's, recorded music and anything of a similar nature.

The proposal to play live music until 23.30 and 02.00 hours is totally at odds with the proposal within the attachment under *LIVE MUSIC 19. Live bands will only play up until 23.00 hours?*

These timings exclude a 30 minute wind down period and both timings will severely impact on the quality of life of those residents and will not promote the prevention of public nuisance.

### The Operating Schedule

Within Section M of the Operating Schedule at boxes A to E the Act requires the applicant to describe any additional steps intended to be taken in order to promote all 4 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 translated into conditions of the Premises Licence and arguably attempt to negate responsible authorities from making representations in respect of the application.

Several meetings have taken place between South Wales Police and the Licensing Authority where the applicants and their representative have been advised of the **“Special Policy”** and the need to address it in the application.

Each licensing objective needs be addressed individually however; having made an assessment of the summary attached to the application they are not referred to.

Some of the proposed “conditions” relate to the opening times for example or are bland, contradictory, duplicated, some are not conditions as they are lawful requirements, and some proposals are merely statements, whilst others are unenforceable.

Such proposals are contrary to **Sub-section 8.41 of Home Office guidance:**

***“It is however important that all operating schedules should be precise and clear about the measures that are proposed to promote each of the licensing objectives”.***

South Wales Police are of the opinion therefore that the licensing objectives have not been adequately addressed and this establishment will therefore add to the negative cumulative impact already prevalent in this **“hot spot”** area.

Yours faithfully,

Licensing Sergeant 623 Williams

To whom it may concern ①  
I Andrew Chive Kinsey would like to object to the New Night Club opening in Market Street Bridgend next to Toms Bar. As I live above toms Bar these are my objections

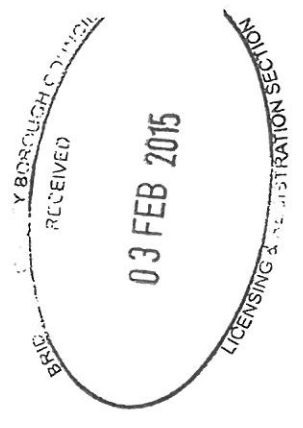
① People urinating and vomiting in the alleyway and indulging in sexual activity.  
② As im a Doorman in town I worry about my safety coming home fri and Sat from work.

③ Rubbish in bins outside would be thrown everywhere.  
④ Ive witnessd people urinating and vomiting in the past in the alleyway outside my front door and if this night club opens there will be and increase in this proble

⑤ At the minute I only work as a Doorman 2 nights a week and value my privacy and comfort in my own home but by this night club opening there would be a large number of people loitering outside on my nights off. And I dont want that.  
3/2/2015

yours Sincerely  
Alex Kinsey

Mr Andrew Chive Kinsey  
Flat 1 35 Market Street  
Bridgend  
CF31 1LL



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