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| Meeting of: | LICENSING ACT 2003 SUB-COMMITTEE (A) |
| Date of Meeting: | 23 DECEMBER 2024 |
| Report Title: | LICENSING ACT 2003: SECTION 104 TEMPORARY EVENT NOTICE OBJECTION TO NOTICE BY ENVIRONMENTAL HEALTH FOR THE LOFT BAR BRIDGEND |
| Report Owner / Corporate Director: | CHIEF OFFICER – LEGAL AND REGULATORY SERVICES, HR AND CORPORATE POLICY |
| Responsible Officer: | KIRSTY EVANS TEAM MANAGER LICENSING |
| Policy Framework and Procedure Rules: | The report content has no direct effect upon the policy framework and procedure rules. |
| Executive Summary: | For the Licensing Sub-Committee to consider and determine an objection notice submitted by Environmental Health to a Temporary Event Notice given for The Loft Bar Bridgend, 1 Nolton Arcade, Bridgend CF31 1DX. |

1. Purpose of Report

- 1.1 The purpose of this report is to ask Members to consider and determine an Objection Notice submitted by Environmental Health in response to a Temporary Event Notice (TEN) served on the Licensing Authority for The Loft Bar Bridgend, 1 Nolton Arcade, Bridgend CF31 1DX.
- 1.2 Section 4 of the Licensing Act 2003 states that a licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives. The licensing objectives are:
- (a) the prevention of crime and disorder;
 - (b) public safety;
 - (c) the prevention of public nuisance; and
 - (d) the protection of children from harm.

2. Background

- 2.1 Upon receipt of the Temporary Event Notice (TEN) the Relevant Persons can issue an Objection Notice. In these circumstances it is the duty of the licensing authority to

hold a hearing to consider the Objection Notice, unless the premises user, Relevant Persons which gave the Objection Notice and the Authority agree that a hearing is unnecessary; and, having regard to the Objection Notice, give the premises user a counter notice under Section 105 of the Licensing Act 2003 if it considers it appropriate for the promotion of the licensing objectives to do so. The Authority also has the power to apply existing premises licence conditions to the Temporary Event Notice.

3. Current situation / proposal

3.1 On 11 December 2024, the Licensing Authority received a Temporary Event Notice (TEN) from Daniel Apsee (the premises user) in respect of 1 Nolton Arcade, Bridgend CF31 1DX. The notice covers the “top floor function room” only.

The premises is described by the premises user as “top floor function room only”.

The event is described as a “live music event”.

3.2 The TEN seeks authorisation for:

The sale of alcohol for consumption on the premises and regulated entertainment between the following hours:

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|---------------------------|----------------------|
| Thursday 26 December 2024 | 16:00 to 00:00 hours |
| Friday 27 December 2024 | 00:01 to 01:30 hours |
| Saturday 28 December 2024 | 00:01 to 01:30 hours |
| Sunday 29 December 2024 | 00:01 to 01:30 hours |

A copy of the Temporary Event Notice can be found in **Appendix A**.

3.3 The premises has the benefit of a Premises Licence BCBCLP809 which authorises the following:

Sale of Alcohol for consumption on and off the premises:

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|---------------------|----------------------|
| Monday to Saturday: | 11:00 to 00:00 hours |
| Sunday : | 11:00 to 23:00 hours |

Films:

| | |
|-------------------|----------------------|
| Monday to Sunday: | 12:00 to 22:00 hours |
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Live Music (permitted indoors only)

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|-----------------------|----------------------|
| Sunday to Wednesday: | 23:00 to 00:00 hours |
| Thursday to Saturday: | 23:00 to 00:30 hours |

Recorded Music (permitted indoors only)

| | |
|-------------------|---------------------|
| Monday to Sunday: | 23:00 to 0030 hours |
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Opening Hours:

Monday to Sunday:

11:00 to 00:30 hours

- 3.4 The conditions attached to the Premises Licence can be found in **Appendix B**.
- 3.5 A copy of the Temporary Event Notice was served upon South Wales Police and the Council's Environmental Health team within Shared Regulatory Services. On 16 December 2024, Environmental Health submitted an Objection Notice to the Licensing Authority on the basis that the notice undermines the licensing objective the prevention of public nuisance.

A copy of the Objection Notice has been served on the premises user and is detailed in **Appendix C**.

- 3.6 This hearing must therefore consider the points raised in the Objection Notice and make a determination on the TEN. Having considered the Objection Notice, the Sub-Committee has available to it the following options:
- a) Allow the licensable activities to go ahead as stated in the TEN;
 - b) If the TEN is in connection with a licensed premises, the licensing authority, may also impose one or more of the existing licence conditions on the TEN (insofar as such conditions are not inconsistent with the event) if it considers that this is appropriate for the promotion of the licensing objectives;
- or
- c) If it considers that the events would undermine the licensing objectives and should not take place, give a counter notice.

4. Equality implications (including Socio-economic Duty and Welsh Language)

- 4.1 An initial Equality Impact Assessment (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.

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

- 5.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report.

6. Climate Change Implications

- 6.1 There are no climate change implications arising from this report.

7. Safeguarding and Corporate Parent Implications

7.1 There are no safeguarding and corporate parent implications arising from this report.

8. Financial Implications

8.1 There are no financial implications arising from the report.

9. Recommendations

9.1 The Sub-Committee is required to consider and determine the Objection Notice submitted by Environmental Health in respect of the Temporary Event Notice served by Daniel Apsee for 1 Nolton Arcade, Bridgend CF31 1DX covering 26 December 2024 to 29 December 2024 in line with paragraph 3.6 above.

Background documents

None.