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Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr
Bridgend County Borough Council



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

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

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



**Cyfarwyddiaeth y Prif Weithredwr / Chief
Executive's Directorate**

Deialu uniongyrchol / Direct line /: 01656 643148 /
643147 / 643694

Gofynnwch am / Ask for: Democratic Services

Ein cyf / Our ref:

Eich cyf / Your ref:

Dyddiad/Date: Monday, 10 May 2021

Dear Councillor,

LICENSING ACT 2003 SUB-COMMITTEE (A)

A meeting of the Licensing Act 2003 Sub-Committee (A) will be held remotely - via Microsoft Teams on **Friday, 14 May 2021 at 10:00**.

AGENDA

1. Apologies for Absence
To receive apologies for absence from Members.
2. Declarations of Interest
To receive Declarations of personal and prejudicial interest (if any) from members/ officers in accordance with the provisions of the Members Code of Conduct adopted by Council from the 1st September 2008.
3. Licensing Act 2003 - Section 34 - Variation of Premises Licence 3 - 52

Note: Please note: Due to the current requirement for social distancing this meeting will not be held at its usual location. This will be a virtual meeting and Members and Officers will be attending remotely. The meeting will be recorded for subsequent transmission via the Council's internet site which will be available as soon as practicable after the meeting. If you have any queries regarding this, please contact cabinet_committee@bridgend.gov.uk or tel. 01656 643147 / 643148.

Yours faithfully

K Watson

Chief Officer, Legal, HR & Regulatory Services

Councillors:

DRW Lewis

Councillors

AA Pucella

Councillors

JE Williams

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING ACT 2003 SUB-COMMITTEE

14 MAY 2021

REPORT OF THE CHIEF OFFICER – LEGAL, HR AND REGULATORY SERVICES

LICENSING ACT 2003 SECTION 34 VARIATION OF A PREMISES LICENCE

1. Purpose of report

- 1.1 The purpose of this report is to determine an application for the variation of a premises licence submitted by BDM (South Wales) Limited in respect of Braseria El Prado, Laleston.

2. Connection to corporate well-being objectives/other corporate priorities

- 2.1 This report relates to a regulatory function and as such has no link to the corporate well-being objectives.

3. Background

- 3.1 A copy of the application form is attached at Appendix A together with the proposed licence plan.

3.2 The application seeks to:

- Amend the premises licence to permit the sale by retail of alcohol to now allow for sales of alcohol both on and off the premises, including an online purchasing and delivery service.
- Extend the area for licensable activities to include a room on the first floor of the premises.
- Extend the area of the premises to include external seating areas.
- To remove the embedded restrictions currently applying to the premises licence.
- To add a period for drinking up time of 30 minutes on all timings on the licence but not otherwise extend the hours for licensable activities.
- To add a condition that the operation of external areas will cease at 2200 hours daily.

- 3.3 The times the licence authorises the carrying out of licensable activities remains the same:

Supply of alcohol
Live Music
Recorded Music

Monday to Saturday 1000 to 0000 hours
Sundays 1200 to 2330 hours
Christmas Day 1200 to 2330 hours
Good Friday 1200 to 2330 hours
New Year's Eve As per the Regulatory Reform (Special Occasions Licensing) Order 2002

3.4 The embedded restrictions which this application seeks to remove are as follows:

1) Intoxicating Liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary to his meal.

2) Suitable beverages other than intoxicating liquor (Including drinking water) shall be equally available for consumption with or otherwise as an ancillary to meals served in the licensed premises.

3) Embedded right retained in respect of the provision of entertainment by way of music and singing only, which is provided solely by the reproduction of recorded sound, or by not more than two performers (a combination of recorded sound and one or two live performers or karaoke is not permitted).

These restrictions were a legacy of the Licensing Act 1964 which were carried over to this premises licence when it was converted on the implementation of the Licensing Act 2003.

3.5 The operating schedule setting out the steps the applicant intends to promote the licensing objectives is set out in Section M boxes a) to e) of the application form. Should the variation of the premises licence be granted, these measures would be translated into licence conditions.

4. Current situation/proposal

4.1 Relevant representations have been received from residents, copies of which are set out at Appendices B to E. Some personal data and references to family members or children have been removed from the representations. Having regard to the Section 182 Guidance issued by the Home Office, matters outside the remit of the licensing authority including the need for premises and road safety and an ongoing planning application have also been redacted. References to the operation of other premises in the vicinity have also been removed as the application must be considered on its own merits.

4.2 The application was considered by the Responsible Authorities and a representation has been received from Shared Regulatory Services and in addition residents' representations are listed below:

Appendix B	Shared Regulatory Services
Appendix C	Deborah Rees and Bruce Kennedy
Appendix D	Allan and Christine Daniels
Appendix E	Peter and Diane Armstrong

4.3 The application has been advertised in accordance with Regulations, the applicant having restarted the period of consultation having been advised that the site notice had not been continuously displayed. The prescribed website and press notices were also extended accordingly to allow for the 28 period of notice.

4.4 At the time this report was prepared none of the representations had been withdrawn and a full hearing of this application is required.

4.5 Technical note for Members

The representations allude to the fact that the previous licensee did not utilise the full hours granted within the existing premises licence. The premises licence holder is entitled to open as they wish, provided that it is within the authorised hours and they may close earlier if they wish.

The representations also refer to the fact that social distancing has been referred to in the application and that whilst the Covid 19 pandemic may abate, the variation, if granted, will be permanent. Members are requested to note that the reasons for an application being submitted are not a matter for consideration and that the application must be considered on its merits.

Members are advised that permitted numbers on a premises are usually determined by the Fire Authority as part of the premises' risk assessment and that no representations have been submitted in respect of the number of customers permitted at the venue.

5. Effect upon policy framework and procedure rules

5.1 There are no implications arising from this report.

6. Equality Act 2010 implications

An initial EIA screening has identified that there would be no negative impact on those with one or more of the protected characteristics, on socio-economic disadvantage or the use of the Welsh language. It is therefore not necessary to carry out a full EIA on this policy or proposal.

7. Well-being of Future Generations (Wales) Act 2015 implications

7.1 This is a regulatory function. The application process supports the principle of collaboration via consultation and public notice prior to determination of the application.

8. Financial implications

8.1 There are no financial implications arising from the report.

9. Recommendation(s)

- 9.1 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 and the submissions and representations before them.
- 9.2 The Sub-Committee is requested to consider whether any additional conditions are to be imposed or only those which are consistent with and set out in the operating schedule. Mandatory conditions will apply to the licence, if granted, in respect of the specification of a Designated Premises Supervisor, mandatory age verification policy and authorisations of alcohol sales by personal licence holders.

Kelly Watson

CHIEF OFFICER – LEGAL, HR AND REGULATORY SERVICES

10 May 2021

Contact officer: Yvonne Witchell
Team Manager Licensing

Telephone: (01656) 643643

Email: Yvonne.Witchell@bridgend.gov.uk

Postal address: Civic Offices, Angel Street, Bridgend, CF31 4WB

Background documents:

Application for Variation of Premises Licence
Representations

Council's Statement of Licensing Policy available at www.bridgend.gov.uk

Amended Guidance issued under Section 182 of the Licensing available at www.homeoffice.gov.uk

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We..... **BDM (SOUTH WALES) LIMITED**.....

(Insert name(s) of applicant) being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number BCBCLP266

Part I — Premises Details

Postal address of premises or, if none, ordnance survey map reference or description BRASERIA EL PRADO HIGH STREET LAI-ESTON BRIDGEND			
Post town	BRIDGEND	Postcode	CF32 OLD
Telephone number at premises (if any)			
Non-domestic rateable value of premises	38,250		

Part 2 — Applicant details

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

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

No

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

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

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

THE CURRENT RESTAURANT SITE WISHES TO INCLUDE OFF SALES; EXTEND ITS LICENSABLE AREA TO INCLUDE A FUNCTION ROOM ON THE FLOOR AND EXTERNALLY (SEE PLANS ATTACHED, AREA HIGHLIGHTED IN YELLOW) AND TO REMOVE ANNEX 2 EMBEDDED CONDITIONS CURRENTLY ON THE PREMISES LICENCE.

OFF SALES FOR CUSTOMERS WANTING TO PURCHASE ALCOHOL USING OUR ONLINE ORDERING AND PAYMENT SYSTEM TO BE CONSUMED IN THEIR RESIDENTIAL ADDRESS OR BUSINESS ADDRESS. PROOF OF ORDER/PAYMENT TO BE MADE AVAILABLE WHEN ORDER IS COLLECTED. WE WILL OPERATE CHALLENGE 25. ALL DETAILS RELATING TO OFF SALES PURCHASES WILL BE MAINTAINED.

THE BUSINESS WISH TO CREATE A PRIVATE FUNCTION ROOM SERVING MEALS AND DRINKS FOR 8-10 GUESTS ON ITS FIRST FLOOR. PLEASE REFER TO FIRST FLOOR LAYOUT DATED JULY 2005

THE BUSINESS HAS APPLIED FOR PLANNING TO CREATE RESTAURANT AREA TO SERVE FOOD AND DRINK EXTERNAL TO THE PREMISES WITHIN A PERGOLA SYSTEM. THIS IS TO PROMOTE SOCIAL DISTANCING WHEN RESTAURANTS ARE PERMITTED TO REOPEN AFTER LOCKDOWN AND RESUME TRADE. A PLANNING APPLICATION HAS ALSO BEEN SUBMITTED TO BRIDGEND COUNCIL WITH P/21/56/FUL BEING THE REFERENCE.

CCTVS WILL BE INSTALLED TO THESE ADDITIONAL PROPOSED AREAS. A PERSONAL LICENCE HOLDER/DPS WILL BE PRESENT ALL THE TIME TO ADMINISTER THE SUPPLY OF ALCOHOLIC DRINKS.

I HAVE INCLUDED THE PLANS OUTLINING THE AREAS WE WISH TO INCLUDE TO THE CURRENT PREMISES LICENCE. EXTERNAL AREA - PLEASE REFER TO DRAWING NO: A 13/1/2021. FUNCTION ROOM ON 1ST FLOOR PLEASE REFER TO FIRST FLOOR LAYOUT PLANS DATED JULY 2005

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

Part 4 Operating Schedule

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

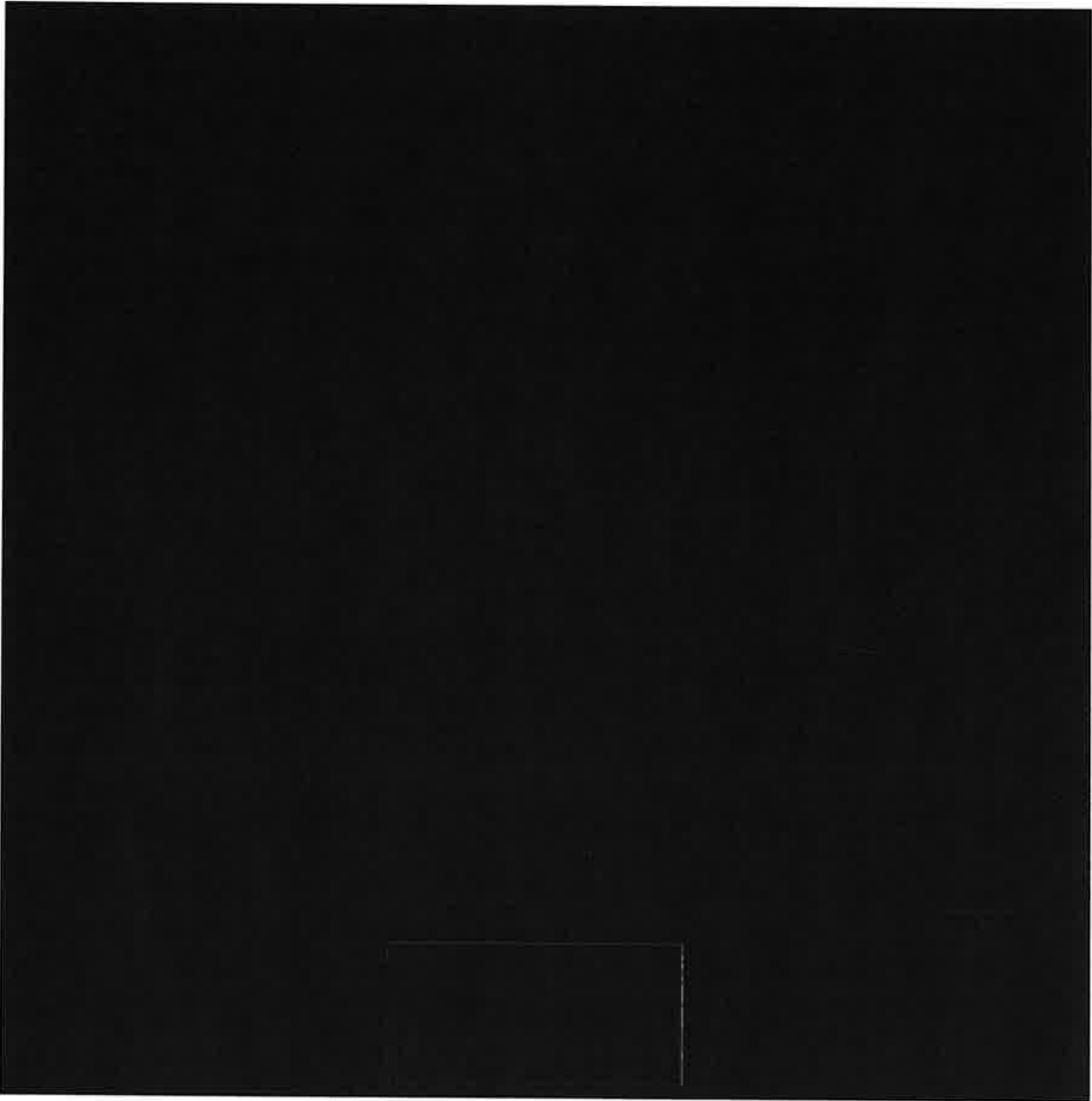
Provision of regulated entertainment (Please see guidance note Please tick all that 3) apply

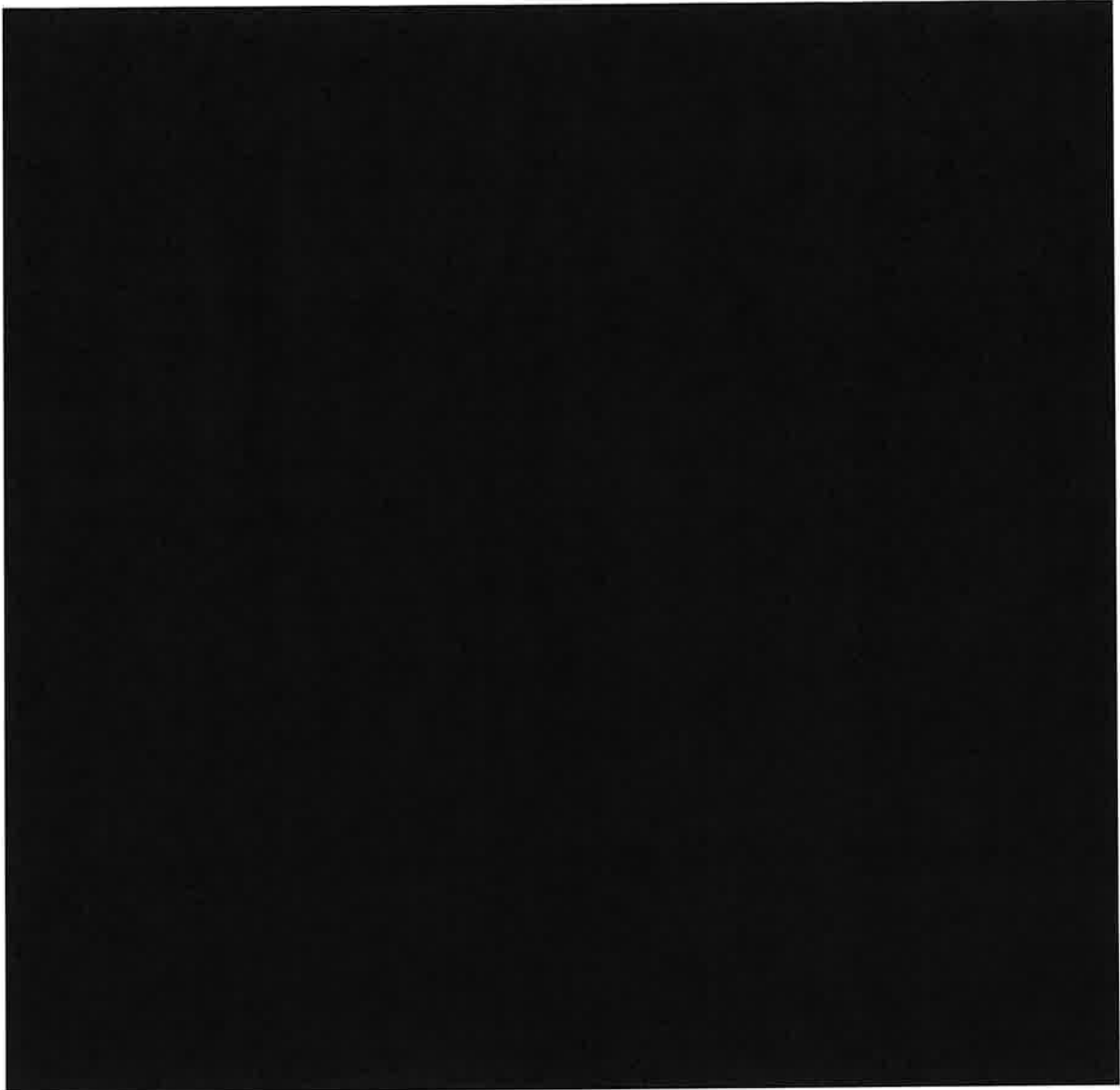
- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, 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)

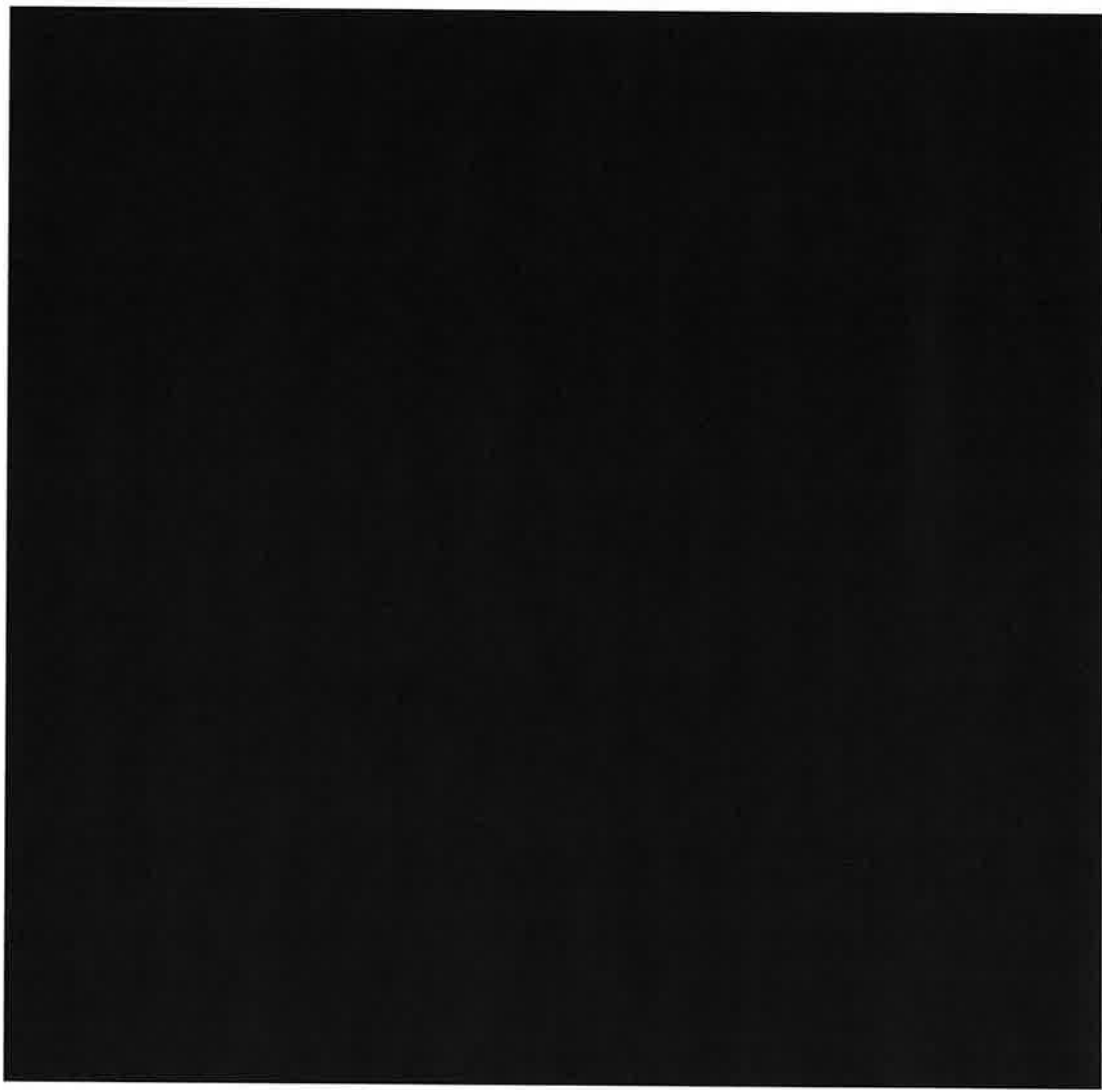
Provision of late night refreshment (if ticking yes, fill in box I)

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

In all cases complete boxes K, L and M

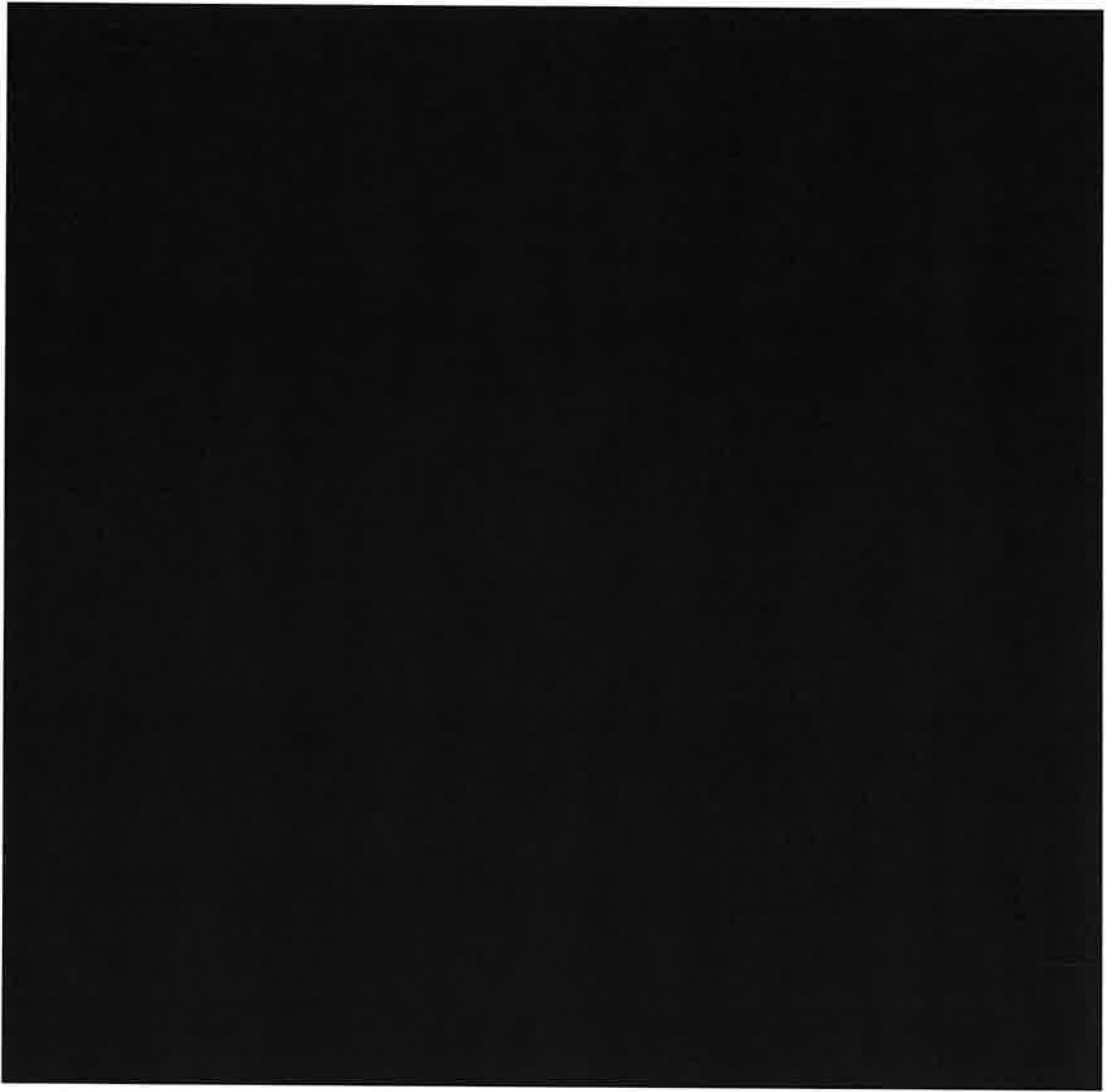






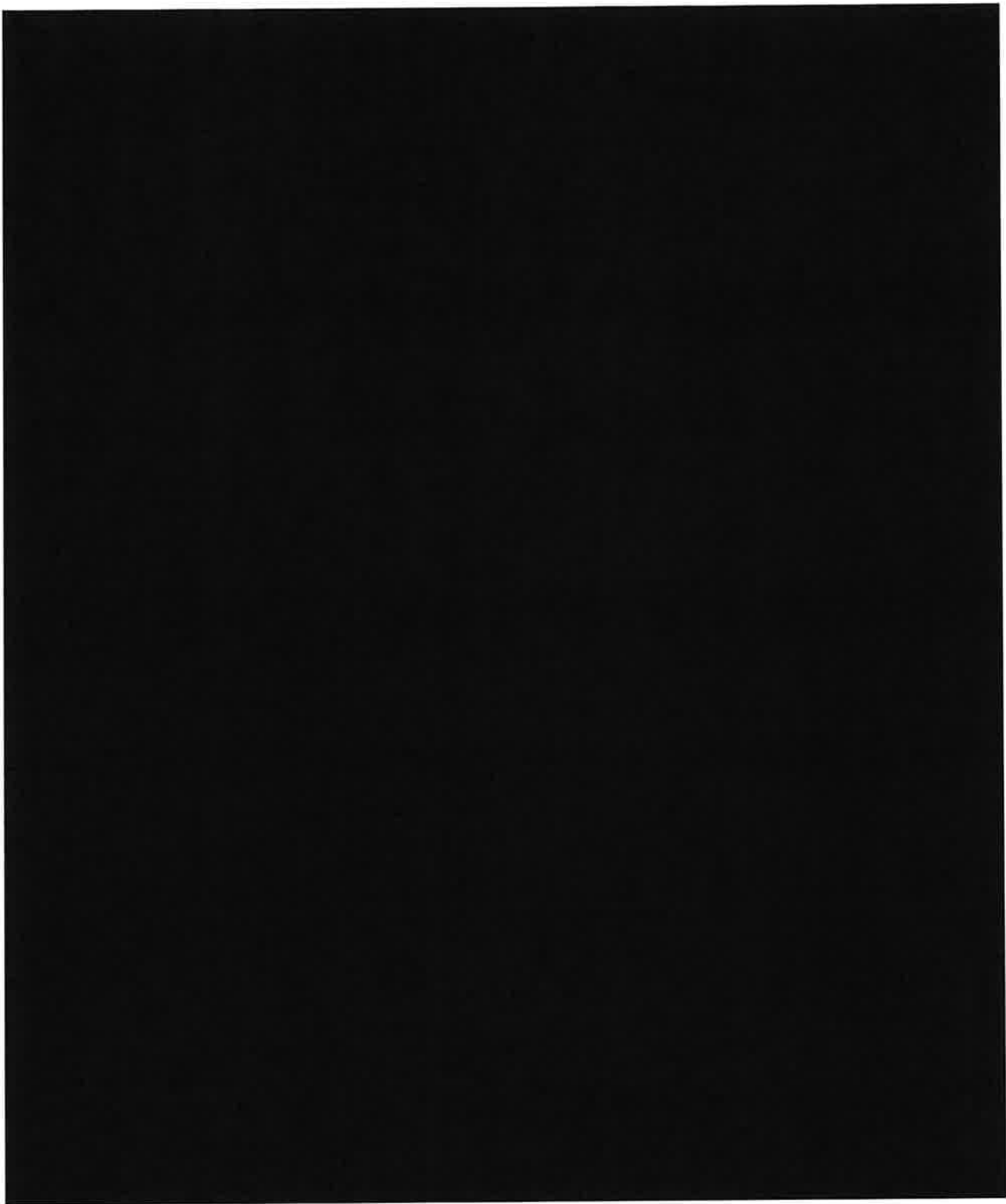
D

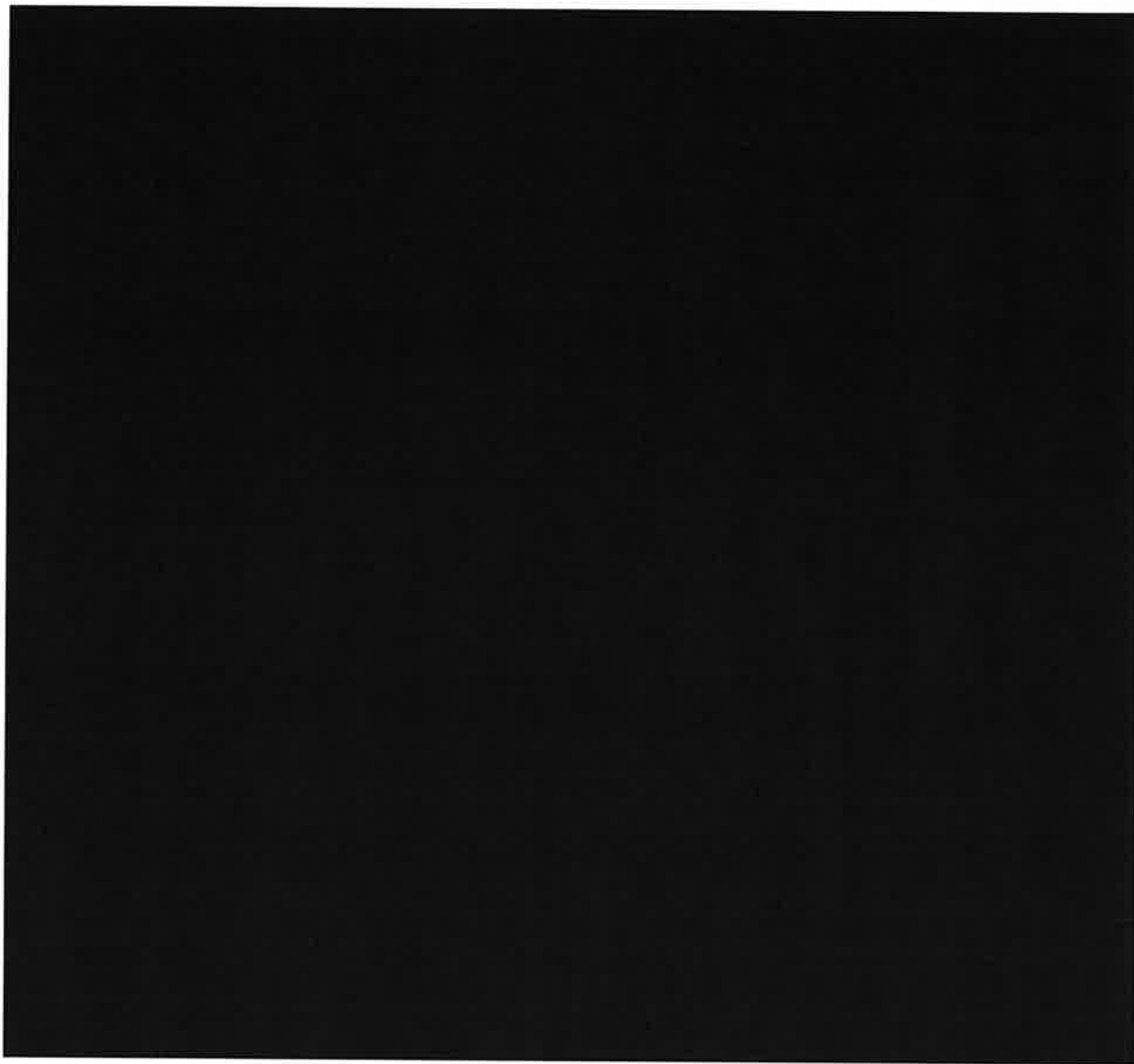




Recorded music Standard days and timings (please read guidance note 8)			the playing of recorded music take place <u>indoors or outdoors or both</u> — please tick (please read guidance note 4)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Tue					
			Non _____ timings. Where _____ intend to use the premises for the playing of recorded music at different times to those _____ in the _____ column on the _____ please list (please read guidance note 7)		
Wed					
Thur					
Fri					
Sat					
Sun					







Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption — please tick (please read guidance note 9)		On the premises	
					Off the premises	
Day	Start	Finish			Both	
Mon			State any seasonal variations for		QC alcohol (please read	
			guidance note 6)			
Tue						
wed						
Thur			<u>Non-standard timings. Where you intend (Q use the premises</u>			
			for the supply Of alcohol		different	those listed i" the
			<u>column on (be left. please list (please read guidance note 7)</u>			
Fri						
Sat						
Sun						
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 10).						
None						

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)	
Day	Start	Finish		
Mon	10:00	00:30		
Tue	10:00	00:30		
Wed	10:00	00:30		
Thur	10:00	00:30		Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left. please list (please read guidance note 7)
Fri	10:00	00:30		
Sat	10:00	00:30		
Sun	12:00	00:00		

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.
WE WISH THAT ANNEX 2 EMBEDDED CONDITIONS TO BE REMOVED FROM THE PREMISES LICENCE

Please tick as appropriate

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

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

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

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

a General— all four licensin 0b ectives b c d ande lease read uidance note 11

CCTV CAMERAS WILL BE ON TO MONITOR AREA 24 HOURS DAILY WITH 31 DAYS CAMERA STORAGE. ON REQUEST SAVED FOOTAGE WILL BE AVAILABLE TO POLICE UPON REQUEST. A DESIGNATED MEMBER OF STAFF WHO IS A PERSONAL LICENCE HOLDER WILL BE ON DUTY DURING OPENING HOURS. THE BAR WILL NEVER BE LEFT UNATTENDED. SITE WILL BE SECURELY LOCKED UP WHEN NOT IN USE. NO CHILDREN ALLOWED IN THE AREAS WITHOUT AN ADULT WITH THEM.

OFF SALES ONLINE TELEPHONE ORDERING SYSTEM

ORDERS WILL BE TAKEN VIA OUR ONLINE ORDERING SYSTEM OR BY TELEPHONE. PAYMENT WOULD BE MADE AT THE TIME OF ORDER OR AT TIME OF COLLECTION. COLLECTION TO BE MADE BETWEEN 11AM AND 8PM DAILY. A DAILY REGISTER WILL BE KEPT BY THE LICENCE HOLDER FOR A ROLLING 12 MONTH PERIOD ENCLOSING A COPY OF THE PURCHASE ORDER RELATING TO ALL ALCOHOL COLLECTION SALES; SPECIFYING

- 1. THE QUANTITY OF ALCOHOL PURCHASES
- 2. THE DESCRIPTION OF ALCOHOL PURCHASED
- 3. THE PRICE OF ALCOHOL PURCHASED
- 4. THE NAME AND CONTACT DETAILS OF CUSTOMER PLACING THE ORDER
- 5. DETAILS OF PHOTO IDENTIFICATION PROVIDED IF CHALLENGE 25 PROOF OF AGE IS REQUESTED.

b The prevention of crime and disorder

A CCTV SYSTEM TO BE INSTALLED TO A STANDARD AS APPROVED BY SOUTH WALES POLICE AND MAINTAINED AND OPERATED AT ALL TIMES THE PREMISES ARE OPEN TO THE PUBLIC. THE SYSTEM WILL COVER ALL INTERNAL AREAS OF THE PREMISES (EXCLUDING TOILETS) WHERE THE PUBLIC HAVE ACCESS INCLUDING ALL ENTRANCES AND EXITS AND ANY EXTERNAL AREAS ASSOCIATED WITH THE PREMISES INCLUDING THE PRIVATE FUNCTION ROOM. THE IMAGES SHALL BE KEPT FOR A MINIMUM OF 31 DAYS AND SHALL BE PRODUCED TO A POLICE EMPLOYEE IN A READILY PLAYABLE FORMAT IN-IMMEDIATELY UPON REQUEST WHEN THE PREMISES ARE OPEN AND AT ALL OTHER TIMES AS SOON AS REASONABLY PRACTICABLE. THERE WILL BE SUFFICIENT TRAINED STAFF TO FACILITATE THE ABOVE.

DETAILS OF ALL ONLINE, TELEPHONE ORDERS WILL ALSO BE MAINTAINED. CHALLENGE 25 WILL BE USED IF ANY CUSTOMER APPEARS TO BE 25 OR YOUNGER - APPROPRIATE PHOTO ID WILL BE REQUIRED. WITHOUT SUCH ID THE SUPPLY OF ALCOHOL WILL BE REFUSED. TERMS AND CONDITIONS WILL STATE THAT IF THE PERSON COLLECTING GOODS IS UNABLE TO VERIFY THE AGE OF THE CUSTOMER AT THE POINT OF COLLECTION, THEN THE SALE WILL BE REFUSED AND REFUNDED.

c) Public safety

WITH CCTV ON 24 HOURS WITH A 31 DAYS CAMERA STORAGE FACILITY IN PLACE ON REQUEST BY POLICE, SAVED FOOTAGE WILL BE MADE AVAILABLE UPON REQUEST. A DESIGNATED MEMBER OF STAFF WITH A PERSONAL LICENCE WILL BE ON DUTY DURING OPENING TIMES. THE BAR WILL NOT BE LEFT UNATFENDED, SITE WILL BE LOCKED UP WHEN NOT IN USE.

OFF SALES WILL BE PACKED IN SECURELY SEALED BOXES FOR COLLECTION.

d The revention of ublic nuisance

(EXTERNAL AREA - PLEASE REFER TO DRAWING NO: 13/1/2021) A DESIGNATED MEMBER OF STAFF WITH A PERSONAL LICENCE WILL BE ON DUTY DURING OPENING TIMES. THE USE OF EXTERNAL AREA WILL CEASE AT 22:00 HRS DAILY. PROMINENT NOTICES TO BE PLACED IN THE EXTERNAL AREA REQUIRING PATRONS TO RESPECT THE NEIGHBOURING PROPERTIES AND TO LEAVE QUIETLY. ANY EXTERIOR LIGHTING SHALL BE DIRECTED AWAY FROM RESIDENTIAL PROPERTIES. AT LEAST 70% OF THE EXTERNAL AREAS WILL BE OCCUPIED BY TABLE AND CHAIRS. REGULATED ENTERTAINMENT IN THE EXTERNAL AREA WILL CEASE AT 22:00 HRS DAILY. THERE WILL BE NO SCREENING OF ANY SPORTING EVENTS IN THE EXTERNAL AREA OF THE PREMISES.

e The rotection of children from harm

NO CHILDREN ALLOWED IN THE RESTAURANT OR EXTERNAL AREA WITHOUT AN ADULT.

- a) A MEMBER OF STAFF WILL BE PRESENT AT ALL TIMES
- b) STAFF WILL PERFORM CHECKS AROUND THE EXTERNAL AREA EVERY HOUR TO MONITOR CUSTOMER BEHAVIOUR, NOISE LEVELS AND THE REMOVAL OF EMPTY VESSELS.
- c) THE EXTERNAL AREA WILL BE LIT ADEQUATELY DURING THE HOURS OF OPERATIONS
- d) THE FULL NAME OF THE DESIGNATED MANAGER ON DUTY SURPERVISING THE RESTAURANT WILL BE RECORDED ON THE BAR DURING OPENING TIMES.
- e) WHERE THERE IS A PRIVATE FUNCTION IN THE PRIVATE ROOM A MEMBER OF STAFF WILL BE PRESENT AT ALL TIMES.

Checklist:

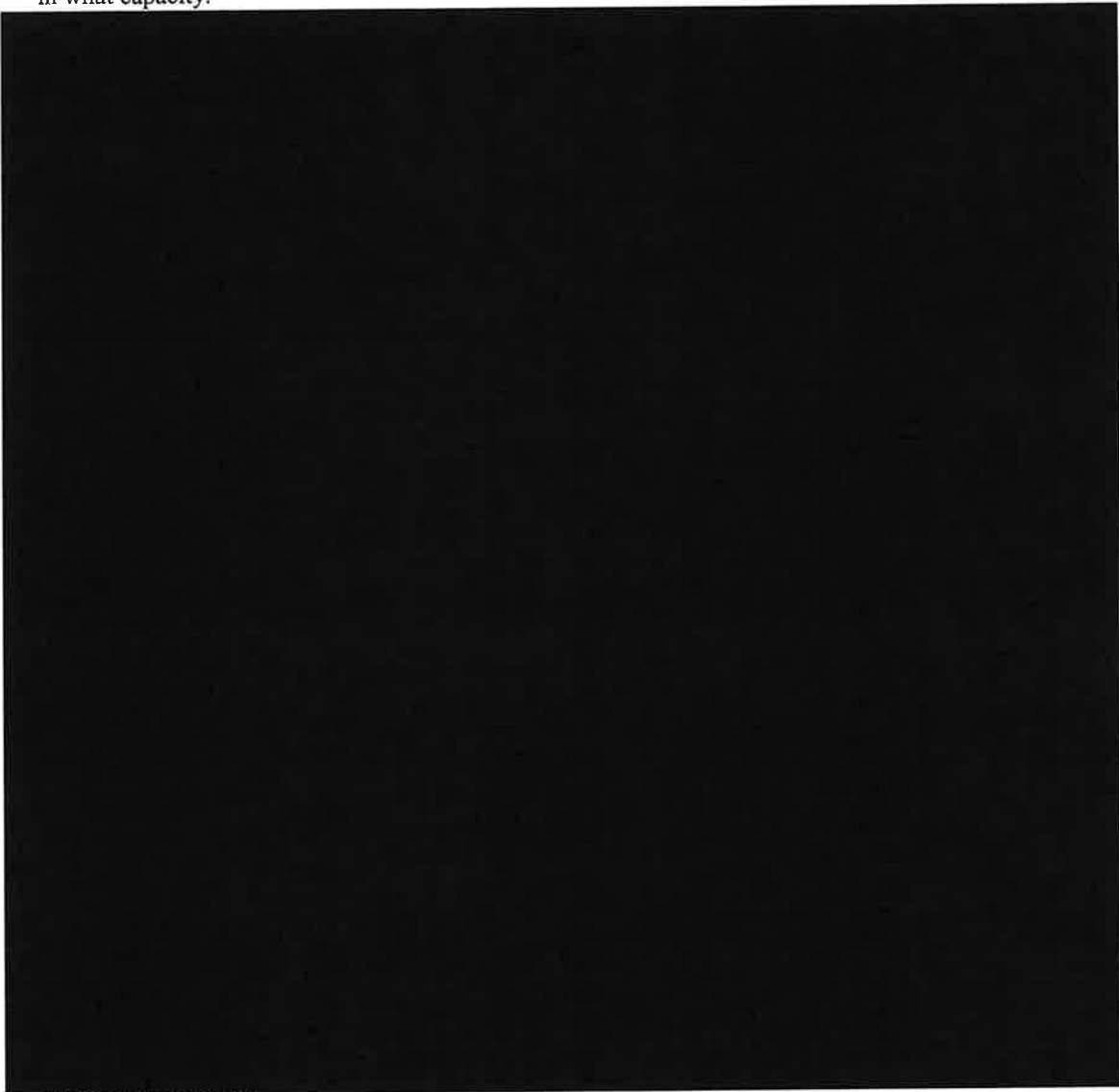
Please tick to indicate agreement

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

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO
MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS
APPLICATION. THOSE

Part 5 — Signatures (please read guidance note 12)

Signature Of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.



Notes for Guidance

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

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy

2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where

your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.

3. In terms Of specific regulated entertainments please note that: • Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.

- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.

- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. •

Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between

08.00 and 23.00 on any day, provided that the audience does not exceed 1000.

Combined fighting sports — defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts — are licensable as a boxing or wrestling entertainment rather than an indoor sporting event. • Live music: no licence permission is required for:

- a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.

- a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.

- a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.

- a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.

- a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital. • Recorded Music: no licence permission is required for:

- any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.

- any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community

premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.

O any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
- any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;

O any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider; o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

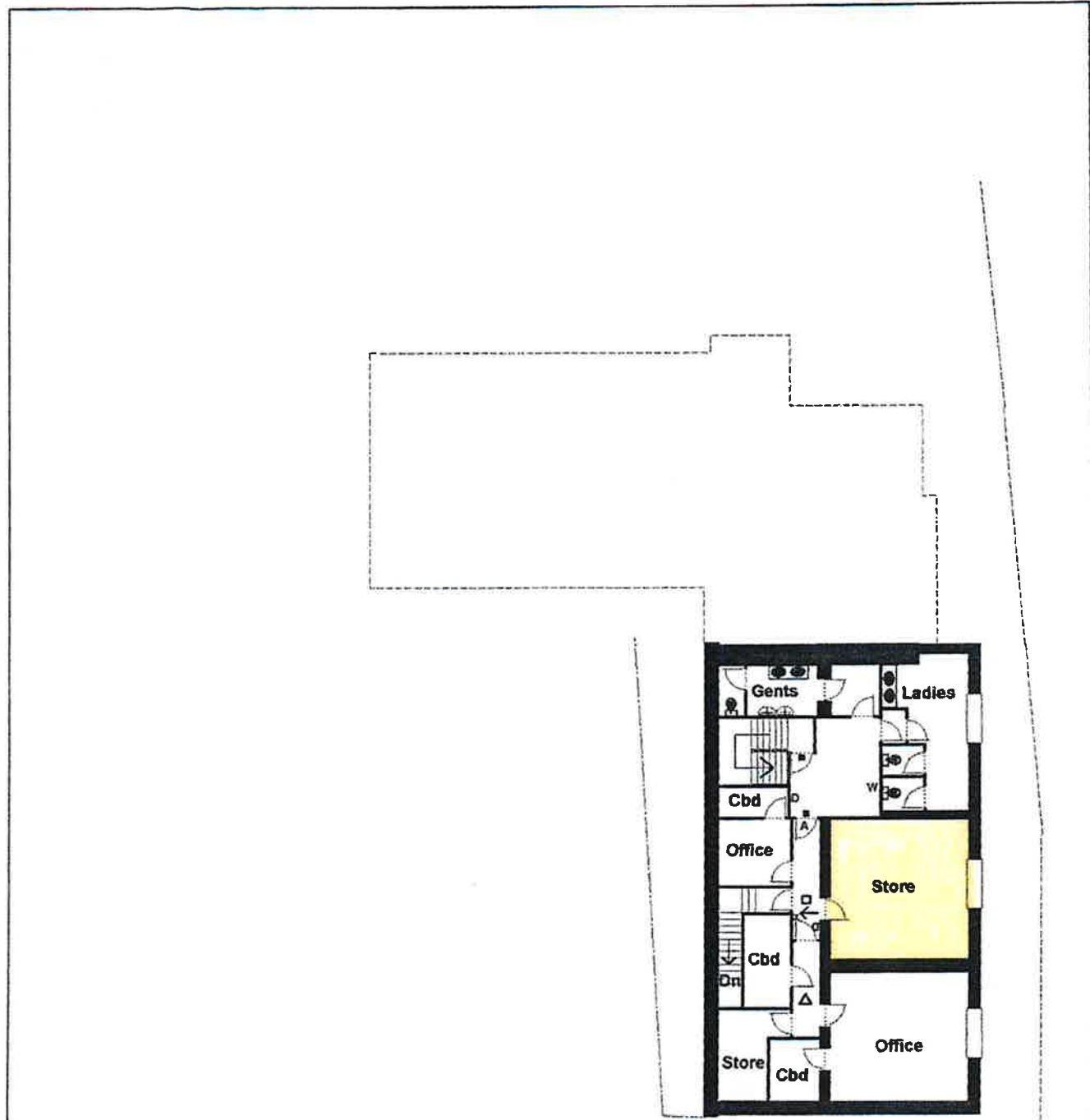
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
8. 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.
9. 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'.
10. 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.
11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

Project No.	21.003	Rev.	None
Project Name	El Prado Bar and Restaurant High Street, Leicester, Leicestershire LE1 3JZ		
Client	AL100105		
Scale	1:100 @ A3	Date	13.01.21
Project	Proposed Plan	Drawn	WS
Architects		Town planners	
Environmental		Urban design	



Existing Plan
1:100 @ A3



FIRST FLOOR LAYOUT

LEGEND

- Fire exit sign with light
- Emergency lighting
- X Fire alarm, break glass to initiate
- D Fire alarm bell
- ▽ Smoke detector
- A Fire door, pull to break bolt and sign
- B Fire door, push bar to open and sign
- Emergency exit direction sign
- FB Fire blanket
- DP 2 kg. dry powder extinguisher
- W 9 Lt. water extinguisher

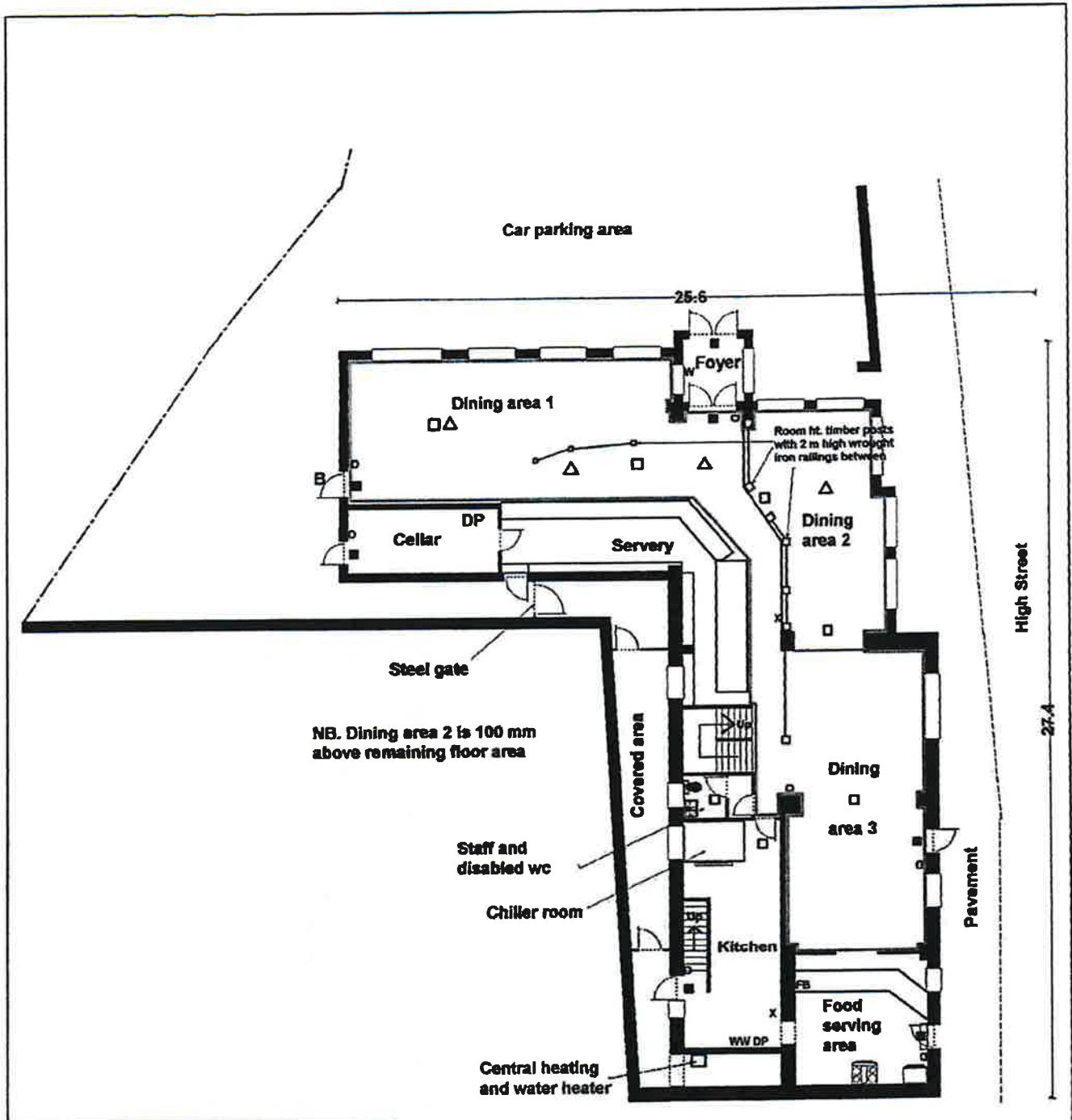
Plans for premises licences for
Brasserie El Prado, High Street,
Laleston, Bridgend.

Scale 1 : 200 (Agreed with Local Authority)

Drawing No. 2 of 2

Date July 2005

Drawn by D.T.Groom

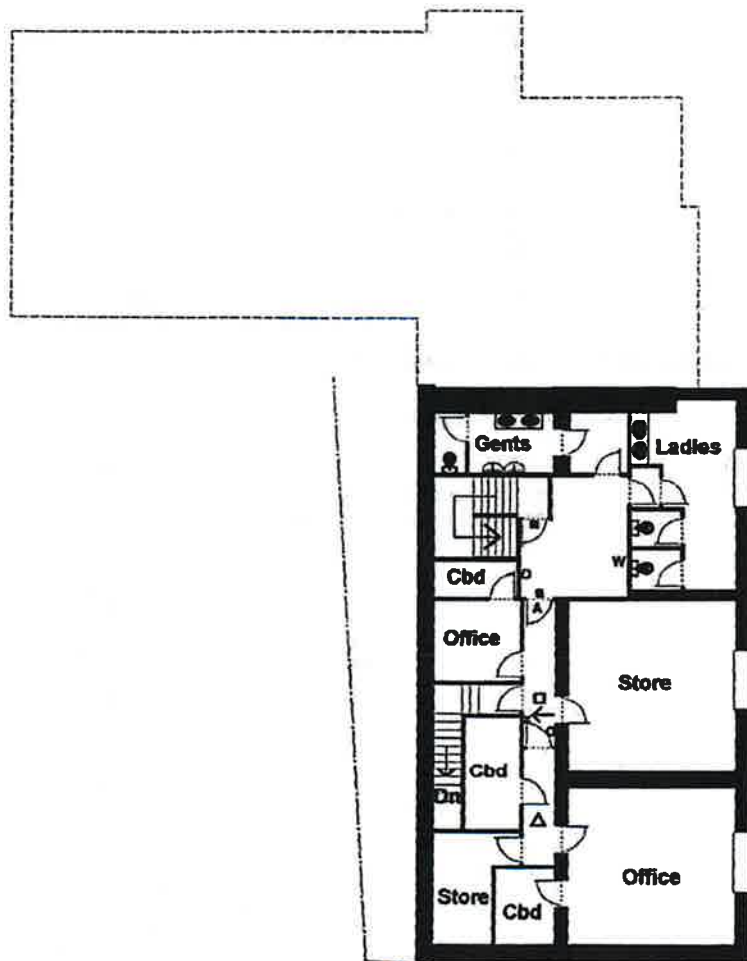


GROUND FLOOR LAYOUT

LEGEND

- Fire exit sign with light
- Emergency lighting
- X Fire alarm, break glass to initiate
- D Fire alarm bell
- ▽ Smoke detector
- A Fire door, pull to break bolt and sign
- B Fire door, push bar to open and sign
- Emergency exit direction sign
- FB Fire blanket
- DP 2 kg. dry powder extinguisher
- W 9 Lt. water extinguisher

Plan for premises licences for Brasserie El Prado, High Street Laleston, Bridgend.	
Scale 1 : 200 (Agreed with Local Authority)	
Drawing No. 1 of 2	Date July 2008
Drawn by :- D.T.Groom	



FIRST FLOOR LAYOUT

LEGEND

- Fire exit sign with light
- Emergency lighting
- X Fire alarm, break glass to initiate
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**Plans for premises licences for
Brasserie El Prado, High Street,
Laleston, Bridgend.**

Scale 1 : 200 (Agreed with Local Authority)

Drawing No. 2 of 2

Date July 2008

Drawn by D.T.Groom

licensing

From: Williams, Helen (SRS) <[REDACTED]>
Sent: 06 April 2021 16:26
To: licensing
Cc: Yvonne Witchell
Subject: FW: BCBCLP266 BRASERIA EL PRADO, HIGH STREET, LALESTON, BRIDGEND CF32 OLD

Dear Yvonne,

Licensing Act 2003
 BRASERIA EL PRADO, HIGH STREET, LALESTON, BRIDGEND CF32 OLD

Further to the re-advertisement of the above licensing application, I would like to re-submit my initial comments, together with some additional comments as a result of further information that has been submitted:

I have examined the attached variation application and have the following comments and objections:

1. External seating area

The applicant has initially applied for planning for the external area as stated in their application, for a part covered outdoor eating area outdoor eating area for 52 covers in a confined area with associated parking and refuse store. The proposed size of the development is significant and noise levels from customers socialising outside will not be able to be adequately controlled, particularly in relation to the amenity space of the elevated properties adjacent to the applicant's restaurant. The plans accompanying the planning application have been amended and now show a reduction of 30 covers (12 to the side elevation which is to be located within a glass building with a retractable roof and 18 at the front of the premises facing the car park area). However, this number is also significant in terms of noise. In addition, I don't believe the amended plans have been re-submitted to Licensing.

The retractable roof and glass covered area will not provide adequate sound insulation as it is likely to be open during warm weather for ventilation purposes when glazed areas get very hot, allowing noise to affect neighbours. The noise from a fully glazed room and hard floors can also be reverberant, so even if the roof and bi-fold doors were kept closed but the windows remained opened, this could result in increased noise levels. From a noise perspective a solid construction would be necessary to provide the noise attenuation characteristics to protect neighbouring residential properties as the proposed planting, although will screen the customers from a visual aspect, will do very little in terms of attenuating any noise levels. I do appreciate that the reason the applicant has requested this external area is due to the current pandemic and I do have every sympathy with their situation as it has been a very difficult time for the hospitality sector. However, having an external area for 30 seated guests to eat and drink is still likely to cause disturbance to residents with raised voices, socialising and banging and clattering of plates and cutlery.

The garden of the closest property to the proposed side glass covered area is less than 10 metres away and from the external front main area is only approximately 12m and I have to consider this impact in terms of the public nuisance objective. In addition, when the hospitality sector is permitted to re-open, if the advice remains the same as last time, the applicant will need to ventilate the premises. This is likely to result in windows and doors being left open. It is noted that the applicant is also looking to install bifold doors to the main restaurant as a consequence of having the external seated areas to allow easy ingress and egress from the restaurant's interior for staff and customers. By the very nature of the bi-fold doors, which covers a significant area of that elevation, it implies that they will be left open, especially during the warmer weather. Therefore, not only would you then have the additional noise from the external seated areas, but you will also have increased noise from patrons using the internal areas which will then be heard outside with the doors open.

Although the applicant has informally agreed to shut the external areas by 9.30pm, the advert states that it will be closed at 10pm. In addition, even if it was at 9.30pm, the measures specified in the operating schedule will not prevent noise from impacting on the residents up until that time and the proposal does not promote the licensing objective of preventing a public nuisance, particularly as they are also applying for off-sales and sales of alcohol without the service of food. The applicant has also stated that they are not applying to increase their overall customers of 102, they just wish to be able to space them out more for social distancing and be able to offer external seated areas,. Nevertheless, I note that the number of covers is not enforceable from a Licensing perspective as the number of customers are limited by their Fire Risk Assessment. Consequently, if the Fire Risk Assessment allow a higher capacity, there is nothing stopping the applicant from having an increased number of customers. In view of all the above considerations, I would therefore have to raise an objection to the current application and plan to include the external seating area and the supply of alcohol externally on the grounds that it does not promote the prevention of public nuisance objective and the operating schedule does not include sufficient measures that will allow noise to be adequately controlled. There may also be impacts due to lighting and complaints have already been received regarding some new additional lighting that the applicant has installed, although I understand this has been turned off for the time being. Although conditions could be imposed to control the lighting, in view of the fact that I have objected against the application in terms of noise, I have not included any additional objection in terms of the lighting. Nevertheless, if the committee were minded to grant the variation, the impact of the lighting will need to be considered.

2. Vary Plan to include First Floor Internal Seating Area

I have no objection to the first floor internal seating area.

3. Embedded Conditions

No objection to removing the embedded objections that alcohol should only be supplied ancillary to a meal, other than the supply of alcohol should not include to the external area.

Consequently, the objection is made to the plan and variation in respect of the external areas for eating and drinking. In the meantime, if you have any further queries, please do not hesitate to contact me.

Kind Regards

Helen

Helen Williams
Shared Regulatory Services
Vale of Glamorgan Council / Cyngor Bro Morgannwg
tel / ffôn: 0300 123 6696
e-mail / e-bost: [REDACTED]

Visit our Website at www.valeofglamorgan.gov.uk
Ewch i'n gwefan yn www.bromorgannwg.gov.uk

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Correspondence is welcomed in Welsh or English/Croesawir Gohebiaeth yn y Gymraeg neu yn Saesneg.

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Ystyriwch yr amgylchedd. Peidiwch ag argraffu'r neges hon oni bai fod gwir angen.

From: Williams, Helen (SRS)
Sent: 02 March 2021 10:28
To: licensing <licensing@bridgend.gov.uk>
Subject: RE: BCBCLP266 BRASERIA EL PRADO, HIGH STREET, LALESTON, BRIDGEND CF32 OLD

licensing

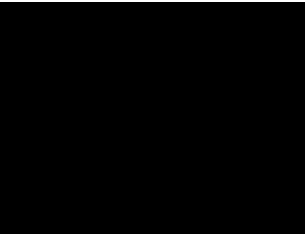
From: Bruce Kennedy [REDACTED]
Sent: 19 April 2021 10:58
To: licensing
Subject: Application to vary licence, Braseria El Prado, Laleston
Attachments: el prado licence latest.docx

For the attention of Yvonne Witchell:

Please find attached a letter objecting to the proposed licence variations at Braseria El Prado, Laleston.

Many thanks

Bruce Kennedy and Deborah Rees
[REDACTED]



Yvonne Witchell
Licensing Team Manager
Bridgend County Borough Council
Angel Street
Bridgend

18 April 2021

Dear Yvonne Witchell

Re: Application to vary premises licence – Braseria El Prado, Laleston

We wish to submit our formal objections to the above application. We do so with some trepidation, bearing in mind the recent vandalism of our neighbours' property in this hitherto crime-free neighbourhood.

The application to amend the licence is geared to significantly increasing the number and nature of customers who will use El Prado throughout the day and late into the night. We believe that if this application is granted, it will lead to problems with public safety, nuisance, noise, anti-social behaviour and, potentially, crime.

The plans indicate that the outdoor eating area, to the right of the entrance, will have no solid screen and no roof. This means that noise and smells will carry. As the day goes on there will be an inevitable increase in the numbers eating, drinking and smoking outside, with associated problems. This will be exacerbated if the licence is amended to allow music to be broadcast outdoors, which itself constitutes a disturbance. It will also encourage people to gather in that area, leading to public nuisance.

There appears to be no barrier between the outdoor eating areas and the car park, just feet from a busy main road, which must pose a health risk in terms of fumes and vehicle movements. This is especially true for children, who will naturally want to play outdoors while their parents eat, drink and converse.

Braseria El Prado previously retained a small bar area solely for the use of waiting diners, not for casual drinkers. The amended application creates a public bar where people can go solely to drink. The function room licence and application for an off-licence can only increase customer numbers, and drinking can lead to public disorder. We already have a

litter problem linked to the sale of alcohol, when glasses, beer cans and food packaging have been thrown onto our grass lawn outside our front wall.

Our living room is directly opposite the premises and gets very warm at times due to its orientation. If music is pounding outdoors, we will be unable to open our windows and hear the television or converse. Sitting in our front garden on the bench dedicated to my late father will be rendered impossible for most of the day.

The master bedroom is also immediately opposite the premises, and the constant thud of outdoor music will exacerbate existing sleep problems.

Even under the previous ownership, our evenings were frequently disturbed by taxis and customer vehicles using our private drive to turn back into Bridgend, rather than using the mini-roundabout at Roger's Lane. On two occasions, under the new ownership, vehicles have been left parked across our driveway while the owners crossed the road to El Prado to collect takeaway meals. [REDACTED]

Yours sincerely,

Deborah Rees and Bruce Kennedy

[REDACTED]

[REDACTED]

[REDACTED]

We acknowledge the Welsh Government's wish to help the hospitality sector, but we feel it is inappropriate to allow this huge expansion to an already successful village restaurant, with opening hours that bear comparison with the biggest town centre developments. It is an increase in size, hours and extra clientele that will exacerbate existing problems of noise, traffic, nuisance behaviour and public safety. It will alter the heart of the village.

Yours sincerely,

Deborah Rees and Bruce Kennedy

E-bost yn cael ei logio, ei monitro a/neu ei chofnodi yn awtomatig am resymau cyfreithiol. Peidiwch ag argraffu'r neges e-bost hon oni bai fod hynny'n gwbl angenrheidiol. Rydym yn croesawu gohebiaeth yn Gymraeg. Rhowch wybod i ni os mai Cymraeg yw eich dewis iaith. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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

Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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We welcome correspondence in Welsh. Please let us know if your language choice is Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

licensing

From: allan daniels [REDACTED]
Sent: 19 April 2021 12:26
To: licensing
Subject: Brasserie El Prado

Page 39

Licencing Application – Braseria El Prado

We object to the proposed application for the following reasons-

1. It is clear that the new owners plan to change the basis of the operation. Signage outside refers to it as a 'Bar & Restaurant'. It is seeking to operate an off licence and screen sporting events inside the building. This will be a completely different type of operation which will attract a different type of clientele. [REDACTED]
2. Since the facility opened in 1991 it has always been a restaurant with limited sales of alcohol (bottled beers/wines only). It has always operated reasonable hours of business and we were surprised to learn recently its current operating hours. It has never previously operated until midnight and yet, the new owners are seeking to further extend the opening hours beyond midnight. Their assertion that they will not sell alcohol beyond midnight is ludicrous. If that were true, why extend the hours. They will either sell beyond midnight or sell additional alcohol just prior to midnight to allow their customers to continue drinking later which will result in people vacating the premises later having consumed more alcohol with the resulting noise at a later time. The owners have made it clear they intend to operate 365 days per year so there will be no respite. For many years, the previous owners operated 5 days per week, closed Sundays and Mondays and always closed well before midnight.
3. They are planning to provide an outside eating/ drinking area for up to 5 months a year. This would be a non enclosed space supposedly to cater for the need for social distancing under the current Covid restrictions. If this were allowed, what is to stop them using this area on an ongoing basis long after the restrictions have been removed?
4. The owner is also seeking to increase the number of covers internally. He claims in a circular to local residents he is not increasing the number of internal covers above the current 102. However, his plans include for an additional 30 people downstairs and up to 10 in an upstairs Function Room. Once the Covid restrictions have been removed, there is nothing to prevent him making these changes permanent. This would increase the maximum number of customers by 40 or 39%. In fact, his original plans which he only amended in the face of local objections allowed for up to an additional 50 people or 49%. These are staggering increases and will undoubtedly add to problems. We feel he is saying one thing to Planning, something different to Licencing and something different again to residents. Frankly, we do not trust what he is saying.
5. The building is surrounded by residential properties. The proposed increased numbers, the change to a 'Pub' style use, an off licence facility, screening of sporting events, all will attract a different type of customer, a more casual user with more comings and goings throughout the evening. Noise will permeate from the building. One of the proposed new extensions will have a retractable roof which when opened will allow noise to circulate. The owner has stated in his circular to residents that the new building will be soundproofed by better class of windows but why install a retractable roof if he does not intend to open it? If the roof is opened, any music (live or recorded) will be audible together with the noise of over 100 people dining/ viewing sporting events.
6. In fact, the numbers using the facility could be greater. During sporting events, he could remove some tables not required for dining and allow more customers using the bar only. This would further increase traffic/ noise/ anti -social behaviour.

7. The 'pergola' style extension in the front will be open 5 months a year and will be accessible from the main building via open doors allowing noise from the main building to escape outdoors. Screening of live sporting events internally will increase noise levels outside via open doors. Customers will create noise and what is to stop those sitting outside from viewing the screens through the open doors/windows and creating more noise.
8. This outside facility, coupled with seeking an off licence, will encourage people to gather and drink/chat in the car park and this will result in more noise. It may also encourage more anti-social behaviour with passers by stopping en route with more outside drinking. It appears the new owners are seeking to develop a culture of operating in a manner similar to what they already operate in their other premises which are located in city centre, seaside frontage or rural environments. Laleston is a quiet village in a conservation area and it is not suited to this type of establishment.

9. Road safety – [REDACTED]

10. Over the last 12 months, the restaurant [REDACTED] have either been closed or restricted to early closing which has resulted in no noise issues late at night. During the last 12 months ownership or licencing of both premises has changed and we understand why both will seek to maximise its business. However, this should not be to the detriment of local residents by staying open for as late as possible with the inevitable noise late at night. Neither premises previously operated to their licencing hours but we fear this will change under the new regimes.

The restaurant has never had live music and yet their current licence allows this until midnight. [REDACTED]

[REDACTED] We do not agree that a music licence should be granted beyond 23.00 for either due to the close proximity of houses.

In summary, we object to the proposed application on the following grounds-

[REDACTED]

Extended hours of business/music licence – the building is surrounded by houses in a quiet village within a conservation area. Both an extension of hours and the playing of music outdoors can only result in unacceptable noise issues to residents.

Public order – any change to hours of business and issuing of an off licence will inevitably result in more visitors to the premises. This means more traffic, more casual visitors and potentially more anti social behaviour. By having an outdoor eating/drinking area during summer months will encourage people to drink outdoors into the car park area again creating noise issues.

Extension of hours- the current licence limit of midnight is itself unacceptable if the new owners intend to operate fully. This has never happened before. Any extension beyond midnight should not be allowed. Look at the location to see the proximity of houses to see the inappropriateness of the application.

Music licence indoors – this should be curtailed at 23.00 and no outdoor music should be allowed. The pergola will be open sided and noise will be noticeable both from outside music and, with sliding doors open to provide access to inside, any indoor music will be audible outside. Although the owner states the outside area will cease trading at 22.00, to residents he has stated 21.30, so there is already a discrepancy in what he is saying. When the Covid restrictions are removed, we are sure this outdoor facility will become the norm, it will remain open later in the night and music noise will be more noticeable.

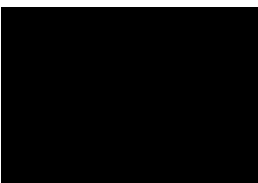


Greater risk of public disorder/ anti - social behaviour – the proposed changes to the use of premises as a bar/ off licence/ outside seating & drinking/ screening of live sporting events will encourage a more casual type of customer with all the attendant risks.

For all the above reasons, we object to the proposed application.

Yours sincerely

Allan &Christine Daniels



licensing

From: [REDACTED]
Sent: 19 April 2021 14:27
To: licensing
Subject: El Prado Licensing Objections
Attachments: Licensing Objections 2021.odt; Letter FROM El Prado to residents 21 March 2021.pdf; Light Pollution 2225 WEdnesday 7 April 2021.odt

Hi

Please find enclosed our objections to the above application for extending hours and numbers and music license.

We are not sure if we have or have not read about live music. We certainly di not want that under any circumstances. We cannot find it in our paperwork.

Please acknowledge safe receipt.

Many thanks for you help and assistance

[REDACTED]

EL PRADO LALESTON - LICENSING

Dear Sir/Madam

EL PRADO, HIGH STREET, LALESTON, BRIDGEND, MID GLAMORGAN, CF32 0LD

We are writing to register our objection to the application for a premises licence by BDM South Wales Ltd for the above premises.

There has been so much mis-information circulated since the new owner bought the business in the middle of the pandemic. The owner had failed to display the notice telling interested parties about his proposed plans for 52 external seating covers. [REDACTED]

[REDACTED] and if he is to be believed now he has reduced that to 30. What is the truth. The applicant is trying to deceive not only the Council but the residents and community.

This application is for 52 outside seating and 10 upstairs as well as 60 inside covers he is proposing. So that is a total cover of 122 an increase of 20 to the current number of 102 granted. Almost half of these he wants externally permanently. The applicant has used COVID as an excuse to extend his business outside and citing legislation for this reason. Wales has not said as yet all pubs and restaurants can extend their space to include outside space on a temporary basis. However, the applicant is increasing the numbers. 60 inside, 52 outside plus an additional 10 upstairs. What happens when the pandemic is over? Can the applicant go back to the original number of covers inside and still have those outside? Potentially them having cover for $102 + 52 + 10 = 164$. Way too much for the size of the site. [REDACTED]

The current operating hours for the sale of alcohol and closing to the public are:

Monday to Saturday: 1000 - 0000 hours

Sundays: 1200 - 2330 hours

Christmas Day: 1200 - 2330 hours

Good Friday: 1200 - 2330 hours

New Year's Eve: As per The Regulatory Reform (Special Occasions Licensing) Order 2002

The application proposes that alcohol will be sold for consumption on and off the premises between

Monday to Saturday 10:00 - 00.30, six days a week and

Sunday: 10:00 - 00pm Sunday.

Christmas Day: 1200 - 2400

Good Friday: 1200 - 2400

New Year's Eve: As per The Regulatory Reform (Special Occasions Licensing) Order 2002.

That is trading 365 days per year from 10:00 to 00:30.

When are we as residents supposed to have time for peace, relaxation and enjoyment of our own personal homes. [REDACTED]

[REDACTED] When are we supposed to sleep only when he decides not to trade! Noise levels will be unbearable with his customers coming out the worse for wear at 1am and laughing and joking all the time. We would also have to endure background music inside and out. What planet are we living on. No one should be subjected to that level of noise for prolonged

periods of time. The applicant has stated that outside will end at 22.00,. However, he sent letters to residents stating it would cease at 21.30 - [REDACTED]

[REDACTED] The external area is proposed to have recorded music, something we have not had to tolerate before and frankly do not want now. There is nothing worse than listening to repetitive music over and over. It is unlikely that together with noise from patrons the requirements of [REDACTED]

[REDACTED] This also applies to the main building which has had a new multi-folding door system to accommodate servicing the external area and allowing bar access for patrons - more noise pollution. [REDACTED]

[REDACTED] that crime, disorder and public nuisance will undoubtedly increase. We are told fine wines will be sold at over £100 per bottle, which could well become a target for criminals. We have no objection to customers who use the bar/restaurant purchasing the wine to take home. However, the use of a website for purchase and age control measures indicate a click and collect approach is being adopted. This will mean the same problems associated with takeaways will develop in terms of [REDACTED] noise. We believe - not sure - that takeaway facilities are accepted during lockdown but will cease after. What is being proposed is a permanent facility. [REDACTED]

Residents in this area already suffer noise nuisance at all hours of the day and night. The majority of the clients are not local villagers. They come from far and wide to visit and leave normally the worse for wear, with volumes rising as the level of in-toxification increases during the day and far more noticeable at night time as noise from life generally reduces. Prior to COVID lockdown, we could clearly hear smoker's conversations when they stood outside smoking and talking. To allow the licence to be given will intensify the volume of noise 50 fold + to that of 2 smokers and cover seats with the opening of the sliding doors to allow the noise, fumes etc to enter the open space outside would be disturbing noise wise and completely and utterly take away our privacy, peace and sanity.

Our mental health will be impacted as there will be constant unavoidable noise that will destroy us. When will we ever have any peace and time to enjoy our surroundings, family and homelife. It will be Bedlum. Constant banging of car doors, music, chit-chat for 14.5 hours day and night. Laleston is a quiet dozy village not a town or city where there are no residential properties to take into consideration. This is not only very irritating it is also obnoxiously smelly and life changing. We will no longer be able to sit outside in our gardens back and front because the level of noise generated will be appalling. Just imagine 54 drunks in the summer virtually coming into your home which is what it will be if you allow this to happen. We will have no peace, our privacy will be invaded as they will be able to see straight into our property and without a proper building there will be no containment of noise what-so-ever. The applicant wants a glass house and Pagoda to make it look pretty. This will not negate noise or light pollution levels at any level especially when he opens the pagoda and windows of the property. This is what we would call a nightmare.

We will be unable to ventilate our home because the level of noise will be unbearable. So trying to keep cool will become impossible. Our mental health will deteriorate because we will no longer be able to enjoy our own home and amenities. Poor mental health, we will also be sleep deprived which will inevitably will affect our physical health.

Children viewing adults drinking alcohol and smoking adjacent to the main road while they go from school to home and inhaling smoke is not acceptable. As well as the smoke they will be witnessing drinkers in the carpark making noise, acting stupid and possibly behaving badly. Children should not be exposed to this on a daily basis on the main road. It is not what has happened in the past and certainly is not a step forward. The only person who benefits from this is the applicant. The law is being changed to stop children being exposed to smoke and this is adjacent to the main road. The applicant has not to date shown on any plans where he intends smokers to be able to smoke out of sight and protected from view.

The Applicant has applied to increase the hours by half an hour each day. This will have a significant impact on our peace, tranquillity and way of life. As well as increasing times they also seek to have outside recorded music until 22:00 daily. Children's sleep will be impacted by this as bedtime is around 19.30. It is a village not a city centre and children need their sleep. [REDACTED]

[REDACTED] This becomes a double Whammy. Noise from patrons, noise from music inside and out if planning is granted and the folding doors are opened up to allow access to serve customers and noise from traffic.

[REDACTED]

The applicant has changed the outside look and access to the building changing windows to multi-sliding doors to allow access to serve food and drink outdoors. The amount of light pollution this will generate is far above what the previous owner had as the blinds were permanently down and stopped light causing pollution to the area. Photo's enclosed.

Please remember COVID restrictions will lift, what the applicant wants is a permanent change that will destroy our lives.

In view of the above, we would urge the Licensing Authority to refuse the application.

Dear our local neighbours,

Firstly, please let me start by introducing myself, the company and share a little history about our family run businesses. My name is Nataniel Martinez and we purchased El Prado last year during the global pandemic. As a family we have a lot of history with both El Prado and Jesus. My late father designed and opened the site back in 1991, bringing the Spanish brasserie to Lalestone, a first for the area and clearly very popular amongst the locals. When we first found out Jesus was retiring after 30 years of trading, we wanted to bring back the Martinez flare to El Prado.

As a family we pride ourselves on our reputation as caterers, we own some of the best venues in Wales and pride ourselves on delivering great produce and service to all our customers. Over the years of trading, we have built a loyal following from both our customers and staff. With our family operating in Wales for over 50 years, I think this is a testament to ourselves and again something myself and my family are very proud of.

As am sure many of you are aware and would agree El Prado was starting to look very tired and in need of some much-needed attention and reinvigorating. Our extensive refurbishment is to ensure we bring back the original flare El Prado once had along with offering some of the finest produce all served via our Spanish brasserie counter. After months of hard work and dedication to achieve this we cannot wait to open our doors again, giving El Prado a new lease of life. We hope we have succeeded in achieving this after an extensive refurbishment and cannot wait to show you all around when we are allowed to re-open.

Whilst carrying out the much-needed refurbishments, I would like to thank you all for your support and a huge thank you for your support with our weekend takeaways, it has been overwhelming so again thank you. Unfortunately, a few matters have arisen recently and been brought to my attention from the neighbouring houses these have all been addressed.

All below issues have now been resolved.

- The LED car park lights seem to be over powering. These lights will be disconnected with only one light switched back on. This LED will be downgraded from a 50w to a 25w and the unit will be faced directly at the floor.
- Parking for the local school will be made available for the morning drop offs only, as soon as our refurbishment is complete.
- The planning for the outside dining area. Correspondence with the council is ongoing but key points that were not identified by the council on the public forum are below

Capacity of the proposal

- There appears to be some misunderstanding of the proposal, and the total capacity of the facility if and when the proposals before you are considered and approved.
- The premises has a license for 102 covers - all of which are of course currently "indoors".
- The proposal before you are not to increase the capacity of the facility, but rather to reconfigure it - such that the total capacity remains the same (102 covers), with some seating being inside and some outside/in an 'extended' element.
- The client is not proposing to increase numbers, and will continue to trade in compliance with the license they have in place (102 covers). At present I am aware that the exterior seating area shows 42 covers – this is proposed to be reduced to 30 covers: so that no increase comes about.



- This of course has considerable implications for the highway authority's position and response - *which presently assumes an increase in numbers, and a resultant deficiency in the number of car parking spaces provided within the site.* In effect, the proposal will be to provide an additional 6 spaces, for the same number of covers/customers. This will therefore be an improvement on the car parking provision, as opposed to a worsening.

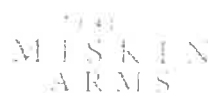
External seating/facilities

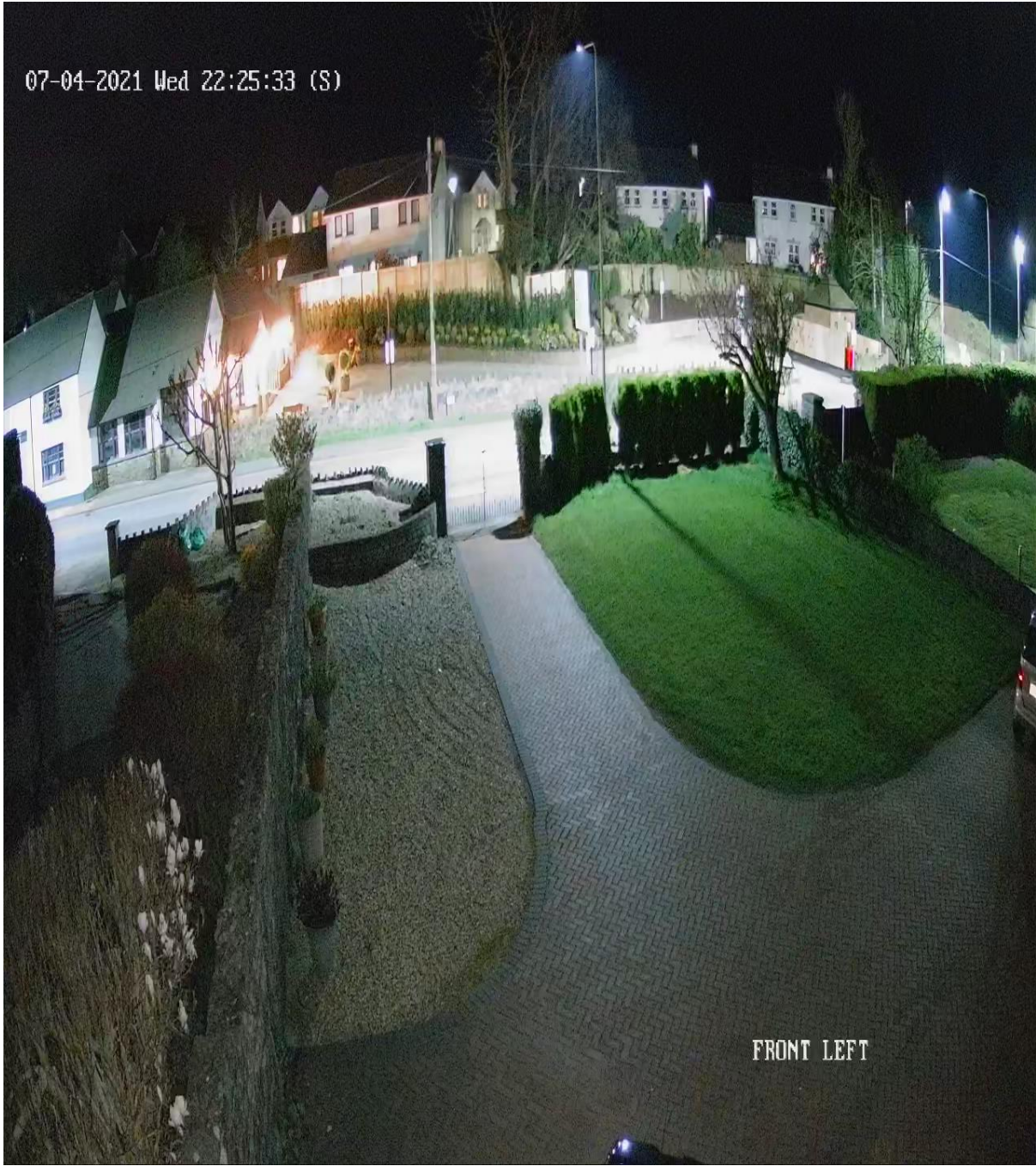
- There are two elements to the proposal - a side "extension ", and an external seating area (under a covered pergola) to the "front "of the building.
- The first of these elements – effectively a glass extension, will sit in, and will replace, the existing external rear storage / refuse / back of house area and facilities. The present use of this area is of course "unneighbourly "to residential properties to the rear, in that noise and activity, odour and possible other associated issues with external refuse storage etc take place in a presently unregulated way.
- The proposal will seek to replace this with a glazed 'pod' extension – which will be entirely enclosed, and will be configured using glazing that will be rated to 40dB (by comparison a standard double-glazed window in a property is rated to 30dB). The specification being proposed is, therefore, superior to standard double glazing in a house/dwelling. This will ensure that any customers using this area will have little to no impact or bearing on surrounding residential property. Indeed, it will provide a significant betterment on the existing position. This is a much more preferable use and configuration for this part of the site than is presently the case.
- In terms of the exterior seating area to the "front ", this area will of course be a facility that will only be in use for circa 5 months in any calendar year - not least as a result of the climate.
- This area will only be proposed to be used up to 9:30 pm, with this in time being entirely compatible and reasonable with residential properties neighbouring the site. As I set out above, its use and purpose is to allow greater social distancing of customers - something which will be undoubtedly be needed on a permanent basis in future.
- This area will be parking enclosed by a pergola structure - the roof structure to which will open and close (in a seamless and quiet way).

It's with pleasure to announce that in the next 4 weeks all internal work will be finished. As mentioned above if anyone would like to come and have a look around and be one of the first to view what we've been up to please feel free to drop me and email. The coffee machine is always on.

Many thanks

Mr Nataniel Martinez
Managing Director





10.25 7/4/2021 Light Pollution

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