



City and County of Swansea

Notice of Meeting

You are invited to attend a Meeting of the

Statutory Licensing Sub Committee

At: Multi-Location Meeting - Council Chamber, Guildhall / MS Teams

On: Friday, 4 February 2022

Time: 12.00 pm

Chair: Councillor Penny Matthews

Membership:

Councillors: J P Curtice and P Lloyd

Watch Online: [//bit.ly/3qNYkgl](https://bit.ly/3qNYkgl)

Agenda

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- | | | |
|---|--|--------|
| 1 | Apologies for Absence. | |
| 2 | Disclosures of Personal and Prejudicial Interests. www.swansea.gov.uk/disclosuresofinterests | |
| 3 | Licensing Act 2003 - Section 17 - Application for a Premises Licence - Asian Café, 82 Brynymor Road, Swansea SA1 4JE. | 1 - 37 |

Next Meeting: Monday, 14 March 2022 at 10.00 am

A handwritten signature in black ink that reads 'Huw Evans'.

Huw Evans
Head of Democratic Services
Thursday, 27 January 2022

Contact: Democratic Services - tel: (01792) 636923

Agenda Item 3



**Report of the Licensing, Food and Safety Manager
To the Statutory Licensing Sub Committee
4 February 2022**

Licensing Act 2003 Section 17 Application for a Premises Licence

1. **Premises: Asian Café, 82 Brynymor Road, Swansea SA1 4JE**
2. **Applicant : Huai Chin Toh**
3. **Application For A New Premises Licence**
 - 3.1 An application for a new premises licence was received by this authority on the 21st December 2021. The applicant has applied to allow the following licensable activities to take place.

**Late Night Refreshment - Sunday to Thursday 2300hrs to 0030hrs;
Friday & Saturday 2300hrs to 0100hrs**

**Supply of Alcohol - Sunday to Thursday 0900hrs to 0000hrs;
Friday & Saturday 0900hrs to 0030hrs**

**The opening hours are - Sunday to Thursday 0900hrs to 0030hrs;
Friday & Saturday 0900hrs to 0100hrs**
 - 3.2 A copy of the application and plan is attached at **Appendix A** and **A1**.
 - 3.3 The venue is situated on Brynymor Road on the side which consists of Commercial properties whilst the opposite side of the road consists of mainly residential properties with a few commercial. The premises 82 Brynymor Road was formerly Letting Stars, a letting agency. The Location plan is attached and the surrounding properties identified **Appendix B**.
4. **Background**
 - 4.1 The applicant **Huai Chin Toh** has experience with two licensed premises in Swansea, Swansea Oriental situated at 71 Brynymor Road, Brynmill and Friendly Chinese in Woodfield St, Morriston which are owned by her partner. Both premises are Takeaways, with

Swansea Oriental operating an extensive delivery service, whereas Asian Café will operate as a restaurant.

Other premises on Brynymor Road which have on sales of alcohol are listed on **Appendix C** which includes their alcohol sales times.

5. Promotion of the Licensing Objectives

5.1 The Licensing Act 2003 contains four licensing objectives, namely: -

- (i) Prevention of Crime and Disorder;
- (ii) Public Safety;
- (iii) Prevention of Public Nuisance;
- (iv) Protection of Children from Harm.

Each of these objectives is of equal importance and the application must demonstrate how they are to be promoted.

Conditions consistent with the operating schedule and will be attached to the licence, if granted as applied for, are attached at **Appendix D**.

6. RELEVANT REPRESENTATIONS

6.1 Responsible Authorities

- a) **South Wales Police**
No representations
- b) **Trading Standards**
No representations.
- c) **Mid and West Wales Fire Authority**
No representations.
- d) **Health and Safety**
No representations.
- e) **Planning Authority**
No representations.
- f) **Pollution Division**
No representations.
- g) **Child Protection**
No representations.
- h) **Primary Care Trust/Local Health Board**
No representations.

i) Licensing Authority

No representations

j) Immigration

No representations.

j) Other Persons

Representations

Christopher Cornwell – (Crime and Disorder and Public Nuisance)

Dawn & Karl Moran – (Crime and Disorder)

– Attached at **Appendix E**

7. Policy Considerations

- 7.1 In considering this application Members should have regard to the current Statement of Licensing Policy. A link to the policy is provided below.

<https://www.swansea.gov.uk/statementoflicensingpolicy>

8. Guidance Issued By the Home Secretary

- 8.1 Members should also have regard to the relevant parts of the current statutory guidance (The Guidance), issued by the Home Secretary in April 2018 in particular:

- (i) Introduction – Chapter 1
- (ii) Licensing Objectives – Chapter 2
- (iii) Applications For Premises Licences – Chapter 8
- (iv) Determining Applications – Chapter 9
- (v) Conditions attached to Premises Licenses – Chapter 10
- (vi) Statement of Licensing Policy – Chapter 14

A link to the Guidance can be found at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

9. Determination of the Application

- 9.1 The decision must be based on the individual merits of the application and the representations received, with a view to promoting the licensing objectives outlined in paragraph 5 of the report.

- 9.2 In arriving at the decision, Members should also have regard to the relevant provisions of the Policy and the Guidance as previously

provided. Reasons must be provided for any departures from the Policy or Guidance.

9.3 In reaching the decision the Committee must, having regard to the representations, take such steps mentioned below (if any) as it considers appropriate for the promotion of the licensing objectives:-

- a. Grant the licence subject to:
 - i) conditions that reflect the operating schedule, modified to such extent as the authority considers appropriate for promotion of the licensing objectives. Certain regulated entertainment under the Licensing Act 2003 (as amended), has been deregulated. Where entertainment is deregulated but licensable activities continue to take place on any premises, any licence conditions imposed on a grant of a licence in respect of any deregulated entertainment will be suspended.
 - ii) any mandatory conditions relevant to the licence
- b. Exclude any of the licensable activities to which the application relates.
- c. Refuse to specify a person in the licence as the premises supervisor.
- d. Reject the application

The Licensing Sub Committee's instructions are requested.

| | |
|--------------------|---------------------|
| Background Papers: | Licence Application |
| Contact Officer: | Charles Gabe |
| Telephone: | 07980712697 |

Consent of individual to being specified as premises supervisor

I **HUAI CHIN TOH**

[full name of prospective premises supervisor]

Of 

[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

PREMISE LICENSE

[type of application]

by **HUAI CHIN TOH**

[name of applicant]

relating to a premises licence number **N/A**

[number of existing licence, if any]

for **82 BRYNYMOR ROAD, SWANSEA, SA1 4JE**

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

HUAI CHIN TOH

[name of applicant]

concerning the supply of alcohol at **82 BRYNYMOR ROAD, SWANSEA, SA1 4JE**

[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number **CER 1412**

[insert personal licence number, if any]

Personal licence issuing authority **CEREDIGION COUNTY COUNCIL**

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed **HUAI CHIN TOH**

Name (please print) **HUAI CHIN TOH**

Date **17/12/2021**

Swansea Council is the data controller for the personal information you provide on this form. We are collecting this information as part of our obligation under **Licensing Act 2003**. Your information will be used to help us fulfil our legal obligation and will not be used for any other purpose. We will not share your data with third parties unless we are required or permitted to do so by law.

Data protection law describes the legal basis for our processing your data as necessary for compliance with a legal obligation. For further information about how Swansea Council uses your personal data, including your rights as a data subject, please see our corporate **privacy notice** on our website (www.swansea.gov.uk/privacynotice).

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We HUAI CHIN TOH

(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 82 BRYNYMOR ROAD | | | |
| Post town | SWANSEA | Postcode | SA1 4JE |

| | |
|---|--------------|
| Telephone number at premises (if any) | N/A |
| Non-domestic rateable value of premises | £ ●●● |

Part 2 - Applicant details

Please state whether you are applying for a premises licence as appropriate Please tick as

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

- iv other (for example a statutory corporation) 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 (by ticking yes to one box below):

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

I am making the application pursuant to a statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

| | | | | | |
|--|------------------------------|-------------------------------|--|-------------------------------------|-----------------|
| Mr <input type="checkbox"/> | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input checked="" type="checkbox"/> | Other Title (for example, Rev) | |
| Surname TOH | | | First names HUAI CHIN | | |
| Date of birth ●●●●●● over | | I am 18 years old or | | <input checked="" type="checkbox"/> | Please tick yes |
| Nationality MALAYSIAN | | | | | |
| Current residential address if different from premises address | | ●●●●●●●●●● | | | |
| Post town | ●●●●●●●● | | | Postcode | ●●●●●● |
| Daytime contact telephone number | | ●●●●●●●● | | | |
| E-mail address (optional) | | ●●●●●●●●●●●●●●●●●●●● | | | |

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9 digit 'share code' provided to the applicant by that service (please see note 15 for information)

SECOND INDIVIDUAL APPLICANT (if applicable)

| | | | | | |
|--|------------------------------|--|-----------------------------|--------------------------------|--|
| Mr <input type="checkbox"/> | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other Title (for example, Rev) | |
| Surname | | | First names | | |
| Date of birth | | I am 18 years old or over <input type="checkbox"/> | | Please tick yes | |
| Nationality | | | | | |
| Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9 digit 'share code' provided to the applicant by that service (please see note 15 for information) | | | | | |
| 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 |
| 1 | 3 | 01 2022 |

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)
 ASIAN RESTAURANR, SUPPLYING HOT FOOD AND BEVERAGE TO BE CONSUME ON PREMISE.

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 and Schedules 1 and 2 to the Licensing Act 2003)

- | | |
|--|----------------------------|
| Provision of regulated entertainment (please read guidance note 2) | Please tick all that apply |
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |

- 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 7) | | | <u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 4) | | |
| Mon | | | | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| | | | | | |
| Wed | | | <u>State any seasonal variations for performing plays</u> (please read guidance note 5) | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6) | | |
| | | | | | |
| Sat | | | | | |
| | | | | | |
| Sun | | | | | |
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B

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|---|-------|--------|--|----------|--------------------------|
| Films Standard days and timings (please read guidance note 7) | | | <u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 4) | | |
| Mon | | | | | |
| | | | | | |
| Tue | | | | | |
| | | | <u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5) | | |
| Wed | | | | | |
| | | | | | |
| Thur | | | | | |
| | | | <u>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</u> (please read guidance note 6) | | |
| Fri | | | | | |
| | | | | | |
| Sat | | | | | |
| | | | | | |
| Sun | | | | | |

C

| Indoor sporting events Standard days and timings (please read guidance note 7) | | | <u>Please give further details</u> (please read guidance note 4) | |
|--|-------|--------|---|---|
| Day | Start | Finish | | |
| Mon | | | <u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5) | |
| | | | | |
| Tue | | | | |
| | | | | |
| Wed | | | | |
| | | | | |
| Thur | | | | <u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6) |
| | | | | |
| Fri | | | | |
| | | | | |
| Sat | | | | |
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| Sun | | | | |
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|--|-------|--------|--|----------|--------------------------|
| Boxing or wrestling entertainments Standard days and timings (please read guidance note 7) | | | <u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 4) | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | <u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5) | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6) | | |
| | | | | | |
| Sat | | | | | |
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| Sun | | | | | |
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E

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|--|-------|--------|--|----------|--------------------------|
| Live music Standard days and timings (please read guidance note 7) | | | <u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 4) | | |
| | | | | | |
| Tue | | | <u>State any seasonal variations for the performance of live music</u> (please read guidance note 5) | | |
| | | | | | |
| Wed | | | <u>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</u> (please read guidance note 6) | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | | | |
| | | | | | |
| Sat | | | | | |
| | | | | | |
| Sun | | | | | |
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F

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|--|-------|--------|--|----------|--------------------------|
| Recorded music Standard days and timings (please read guidance note 7) | | | <u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 4) | | |
| Mon | | | | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| | | | | | |
| Wed | | | <u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5) | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | <u>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</u> (please read guidance note 6) | | |
| | | | | | |
| Sat | | | | | |
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| Sun | | | | | |
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G

| Performances of dance Standard days and timings (please read guidance note 7) | | | <u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | <input type="checkbox"/> |
|---|-------|--------|---|----------|--------------------------|
| Day | Start | Finish | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Mon | | | <u>Please give further details here</u> (please read guidance note 4) | | |
| | | | | | |
| Tue | | | <u>State any seasonal variations for the performance of dance</u> (please read guidance note 5) | | |
| | | | | | |
| Wed | | | <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 6) | | |
| Thur | | | | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |

H

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|--|-------|--------|--|----------|--------------------------|
| Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7) | | | Please give a description of the type of entertainment you will be providing | | |
| Day | Start | Finish | <u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | <input type="checkbox"/> |
| Mon | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Tue | | | <u>Please give further details here</u> (please read guidance note 4) | | |
| | | | | | |
| Wed | | | | | |
| Thur | | | <u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5) | | |
| | | | | | |
| Fri | | | | | |
| Sat | | | <u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6) | | |
| | | | | | |
| Sun | | | | | |

I

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|--|--------------|---------------|---|----------|-------------------------------------|
| Late night refreshment Standard days and timings (please read guidance note 7) | | | Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 4) | | |
| Mon | 11.00 P.M | 12.30 A.M | | | |
| | | | | | |
| Tue | 11.00 P.M | 12.30 A.M | | | |
| | | | <u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5) | | |
| Wed | 11.00 P.M | 12.30 A.M | | | |
| | | | | | |
| Thur | 11.00 P.M | 12.30 A.M | | | |
| | | | <u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6) | | |
| Fri | 11.00 P.M | 1.00 A.M | | | |
| | | | | | |
| Sat | 11.00 P.M | 1.00 A.M | | | |
| | | | | | |
| Sun | 11.00 P.M | 12.30 A.M | | | |
| | | | | | |

J

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|---|----------|-----------|--|------------------|-------------------------------------|---|--|--|
| Supply of alcohol Standard days and timings (please read guidance note 7) | | | Will the supply of alcohol be for consumption – please tick (please read guidance note 8) | On the premises | <input type="checkbox"/> | | | |
| | | | | Off the premises | <input type="checkbox"/> | | | |
| | | | | Both | <input checked="" type="checkbox"/> | | | |
| Day | Start | Finish | State any seasonal variations for the supply of alcohol (please read guidance note 5) | | | | | |
| Mon | 9.00 A.M | 12.00 A.M | | | | | | |
| | | | | | | | | |
| Tue | 9.00 A.M | 12.00 A.M | | | | | | |
| | | | | | | | | |
| Wed | 9.00 A.M | 12.00 A.M | | | | | | |
| | | | | | | | | |
| Thur | 9.00 A.M | 12.00 A.M | | | | 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 6) | | |
| | | | | | | | | |
| Fri | 9.00 A.M | 12.30 A.M | | | | | | |
| | | | | | | | | |
| Sat | 9.00 A.M | 12.30 A.M | | | | | | |
| | | | | | | | | |
| Sun | 9.00 A.M | 12.00 A.M | | | | | | |
| | | | | | | | | |

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

| | |
|--|------------|
| Name HUI CHIN TOH | |
| Date of birth [REDACTED] | |
| Address [REDACTED] <small>Type text here</small> | |
| Postcode | [REDACTED] |
| Personal licence number (if known) CER 1412 | |

□□□□

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 9).

L

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|---|-------------|--------------|--|
| Hours premises are open to the public Standard days and timings (please read guidance note 7) | | | State any seasonal variations (please read guidance note 5) |
| Day | Start | Finish | |
| Mon | 9.00 A.M | 12.30 A.M | |
| | | | |
| Tue | 9.00 A.M | 12.30 A.M | |
| | | | |
| Wed | 9.00 A.M | 12.30 A.M | |
| | | | |
| Thur | 9.00 A.M | 12.30 A.M | |
| | | | |
| Fri | 9.00 A.M | 1.00 A.M | |
| | | | |
| Sat | 9.00 A.M | 1.00 A.M | |
| | | | |
| 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 6) | | | |

| | | | |
|-----|-------------|--------------|--|
| Sun | 9.00 A.M | 12.30 A.M | |
| | | | |

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 10)

b) The prevention of crime and disorder

. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition. Cameras shall encompass all ingress and egress to the premises, fire exits all areas where the public have access and any external drinking area's. Equipment must be maintained in good working order, the system must continually record whilst the premises is open for licensable activities and during all times when customers remain at the premises. Recordings must be correctly timed and date stamped , recordings must be kept in date order, numbered sequentially and kept for a period of 31 days and handed to a Police Officer/Local Authority Officer on demand. The Premises Licence Holder must ensure that at all times a Designated Premises Supervisor (DPS) or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format either disc or VHS to a Police Officer/Local Authority Officer on demand. The Recording equipment and tapes/discs shall be kept in a secure environment under the control of the DPS or other responsible named individual. An operational daily log report must be maintained, endorsed by signature, indicating the system has been checked and is compliant. In the event of any failings the actions taken are to be recorded. In the event of technical failure of the CCTV equipment, the Premises Licence holder/DPS must report the failure to the Police/Local Authority.

c) Public safety

. An incident recording book, bound in numerical order, shall be maintained at the premises showing details of the date and time of all assaults, injuries, accidents or ejections, as well as details of the members of staff involved, the nature of the incident and the action/outcome. The book must be kept available for inspection by the Police and authorised officers of the Licensing Authority.

d) The prevention of public nuisance

. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2200 hours and 0800 hours.

e) The protection of children from harm

. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification shall bear their photograph, date of birth and a holographic mark.
. Notices shall be clearly displayed in the premises to emphasis to customers the prohibition on providing sales of alcohol to persons under the age of eighteen years.
. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premises are open.
. Premises to keep up to date records available for inspection of staff training in respect of age related sales.

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.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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 WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

| | |
|--------------------|--|
| Declaration | <ul style="list-style-type: none"> • Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15) |
| Signature | HUAI CHIN TOH |
| Date | 17/12/2021 |
| Capacity | MANAGER |

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

| | |
|-----------|--|
| Signature | |
|-----------|--|

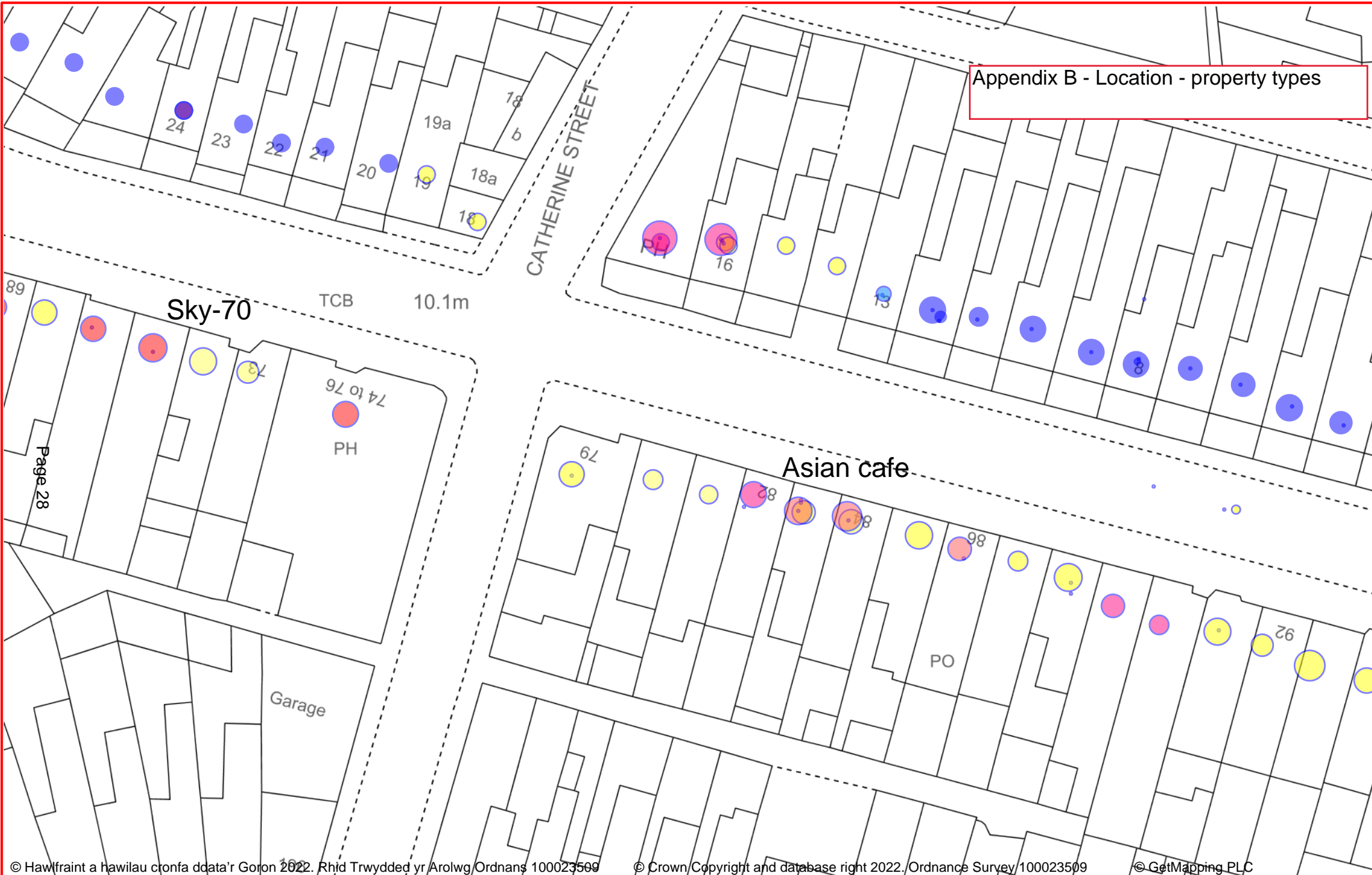
| | |
|----------|--|
| Date | |
| Capacity | |

| | | | |
|---|--|----------|--|
| Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) | | | |
| Post town | | Postcode | |
| Telephone number (if any) | | | |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional) | | | |

Swansea Council is the data controller for the personal information you provide on this form. We are collecting this information as part of our obligation under **Licensing Act 2003**. Your information will be used to help us fulfil our legal obligation and will not be used for any other purpose. We will not share your data with third parties unless we are required or permitted to do so by law.

Data protection law describes the legal basis for our processing your data as necessary for compliance with a legal obligation. For further information about how Swansea Council uses your personal data, including your rights as a data subject, please see our corporate **privacy notice** on our website (www.swansea.gov.uk/privacynotice).

Appendix B - Location - property types



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This plan is for illustrative purposes only and should not be used as a legal document.

Brynmor Road Applications 70 & 82

Blue - Residential
Yellow - Commercial
Red - Commercial with alcohol

Scale: 1:500
Date: 17/01/2022
Created by: Charles.Gabe

Licensable Times for Brynymor Road

Hoogah

68 Brynymor Road

Supply of Alcohol

Sunday - Thursday 12.00 - 23.00

Friday & Saturday 12.00 - 00.00

Friday, Saturday & Sunday of Bank holiday Weekends - 12.00 - 01.00

Beaujolais Day 12.00 - 00.30

New Years Eve - 12.00 - 02.00

The opening hours of the premises

Sunday - Thursday 07.00 - 23.30

Friday & Saturday 07.00 - 00.30

Friday, Saturday & Sunday of Bank holiday Weekends - 07.00 - 01.30

Beaujolais Day 07.00 - 01.00

New Years Eve - 07.00 - 02.30

Swansea Oriental

71 Brynymor Road

Supply of Alcohol

Monday to Thursday 12:00 to 00:00.

Friday to Sunday and Bank Holidays 12:00 to 01:00 - between 00:00hrs and 01:00 the premises shall be closed and operate with delivery orders only.

The opening hours of the premises

Monday to Thursday 12:00 to 00:00.

Friday to Sunday and Bank Holidays 12:00 to 01:00 - between 00:00hrs and 01:00 the premises shall be closed and operate with delivery orders only.

The Mill

75 Brynymor Road

Supply of Alcohol

Sunday-Thursday - 0900 hours to 0000 hours

Friday & Saturday - 0900 hours to 0030 hours

An additional hour on the Saturday & Sunday of Bank Holiday Weekend

The opening hours of the premises

Sunday-Thursday - 0900 hours to 0030 hours

Friday & Saturday - 0900 hours to 0100 hours

An additional hour on the Saturday & Sunday of bank holiday weekends

The Brynymor

17 Brynymor Road

Supply of Alcohol

Monday to Thursday - 1000 hours to 2330 hours

Friday and Saturday - 1000 hours to 0100 hours

Sunday - 1000 hours to 2300 hours

The opening hours of the premises

Monday to Thursday - 1000 hours to 0000 hours

Friday and Saturday - 1000 hours to 0130 hours

Sunday - 1000 hours to 2330 hours

Non-Standard Timings:

An additional hour on Saturday and Sunday of Bank Holiday weekends and Christmas Eve.

Occasions of a local, national or international significance or for charitable events limited to 12 per calendar year providing at least 21 days written notice has been given to the Police Licensing Officer.

The event not to proceed if police provide written notice 7 days prior to the event to the Designated Premises Supervisor stipulating that they do not wish for the event to proceed.

Nishimura Sushi and Noodle Bar

83 Brynymor Road

The times the licence authorises the carrying out of licensable activities

Supply of Alcohol

Monday to Sunday

11.00 hours - 23.00 hours

The opening hours of the premises

Monday to Sunday

11.00 hours - 23.30 hours

Gourmet Cafe

84 Brynymor Road

The times the licence authorises the carrying out of licensable activities

Supply of Alcohol

Monday to Sunday 11.00 hours - 22.30 hours

The opening hours of the premises

Monday to Sunday 11.00 hours - 23.00 hours

Thai Bach

67 Brynymor Road

The times the licence authorises the carrying out of licensable activities

Supply of Alcohol

Monday to Sunday 17.30 - 00.00

The opening hours of the premises

Monday to Sunday 17.30 to 00.30

Wangi Favourite

87 Brynymor Road

Supply of Alcohol

Indoor

Monday to Saturday 1100 hours to 0030 hours

Sunday 1100 hours to 1900 hours

Outdoor

Monday to Saturday 1100 hours to 2000 hours

Sunday 1100 hours to 1830 hours

The opening hours of the premises

Monday to Saturday 0800 hours to 0130 hours

Sunday 0900 hours to 1900 hours

Hayes & Beale

96 Brynymor Rd

The times the licence authorises the carrying out of licensable activities

Supply of Alcohol

On and off premises - Monday to Sunday 1200hrs to 2300hrs

Appendix C - On sales Licences on Brynymor Road

New Year's Eve 12:00 - 02:00hrs

The opening hours of the premises

On and off premises - Monday to Sunday 12:00hrs to 23:30hrs

New Year's Eve 12:00 - 02:30hrs

Operating Schedule Conditions

1. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions, particularly facial recognition. Cameras shall encompass all ingress and egress to the premises, fire exits, all areas where the public have access and any external areas. Equipment must be maintained in good working order, the system must continually record whilst the premises is open for licensable activities and during all times when customers remain at the premises. Recordings must be correctly timed and date stamped and kept in date order, numbered sequentially and kept for a period of 31 days and handed to a Police Officer/Local Authority Officer on demand. The Premises Licence Holder must ensure that at all times a Designated Premises Supervisor (DPS) or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format to a Police Officer/Local Authority Officer on demand. The Recording equipment shall be kept in a secure environment under the control of the DPS or other responsible named individual. An operational daily log must be maintained, endorsed by signature, indicating the system has been checked and is compliant. In the event of any CCTV system failings the actions taken are to be recorded, and the Premises Licence holder/DPS must report the failure to the Police/Local Authority.

2. An incident book, bound in numerical order, shall be maintained at the premises showing details of the date and time of all assaults, injuries, accidents, interventions by staff or ejections, as well as details of the members of staff involved, the nature of the incident and the action/outcome. The book must be kept available for inspection by the Police and authorised officers of the Local Authority.

3. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly

4. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2200 hours and 0800 hours.

5. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification shall bear their photograph, date of birth and a holographic mark.

6. Notices shall be clearly displayed in the premises to emphasise to customers the prohibition on providing sales of alcohol to persons under the age of eighteen years.

7. A log shall be kept detailing all refused sales of alcohol. The log will include the date and time and reason for the refused sale and a means of identifying the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premises are open.

8. Premises to keep up to date records of staff training and refresher training in respect of age related sales including proxy sales, sales to persons who are drunk and identifying and preventing drug misuse, in written or electronic format, available for inspection on request by an authorised officer.

Christopher Cornwell

I would like to register an objection to the planned opening of a late-night alcohol licensed venue at:

1) SKY 70- 70 Brynymor Rd

&

2) Asian Café – 82 Brynyor Rd.

The notices of application on both premises detail the proposed provision of late night alcohol licenses. The licensing objectives are:

‘the prevention of crime and disorder; public safety; the prevention of public nuisance; the protection of children from harm.’

Brynymor Road is only about 200 yards long, it already has four pubs and a further cluster of alcohol serving bars and restaurants and we have the high volume of crime and disorder to prove it. The residents largely value most of the premises we already have; there is a great variety of cuisines and styles of hospitality venue available which is a boon that enriches our social lives but, in fact, there are probably more options than are necessary for such a short and residential street and the tension between the residential status of this area and the late-night drinking is palpable. I cannot tell you how angry and stressed it makes us to be constantly disturbed by noisy, drunken nuisances. As I write to you, I can think of two times this last week alone when the Police have been called to deal with violence. Every week this happens. Every single week. The correlation between the amount drug addicts in the area - along with the presence of obnoxious drinkers as well as all out drunks - and the opening hours of the drinking premises is far beyond debate. The authorities are regularly informed and must have an almost constant stream of appeals for greater police presence and yet, all of these problems are still greatly under policed. I have footage on my phone of a particularly bad incident late last year outside the Brynymor pub which saw police arrive at least 15 minutes after we had called them and saw two blood-soaked men arrested – I believe one was tasered – and a further collection of people bleeding or arguing and shouting in the middle of the road. The traffic was stopped for a good 5 minutes before drivers were dodging around the appalling scene, risking people’s safety. One of the pubs on the road has lost four windows in as many months, the Chinese supermarket half-way down the road has also had multiple smashed windows, as has the kebab and pizza shop. We have returned to our flat in the mid-evening to find drunk men pissing on our front door (which is on the main road) who, when asked politely to stop, threatened me with violence (The police were called and never showed up or even returned my phone call.) Regularly, I feel threatened by the possibility of crime or intimidation on Brynymor road, and I am describing the state it is in now. It is already this bad; it certainly does not need more attractions for drinkers. Any more establishments will undeniably augment the already excessive alcohol related anti-social crime nuisance problems which plague this street.

We are a strong community, and the residents of the area are open minded, kind, good humoured and extremely tolerant but they are also a healthy mix of different people which includes the elderly, children and other potentially vulnerable people. Until the police can guarantee a perpetual presence in Uplands as the do on Wind Street and social services have the peoplepower to intervene to rescue more folks from alcohol abuse and drug addiction before they turn to other more harmful crimes, Brynymor road should remain a *small*, local Broadway with a mixture of different businesses and

residents, which is just about what we have now. The balance will tip over if any more booze related businesses open around here. We all work hard to make this area as wonderful as it usually is and even now too often those efforts are spat on, and the reputation of the road besmirched, by overspilling throngs of violent, loud drunks.

Hospitality has been one of the most hard-hit sectors of the economy during Covid restrictions and all the local pubs and restaurants are struggling like never before. For the large part these business and business owners have an established rapport with the locals which allows for easier rapprochement after the regular disruptions. The majority of residents support the businesses which are already institutions on this road. We overcome the challenges with mutual understanding and support. The introduction of new licensed premises, with no established understanding with the community, not only endangers the already valued establishments by overcrowding a saturated market but it threatens the delicate equilibrium maintained between the commercial and residential sides of this district. The pubs and restaurants cannot afford to lose custom to new venues and the locals cannot afford the further stress of more drinkers visiting the neighbourhood. The Mill, Varsity Stores, Hoogah, Nishimura, Brynymor Laundrette, Monnis, to name a handful, are all iconic and essential cornerstones of life for the residents of our part of town and *all* these businesses, not just the licensed ones, are threatened, whether by loss of trade to competitors; an increase in litter and noise putting off potential custom or by financial or physical harm caused by vandalism and other anti-social crime. We want to keep our valued business and our friends and neighbours who work in them safe and open.

Most importantly, as I explained above, the opening of these two further venues categorically would not support the prevention of crime and disorder. They would not ensure or protect public safety. They would not prevent public nuisance or protect children from harm. In fact, they would create crime and disorder and public nuisance and *thereby* put the safety of the public and children further at risk.

The council has stated that the licensing objectives are the framework of the consideration for the approval or dismissal of these applications, it is clear, as I have outlined, that the objectives would not be achieved and the spirit of the objectives would not be supported by the opening of these premises, as such I *cannot* see any justification for the approval of further licenses for these venues.

I look forward to hearing from you.

Best regards,

Christopher Cornwell

Written and sent with permission on behalf of many residents of Brynymor Rd, Catherine St and the surrounding area whose names and signature to this missive will be detailed in the petition which will soon follow.

Dawn and Karl Moran

Good afternoon

Thank you for your email. I would like to object to the Licensing on the basis of:

Public Nuisance
Prevention of Crime and Disorder
Public Safety

We already have a large number of pubs, restaurants and cafes that are allowed to serve alcohol on our road, The Brynymor Pub, Hoogahs, The Mill, Hayes and Beale and The Westbourne. On many occasions where groups have all left licensed premises at the same time, fights have broken out, cars and windows have been damaged. We feel that additional premises with alcohol being served and closing at the requested times will significantly increase the risk for our area. There is no longer a police presence in the area and antisocial behaviour in the early hours of the morning is already a problem. Alcohol being allowed to be served until 1am would be detrimental to public safety.

Kind regards

Dawn and Karl Moran

Brynymor Road

Swansea

SA1 4JH