



Licensing Officer 5102 Rowlatt
Community Safety Partnership
Licensing Department
Police Station
Brackla Street
Bridgend
CF31 1BZ

B.3-306/15

Monday, 17 August 2015

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

Mrs Saima RASUL
Designated Premises Supervisor & Premises Licence Holder
Eden Wine Bar & Ego Night club
33 Market Street
BRIDGEND
CF31 1LJ

Sir/Madam,

**RE: OBJECTION TO TEMPORARY EVENT NOTICE UNDER SECTION 100 OF THE LICENSING
ACT 2003**

EDEN WINE BAR ,33 MARKET STREET BRIDGEND CF31 1LJ

Extension of hours for Bank Holiday from CLOSURE on Sunday 30th August 2015 until 02.00 am on Monday the 31st August 2015.

For the sale by retail of alcohol and the provision of regulated entertainment and to supply alcohol on the premises only, with a 30 minute wind down period closing at 02.30am.

Application is made on behalf of the Chief Officer of Police, to object to this temporary event notice (TEN) as it is believed that the event would undermine the licensing objectives relating to the prevention of crime and disorder and public nuisance as set out in the Act.

Sub section 7.7 of the revised guidance section 182 of the Licensing Act 2003 issued by the Home Office

"A TENS does not relieve the premises user from any requirements under planning law for appropriate planning permission where it is required."

CURRENTLY THE BUILDING IS SUBJECT OF PLANNING RESTRICTIONS:

... The use hereby permitted shall not be open to the public between the hours of 24.00 Sundays - 07.00 Mondays.

The reason for this restriction is: In the interests of residential amenities as there are a number of dwellings in close proximity.

The planning authority is not one authority that can object to a Temporary Event notice as this power is only designated to the police and environmental health officers.

Subsection 3.6 of the Bridgend County Borough Council Statement of Licensing Policy Licensing Act 2003 states:

"Nothing in this policy should be taken as indicating that any requirement of licensing law or any other law may be overridden by the terms of this policy."

South Wales Police respectfully suggest that this event is for the extension of hours on a Sunday preceding a Bank holiday Monday to accommodate 499 persons for the club to open and operate as it would on a normal Saturday night.

The applicant is the designated premises supervisor who has day to day control of the premises and this is the second TEN that has been applied for since the premises opened on Friday 31st July 2015. The applicant has been in contact with South Wales Police in reference to this ten application and has explained the rational behind it.

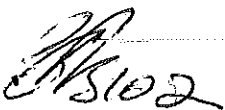
Sub section 7.39 of the revised Home Office guidance issued under Section 182 of the Licensing Act:-

"Section 105 of the 2003 Act is clear that a licensing authority must hold a hearing to consider any objections from the police or EHA unless all the parties agree that a hearing is not necessary. If the parties agree that hearing is not necessary and the licencing authority decides not to give a counter notice on the basis of the objection, it may impose existing conditions on the TEN."

However, if the authority decide not to issue a counter notice and agree to impose existing conditions from the premises licence, SWP respectfully submit that there are no suitable conditions that can be adopted that will prevent the breach of planning legislation from taking place if this TEN is granted.

However, the operation of such a large premises, with such additional hours, outside of its planning hours will only set a precedent for future events. The premises is located in the saturation policy / cumulative impact area and the grant of this event is likely to have a negative impact in this area if it is granted therefore consideration should be given to refuse this application and issue a counter notice.

Yours faithfully,



Licensing Officer 5102 Rowlatt