



City and County of Swansea

Notice of Meeting

You are invited to attend a Meeting of the

Statutory Licensing Sub Committee

At: Council Chamber - Guildhall, Swansea

On: Monday, 10 June 2019

Time: 10.00 am

Chair: Councillor Penny Matthews

Membership:

Councillors: P Downing and S J Gallagher

Agenda

Page No.

- 1 Apologies for Absence.
- 2 Disclosures of Personal and Prejudicial Interests.
www.swansea.gov.uk/disclosuresofinterests
- 3 Licensing Act 2003 - Section 34 Application to Vary a Premises Licence - Jack Murphys, 49 Uplands Crescent, Swansea. 1 - 136

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

Huw Evans
Head of Democratic Services
Thursday 30 May 2019

Contact: Democratic Services - 01792 636923

Agenda Item 3



Report of the Divisional Licensing Officer

Statutory Licensing Sub Committee - 10 June 2019

Licensing Act 2003 Section 34 Application to Vary a Premises Licence

1. Premises: Jack Murphys, 49 Uplands Crescent, Swansea.
2. Applicant : Jack Murphys Uplands Limited
3. Application to Vary a Premises Licence
- 3.1 An application to vary a premises licence was received by this authority on the 15th April 2019.

The premises currently operates under a premises licence

Supply of Alcohol

Monday to Saturday 1000-2300 & Sunday 1000-2230

Opening Hours

Monday to Saturday 1000-2330 & Sunday 1200 - 2300

- 3.2 A copy of the existing premises licence is attached at **Appendix A**.

The application proposes to extend the Supply of Alcohol

Monday to Thursday 1000-0000

Friday to Sunday 1000-0200

To add the following licensable activities Films, Indoor Sporting Events, Live Music, Recorded Music, Performance of Dance, Anything similar to Music/Dance,

Monday to Thursday 1000-0000

Friday to Sunday 1000-0200

Late Night Refreshment

Monday to Thursday 2300-0000

Friday to Sunday 2300-0200

Opening Hours

Monday to Thursday 1000-0030

Friday to Sunday 1000-0230

- 3.3 A copy of the application is attached at **Appendix B** with the accompanying plan shown as **Appendix B1**. Details of the variation can be found on **page 2 of Appendix B**.
- 3.4 A subsequent plan was provided on 29th April 2019 detailing the external area on the 1st floor as shown as **Appendix B2**. The applicant's solicitor has also provided further information / proposals by way of letter on 17th May 2019. This is attached at **Appendix B3** to the report.
- 3.5 The proposals include changes to the proposed hours of operation and suggested conditions to be attached to the licence should this be granted.

4. Background

The premises is situated in the Uplands area of Swansea. There are a number of commercial premises including licensed premises in the area that are surrounded by residential properties. The premises licence was granted in 2005. The premises has operated as a noodle/sushi restaurant called Wasabi for a number of years until it closed last year. The premises has remained closed since then. The current premises licence holder transferred the licence into their name on 15th April 2019.

A location plan of the premises is attached at **Appendix C**.

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.

6. RELEVANT REPRESENTATIONS

6.1 Responsible Authorities

a) **South Wales Police**

A representation has been received from South Wales Police. This is attached at **Appendix D**.

b) **Trading Standards**

No representations.

c) **Mid and West Wales Fire Authority**

No representations.

d) **Health and Safety**

No representations.

e) **Planning Authority**

A representation has been received from Planning. This is attached at **Appendix E**.

f) **Pollution Division**

A representation has been received from Pollution. This is attached at **Appendix F**.

g) **Child Protection**

No representations.

h) **Primary Care Trust/Local Health Board**

No representations.

i) **Licensing Authority**

A representation has been received from Licensing. This is attached at **Appendix G**.

j) **Immigration**

No representations.

j) **Other Persons**

Representations have been received from

Councillor Irene Mann along with a petition with 96 signatures. These are attached at **Appendix H1** with a breakdown of locations at **Appendix H2**.

Councillor Mary Sherwood. This is attached at **Appendix H3**.

Councillor Nick Davies. This is attached at **Appendix H4**.

10 residents. These are attached at **Appendix H5**.

7. Policy Considerations

7.1 In considering this application Members should have regard to the Council's current statement of Licensing Policy adopted in July 2018. Specifically in relation to this application;

(i) Control – Section 4

Paragraph 4.4 The Licensing Authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activities in the area concerned. It will be expected that any representation made by "Other Persons" will indicate how the application will directly affect them in relation to one or more of the licensing objectives.

Paragraph 4.5 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and beyond the direct control of the persons holding the relevant authorisation.

(ii) Licensing Hours – Section 7

Paragraph 7.1 When determining individual licence applications for premises the licensing hours will be decided having regard to the individual merits of each application. The presumption will be to grant the hours as requested unless there are objections to those hours raised by responsible authorities or other persons on the basis of the licensing objectives.

Paragraph 7.4 The Licensing Authority will closely examine the hours of business for premises which are situated in predominately residential areas and will impose strict conditions relating to noise control where representations are received and it is considered appropriate.

(iii) Integrating Strategies – Section 9

Paragraph 9.6 The Council, when acting as a Licensing Authority will have regard to the needs of the local tourist economy and employment situation for the area as appropriate.

(iv) Duplication – Section 11

Paragraph 11.1 The Licensing Authority will avoid as far as possible any duplication with other regulatory regimes.

Paragraph 11.2 Where legislation is already in force which relates to the four licensing objectives, further controls which duplicate these legal requirements will not be enforced through licence conditions, e.g. Fire Safety and Health & Safety at Work legislation.

Paragraph 11.3 In particular, Planning and Licensing regimes will be properly separated to avoid duplication and inefficiency. Licensing applications will not be a re-run of a planning application and the licensing decisions will not cut across decisions taken by a planning committee or permissions granted on appeal. There is no legal basis for the Licensing Authority to refuse an application because it does not have planning permission. The Licensing Authority will advise all new applicants to liaise with planning services to ensure they apply for any necessary permissions.

(v) Conditions – Section 12

Paragraph 12.3 The Licensing Authority will attach conditions to licences or certificates that are tailored to the individual size, style, characteristics and activities taking place at the premises or event concerned.

(vi) Applications for Licences, Certificates, Authorisations and Reviews – Section 15

Paragraph 15.1 The Licensing Authority will consider each application received on its merits in the context of the four licensing objectives.

Paragraph 15.4 The Licensing Authority also accepts that Other Persons or responsible authorities, as defined in the Act, have the right to make representations in respect of an application, or to seek a review of a licence or certificate within the provisions of the Act. Such representations will be considered on their merits and how they relate to the likely effect of the grant of the licence or certificate on the promotion of at least one or more of the licensing objectives. Also, how the representations are relevant to the promotion of one or more of the licensing objectives in the case of a review of a licence or certificate. When a petition is submitted as a representation it will only be considered if it relates to one or more of the four licensing objectives and it is demonstrated that the details of the representation have been made clear to each signatory i.e. that the heading is included on each page of the petition. A relevant representation may be positive or supportive in nature as opposed to being negative but it must still demonstrate that the licensing objectives are being promoted.

Paragraph 15.6 Other Persons may request a representative to make representations on their behalf including a legal representative, friend, Member of Parliament, Member of the National Assembly for Wales, local Ward Councillor, Parish or Community Councillor. Detailed guidance for Other Persons making a representation or an application for a review of a licence or certificate can be obtained from the Home Office website www.homeoffice.gov.uk

7.2 A copy of the Policy has previously been circulated to Members.

An up to date copy of the Policy may be found via the following link:

<https://www.swansea.gov.uk/article/4280/Statement-of-licensing-policy>

8. Guidance Issued By The Home Secretary

8.1 Members should also have regard to the relevant parts of the current 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 Licences – Chapter 10
- (vi) Promotion of Equality – Chapter 14 paragraphs 14.66 -14.67

Specifically in relation to this application;

- (i) Crime and Disorder – Chapter 2
Paragraph 2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).
- (ii) Public Nuisance – Chapter 2
Paragraph 2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

Paragraph 2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.

Paragraph 2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

- (iii) Protection of Children From Harm – Chapter 2
Paragraph 2.22 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.
- (iv) Considering cases where licensing and planning applications are made simultaneously – Chapter 9
Paragraph 9.45 Where businesses have indicated, when applying for a licence under the 2003 Act, that they have also applied for planning permission or that they intend to do so, licensing committees and officers should consider discussion with their planning counterparts prior to determination with the aim of agreeing mutually acceptable operating hours and scheme designs.
- (v) Conditions attached to premises licences and club premises certificates – Chapter 10
Paragraph 10.4 The conditions that are appropriate for the promotion of the licensing objectives should emerge initially from the risk assessment carried out by a prospective licence or

certificate holder, which they should carry out before making their application for a premises licence or club premises certificate. This would be translated into the steps recorded in the operating schedule or club operating schedule, which must also set out the proposed hours during which licensable activities will be conducted and any other hours during which the premises will be open to the public.

- (vi) Planning and building control – Chapter 14
Paragraph 14.64 The statement of licensing policy should indicate that planning permission, building control approval and licensing regimes will be properly separated to avoid duplication and inefficiency. The planning and licensing regimes involve consideration of different (albeit related) matters. Licensing committees are not bound by decisions made by a planning committee, and vice versa. However, as set out in chapter 9, licensing committees and officers should consider discussions with their planning counterparts prior to determination with the aim of agreeing mutually acceptable operating hours and scheme designs

Paragraph 14.19 There can be confusion about the difference between the “need” for premises and the “cumulative impact” of premises on the licensing objectives, for example, on crime and disorder. “Need” concerns the commercial demand for another pub or restaurant or hotel and is a matter for the planning authority and for the market. This is not a matter for a licensing authority in discharging its licensing functions or for its statement of licensing policy.

Paragraph 14.65 There are circumstances when, as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law. Proper integration should be assured by licensing committees, where appropriate, providing regular reports to the planning committee.

- 8.2 A copy of the Home Secretary’s Guidance has previously been circulated to Members.

An up to date copy of the Guidance may be found via the following link:

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 above.
- 9.2 In addition in arriving at the decision Members should have regard to the relevant provisions of the Council's Statement of Licensing Policy and the Secretary of State's 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) to modify the conditions of the licence
(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 licence in respect of any deregulated entertainment will be suspended.)
 - (b) to reject the whole or part of the application;

The Licensing Sub Committee's instructions are requested.

Background Papers:	Licence Application
Contact Officer:	Rachel Loosemore
Extension:	01792 635600



APPENDIX A

LICENSING ACT 2003

Premises Licence Part A

Premises licence number

SJ023131

Part A1 – Premises Details

Jack Murphys Uplands 49 Uplands Crescent Uplands			
Post town	Swansea	Post code	SA2 0NP
Telephone number			

Where the licence is time limited the dates

Licensable activities authorised by the licence

Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Supply of Alcohol

Monday to Saturday 1000 to 2300 hours
Sunday 1200 to 2230 hours

10:00hrs New Year's Eve to 23:00hrs New Year's Day; 12:00hrs to
15:00hrs & 19:00hrs to 22:30 Christmas Day and Good Friday

The opening hours of the premises

Monday to Saturday 1000 to 2330 hours
Sunday 1200 to 2300 hours

10:00hrs New Year's Eve to 23:00hrs New Year's Day; 12:00hrs to
15:00hrs & 19:00hrs to 23:00 Christmas Day and Good Friday

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Both

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Jack Murphy Uplands Limited
78-80 St Mary's Street
Cardiff
CF10 1FA
07976136194

Registered number of holder, for example company number, charity number (where applicable)

11911920

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Ting Litt Liow

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal Licence Holder Number :

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made under the Premises Licence -

(a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or

(b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.

2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.

3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.

a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as



may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-

- (a) a holographic mark or
- (b) an ultraviolet feature.

6. The responsible person must ensure that -

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

- (i) beer or cider: 1/2 pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml; and

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Where the Premises Licence allows Exhibition of Films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.

2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.

3. Where

(a) The film classification body is not specified in the licence, or

(b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.

4. In this section "children" means any person aged under 18; and "film classification body" means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for

classification).

If the Premises Licence has conditions in respect of Door Supervision (except theatres, cinemas, bingo halls and casinos)

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:

(a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or

(b) be entitled to carry out that activity by virtue of section 4 of the Act.

2. but nothing in subsection (1) requires such a condition to be imposed:

(a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or

(b) in respect of premises in relation to:

(i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or

(ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act.

3. For the purposes of this section:

(a) "security activity" means an activity to which paragraph 2(1) (a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and

(b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Minimum Drinks Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1 -

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) "permitted price" is the price found by applying the formula -
 $P = D + (D \times V)$

Where -

- (i) P is the permitted price
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) The holder of the premises licence
 - (ii) The designated premises supervisor (if any) in respect of such a licence, or
 - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the Operating Schedule

1. ON LICENSES

Alcohol shall not be sold or supplied except during permitted hours. In this condition, permitted hours means:

- a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10 a.m. to 11 p.m.



- b. On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30 p.m.
- c. On Good Friday, 12 noon to 10.30 p.m.
- d. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
- e. On New Year's Eve, except on a Sunday, 11 a.m. to 11 p.m.
- f. On New Year's Eve on a Sunday, 12 noon to 10.30 p.m.
- g. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

The above restrictions do not prohibit:

- a. consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- b. the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- c. the sale of alcohol to a trader or club for the purposes of the trade or club;
- d. the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- e. the taking of alcohol from the premises by a person residing there; or
- f. the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- g. the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises

Annex 3 – Conditions attached after a Hearing by the Licensing Authority

Annex 4 – Plans



Plans submitted with application on the 8th May 2006.

Director of Place	
Authorised Officer	

Dated: 16/05/2019

Ref: cmg/plh

LICENSING ACT 2003

Premises licence summary



Premises licence number

SJ023131

Premises details

Postal address of premises, or if none, ordnance survey map reference or description

Jack Murphys Uplands
49 Uplands Crescent
Uplands

Post town Swansea

Post code SA2 0NP

Telephone number

Where the licence is time limited the dates

Licensable activities authorised by the licence

Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Supply of Alcohol

Monday to Saturday 1000 to 2300 hours

Sunday 1200 to 2230 hours

10:00hrs New Year's Eve to 23:00hrs New Year's Day; 12:00hrs to 15:00hrs & 19:00hrs to 22:30 Christmas Day and Good Friday

The opening hours of the premises

Monday to Saturday 1000 to 2330 hours

Sunday 1200 to 2300 hours

10:00hrs New Year's Eve to 23:00hrs New Year's Day; 12:00hrs to 15:00hrs & 19:00hrs to 23:00 Christmas Day and Good Friday

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Both

Name, (registered) address of holder of premises licence



Jack Murphy Uplands Limited
78-80 St Mary's Street
Cardiff
CF10 1FA

Registered number of holder, for example company number, charity number (where applicable)

11911920

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Ting Litt Liow

State whether access to the premises by children is restricted or prohibited

Director of Place	
Authorised Officer	

**Please note that it is a legal requirement to display
This Premises Licence Summary**

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

Licensing Division
 Environment Department
 City & County of Swansea
 Civic Centre, Oystermouth Road
 Swansea
 SA1 3SN

APPENDIX B

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 Jack Murphys Uplands 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 SJ023131

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description 49 Uplands Crescent Uplands	
Post town Swansea	Post code SA2 0NP
Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 38,000.00

Part 2 - Applicant Details

Daytime contact telephone number		
E-mail address (optional)		
Current postal address if different from premises address	Jack Murphys 20-21 Wind Street	
Post town	Swansea	Post code SA1 1DY

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

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

--	--	--	--	--	--	--	--

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

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

1. The applicant is seeking to extend the opening hours of the premises from Monday to Thursday from 10:00 to 00:30 and Friday to Sunday from 10:00 to 02:30.
2. The applicant is seeking to vary permission for the supply of alcohol from Monday to Thursday from 10:00 to 00:00 and Friday to Sunday from 10:00 to 02:00.
3. The applicant is also seeking to vary the Annex 2 conditions in line with the proposed variation to the opening hours above.
4. The applicant is seeking to vary the layout of the premises in accordance with the plan submitted with this application.
5. The applicant is seeking to introduce regulated entertainment in accordance with the hours as set out in the application.
6. The applicant is seeking to extend the opening hours of the premises and the supply of alcohol and regulated entertainment for an extra hour on bank holidays as set out in the application.

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.

- | <u>Provision of regulated entertainment</u> (Please see guidance note 3) | 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 checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input checked="" 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) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |
| <u>Provision of late night refreshment</u> (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| <u>Supply of alcohol</u> (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both - please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)	Both	<input type="checkbox"/>
Tue					
Wed				State any seasonal variations for performing plays (please read guidance note 6)	
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both - please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	10:00	00:00	Please give further details here (please read guidance note 5) The applicant is seeking permission to allow the broadcast of films and similar matters as per the hours stated in the application.	Both	<input type="checkbox"/>
Tue	10:00	00:00	State any seasonal variations for the exhibition of films (please read guidance note 6)		
Wed	10:00	00:00			
Thur	10:00	00:00	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 (please read guidance note 7) 1. A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for every May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. 2. A further additional hour into the morning following every Thursday, Friday, Saturday and Sunday and Monday for the Easter Bank Holiday weekend. 3. A further additional hour every Christmas Eve. 4. A further additional hour every Boxing Day.		
Fri	10:00	02:00			
Sat	10:00	02:00			
Sun	10:00	02:00			

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5) The applicant seeks permission to permit occasional indoor sporting events at the premises.
Day	Start	Finish	
Mon	10:00	00:00	
Tue	10:00	00:00	State any seasonal variations for indoor sporting events (please read guidance note 6)
Wed	10:00	00:00	
Thur	10:00	00:00	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 (please read guidance note 7)
Fri	10:00	02:00	1. A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for every May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. 2. A further additional hour into the morning following every Thursday, Friday, Saturday and Sunday and Monday for the Easter Bank Holiday weekend.
Sat	10:00	02:00	3. A further additional hour every Christmas Eve. 4. A further additional hour every Boxing Day.
Sun	10:00	02:00	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Both	<input type="checkbox"/>	Please give further details here (please read guidance note 5)
Tue					
Wed					State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)
Thur					
Fri					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 (please read guidance note 7)
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both - please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	10:00	00:00	Please give further details here (please read guidance note 5) The applicant seeks permission to allow bands and other live music acts to perform at the premises.	Both	<input checked="" type="checkbox"/>
Tue	10:00	00:00			
Wed	10:00	00:00	State any seasonal variations for the performance of live music (please read guidance note 6)		
Thur	10:00	00:00			
Fri	10:00	02:00	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 (please read guidance note 7) 1. A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for every May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. 2. A further additional hour into the morning following every Thursday, Friday, Saturday and Sunday and Monday for the Easter Bank Holiday weekend. 3. A further additional hour every Christmas Eve. 4. A further additional hour every Boxing Day.		
Sat	10:00	02:00			
Sun	10:00	02:00			

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both - please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	10:00	00:00	Please give further details here (please read guidance note 5) The applicant seeks permission to play recorded music at the premises.	Both	<input checked="" type="checkbox"/>
Tue	10:00	00:00			
Wed	10:00	00:00	State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Thur	10:00	00:00			

Fri	10:00	02:00	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 (please read guidance note 7)
Sat	10:00	02:00	
Sun	10:00	02:00	
			1. A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for every May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. 2. A further additional hour into the morning following every Thursday, Friday, Saturday and Sunday and Monday for the Easter Bank Holiday weekend. 3. A further additional hour every Christmas Eve. 4. A further additional hour every Boxing Day.

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both - please tick (please read guidance note 4)	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input checked="" type="checkbox"/>
Day	Start	Finish		
Mon	10:00	00:00	Please give further details here (please read guidance note 5) The applicant seeks permission to allow dancing to take place at the premises.	
Tue	10:00	00:00		
Wed	10:00	00:00	State any seasonal variations for the performance of dance (please read guidance note 6)	
Thur	10:00	00:00		
Fri	10:00	02:00	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 (please read guidance note 7)	
Sat	10:00	02:00		
Sun	10:00	02:00		
			1. A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for every May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. 2. A further additional hour into the morning following every Thursday, Friday, Saturday and Sunday and Monday for the Easter Bank Holiday weekend. 3. A further additional hour every Christmas Eve. 4. A further additional hour every Boxing Day.	

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing The applicant may seek permission to allow such matters as karaoke to be performed at the premises and any other entertainment of a similar nature.	
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both - please tick (please read guidance note 4)	Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon	10:00	00:00	Please give further details here (please read guidance note 5)	
Tue	10:00	00:00		
Wed	10:00	00:00		

Thur,	10:00	00:00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6)
Fri	10:00	02:00	
Sat	10:00	02:00	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 (please read guidance note 7)
Sun	10:00	02:00	<ol style="list-style-type: none"> 1. A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for every May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. 2. A further additional hour into the morning following every Thursday, Friday, Saturday and Sunday and Monday for the Easter Bank Holiday weekend. 3. A further additional hour every Christmas Eve. 4. A further additional hour every Boxing Day.

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both - please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	23:00	00:00	Please give further details here (please read guidance note 5) The applicant seeks permission to provide hot and cold food and bevarages after 11pm as stated in the collumn to the left.		
Tue	23:00	00:00			
Wed	23:00	00:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Thur	23:00	00:00			
Fri	23:00	02:00	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 (please read guidance note 7) <ol style="list-style-type: none"> 1. A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for every May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. 2. A further additional hour into the morning following every Thursday, Friday, Saturday and Sunday and Monday for the Easter Bank Holiday weekend. 3. A further additional hour every Christmas Eve. 4. A further additional hour every Boxing Day. 		
Sat	23:00	02:00			
Sun	23:00	02:00			

J

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	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	10:00	00:00	State any seasonal variations for the supply of alcohol (please read guidance note 6)	Both	<input checked="" type="checkbox"/>
Tue	10:00	00:00			
Wed	10:00	00:00			
Thur	10:00	00:00	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 7) 1. A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for every May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. 2. A further additional hour into the morning following every Thursday, Friday, Saturday and Sunday and Monday for the Easter Bank Holiday weekend. 3. A further additional hour every Christmas Eve. 4. A further additional hour every Boxing Day.		
Fri	10:00	02:00			
Sat	10:00	02:00			
Sun	10:00	02:00			

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 10).

L

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	<p>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)</p> <ol style="list-style-type: none"> 1. A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for every May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. 2. A further additional hour into the morning following every Thursday, Friday, Saturday and Sunday and Monday for the Easter Bank Holiday weekend. 3. A further additional hour every Christmas Eve. 4. A further additional hour every Boxing Day.
Tue	10:00	00:30	
Wed	10:00	00:30	
Thur	10:00	00:30	
Fri	10:00	02:30	
Sat	10:00	02:30	
Sun	10:00	02:30	

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.

Condition 1 at Annex 2 of the current Premises Licence will need to be varied in accordance with the new hours requested in this application if the applicaiton is granted.

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.
The Premises Licence has recently been transferred and the new licence is currently with the Local Authority and is yet to be issued.

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 licensing objectives (b, c, d and e) (please read guidance note 11)

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 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, 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 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

d) The prevention of public nuisance

e) The protection of children from harm

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

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.**

Signature	John Morse Solicitors
Date	10/04/19
Capacity	APPLICANT'S SOLICITOR

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

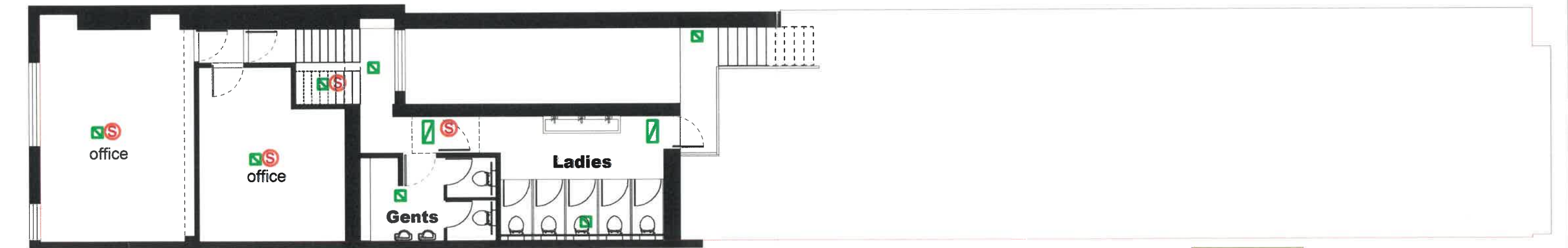
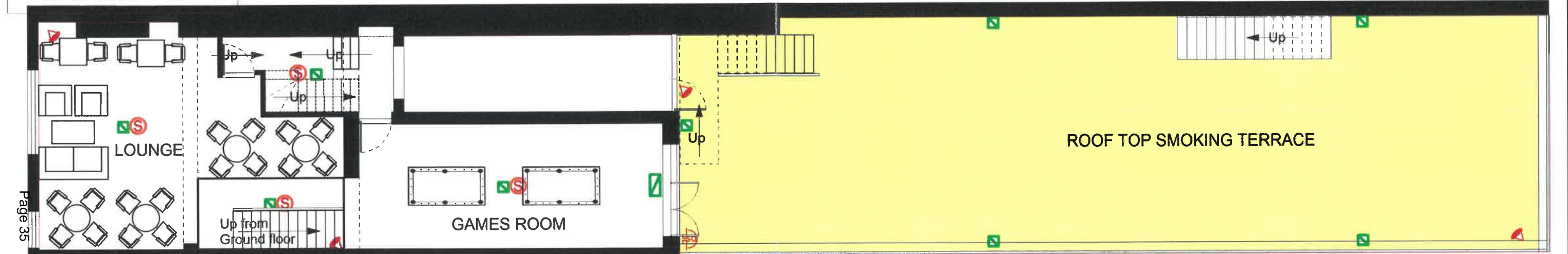
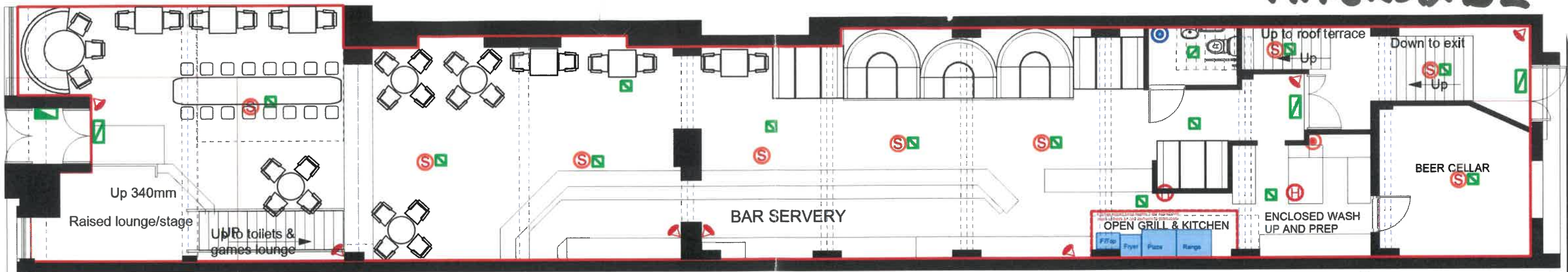
Signature	
Date	
Capacity	
<p>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)</p> <p>Andrew Sivertsen John Morse Solicitors 156 St Helens Road</p>	
Post town Swansea	Post code SA1 4DG
Telephone number (if any)	01792 648111
<p>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</p>	

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.
 - 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;

- 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
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - 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.



PROPOSED ROOF TOP SMOKING TERRACE SHOWN SHADED IN YELLOW

- CCTV Camera (linked to hard drive and recording system to approval of Local Police and Licensing department)
- Emergency Lighting none maintained
- Emergency Lighting Exit light Box (maintained)
- Fire Alarm Control Panel
- Fire Alarm sounder/bell to external smoking area
- Pull cord alarm with audible & flashing light in bar servery to Disabled W.C.
- Combined Heat Alarm & Sounder (rate of rise in kitchen areas)
- Combined Smoke Alarm & Sounder
- Break glass Fire Alarm call point

Client: S Lewis

Project: Jack Murphy's Uplands
49 Uplands Cres, Uplands,
Swansea SA2 0NP

Title: PROPOSED PLANS

Scale: 1:100 @ A3

Date: 15/10/2018

Drawing No.: [Blank]

Rev: Plans amended to address Planning Dept comments

Figured dimensions are to be followed in preference to dimensions scaled from drawing. All dimensions are to be checked on site by contractors and said dimensions are to be their responsibility. Drawing errors or omissions are to be reported to designer. All contractors are to conform to all statutory regulations (Planning, Building Control, British Standards etc.), raise at all times with relevant Local Authority, confirm approvals have been granted and advise client accordingly. This drawing is the copyright of Andrew Shipley (and ADI Design) and it is issued on condition that it is not copied or disclosed to anyone without prior consent in writing from Andrew Shipley (and ADI Design).



APPENDIX B3

JOHN MORSE

SOLICITORS

Licensing Division
Directorate of Place
Swansea Council
Civic Centre
Oystermouth Road
Swansea
SA1 3SN

Our Ref: AS/MF/LEW042/0003
Your Ref:
Date: 17 May 2019

By email and post

Email to evh.licensing@swansea.gov.uk; rachel.loosemore@swansea.gov.uk;

Dear Sirs

Re: Jack Murphys Uplands at 49 Uplands Crescent, Uplands, Swansea, SA2 0NP

We write in respect of the above matter as we understand that our client has been in negotiation with you direct and the Local Councillor who has indicated an objection to our client's application as it stands.

In an attempt to agree the Application prior to any Committee Meeting our client would propose reducing the hours of operation as follows:

Sunday to Thursday 10 a.m. until midnight

Friday to Saturday 10 a.m. until 0100 hours

In addition, there be a further 30 minutes opening time as a recognised wind down period.

Our client has also instructed us to offer to the following additional conditions to be included in the Operating Schedule:

1. Door staff to be employed when regulated entertainment is provided at a ratio of 2 supervisors to 100 customers.
2. A register of door supervisors (Safer Swansea Partnership Register or like detailed bound numerical register) to be maintained all times at the premises. Such register to include the

John Morse Solicitors St. Helen's House, 156 St. Helens Road, Swansea SA1 4DG

T 01792 648111 F 01792 648028 DX 39598 Swansea E mail@johnmorse.co.uk W www.johnmorsesolicitors.co.uk

Directors: John F. Morse, Andrew P. Sivertsen LLB(Hons), Laura Johnson LLB(Hons), Michelle Valerio BA(Hons), Sonia McGarrigle LLB(Hons)

Assistant Solicitor: Laura Munday LLB(Hons)



name, registration number, contact details of the member of door staff together with the date, time on duty and time off duty. Full details of the Agency supplying the staff to be endorsed and the Register to be available for inspection on request by an authorised officer.

3. Venue management and Sia door trained door staff will be first aid trained.
4. Door supervisors to be employed at the premises from 2100 hrs to the close of business on Fridays, Saturdays and Sundays of bank holidays and days considered to be major event days.
5. A drugs safe to be present at the premises.
6. Signs to be prominently displayed at the entrance to the premises, within the toilet facilities and at key strategic points within public access areas. Signs to state that drug use is unacceptable, and that the venue operates a random drug search policy as a condition of entry reserving the right to search customers under this provision.
7. Random toilet checks conducted for the purposes of drug prevention
8. A drug safe scheme will be in place to South Wales Police standards
9. Premises to actively participate in regular initiatives to target drug misuse at the venue to include full co-operation with South Wales Police led drug itemiser and drug search operations.
10. Managers/supervisors of premises to attend and fully participate in the City Centre Pub and Club Watch scheme.
11. The consumption of soft or alcoholic drinks is prohibited on the highway outside the premises. Customers have dedicated facilities to do this on the terrace.
12. Premises to actively participate in any exclusion order scheme.
13. An incident book to 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.
14. The consumption of soft and alcoholic drinks purchased at the premises is prohibited on the highway outside the premises.
15. The premises shall have an adequate system of counting persons in or out to ensure that the customer levels in all areas do not exceed the agreed limit.
16. Substantial food and non-intoxicating beverages shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.

17. Notices shall be prominently displayed at any area used for smoking, requesting patrons to respect the needs of local residents and use the area quietly.
18. Notices shall be prominently displayed at all exists requesting patrons to respect the needs of local residents and leave the area quietly.
19. The external area to be regularly supervised by staff from the premises when in use. The CCTV system in the premises used to view this area will be linked to the main bar.
20. A Challenge 25 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.
21. A log shall be kept detailing all refused sales of alcohol. The log will include the date and time and the 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 when the premises are open.
22. Children under the age of 18 years must be accompanied by an adult and are not allowed on the premises after 10 p.m.
23. The premises to keep up to date records of staff training and refresher training in respect of age-related sales including proxy 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.
24. No music or entertainment of other type will be played in the outdoor smoking and drinking terrace at any time that the premises are open to the public and doors and windows will be closed at all times subject to usual ingress and egress.
25. Notices will be prominently displayed on the outdoor smoking and drinking terrace requesting patrons to respect the needs of local residents and to use the area quietly.
26. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
27. External area to be regularly supervised by staff from premises when in use.
28. The outdoor smoking and drinking terrace will be closed to the public 30 minutes prior to the last supply of alcohol at the premises.

We would be grateful if you would consider the above and consider whether or not the conditions are acceptable to permit the grant of the licence.

Yours faithfully


Jonathan Hancock
John Morse Solicitors

c.c. jonathan.hancock@south-wales.pnn.police.uk



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Cyngor **Abertawe**
Swansea Council

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

Jack Murphys
49 Uplands Crescent
Uplands
Swansea

Appendix C

Scale: 1:500
Date: 17/05/2019
Created by: Rachel.Loosemore



APPENDIX D

PC Jon Hancock,
Police Licensing Officer,
Swansea Central Police Station.
Jonathan.Hancock@south-wales.pnn.police.uk

Mrs Lynda Anthony.
The Divisional Licensing Officer,
City and County of Swansea,
Civic Centre,
Swansea.

3rd May 2019

Police Observations to vary a premises licence under the Licensing Act 2003.

I am in receipt of an application to vary a premises licence relating to the below mentioned premises

Premises: Jack Murphy's
49 Uplands Crescent
Uplands
Swansea
SA2 0NP

The application has been made by Jack Murphy's Uplands Limited

South Wales Police wish to make the following relevant representations in relation to the aforementioned application. The representations are made on the grounds that the granting of such a licence variation in its proposed form will undermine the promotion of the key licensing objectives namely the Prevention of Crime and Disorder, Public Safety and the Prevention of Public Nuisance, and Protection of Children from Harm.

This premises is currently a non-trading restaurant situated within the commercial area of the Uplands, Swansea.



The current premises licence has the following operating hours

	<u>Supply of Alcohol</u>	<u>Opening Hours</u>
Monday	1000-2300	1000-2330
Tuesday	1000-2300	1000-2330
Wednesday	1000-2300	1000-2330
Thursday	1000-2300	1000-2330
Friday	1000-2300	1000-2330
Saturday	1000-2300	1000-2330
Sunday	1200-2230	1000-2300

The applicant has provided the following variation to the operating hours with the notable addition of late night refreshment, films, dance and live and recorded music.

	<u>Supply of Alcohol</u>	<u>Late Night Refreshment</u>	<u>Films/Dance/ Rec/Live Music</u>	<u>Opening Hours</u>
Monday	1000-0000	2300-0000	1000-0000	1000-0030
Tuesday	1000-0000	2300-0000	1000-0000	1000-0030
Wednesday	1000-0000	2300-0000	1000-0000	1000-0030
Thursday	1000-0000	2300-0000	1000-0000	1000-0030
Friday	1000-0200	2300-0200	1000-0200	1000-0230
Saturday	1000-0200	2300-0200	1000-0200	1000-0230
Sunday	1000-0200	2300-0200	1000-0200	1000-0230

Having read through the conditions proposed within the Operating Schedule submitted with the application, and when considering the late night hours that have been applied for, there are serious cause for concern in relation to how this premises will operate on a daily basis. The variation seeks to vary the current license only condition which relates solely to trading hours. There are currently no other conditions held on the premises licence.

The variation proposes only one condition which relates to the use of CCTV. There are no other conditions to satisfy the crime and disorder objective and no conditions at all to demonstrate how the premises will promote the licensing objectives of public safety, prevention of public nuisance and protection of children from harm. I draw your attention to

Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg. South Wales Police welcomes receiving correspondence in Welsh and English.
 Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg a Saesneg. Correspondence received in Welsh will be answered in Welsh and corresponding
 gohebu yn Gymraeg yn arwain at oedi. in Welsh will not lead to a delay in responding.



Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003. Paragraph 1.4 of the Guidance stated the promotion of the statutory objectives is a paramount consideration at all times.

Section 1.15 of the guidance recommends that licence applicants contact responsible authorities when preparing their operating schedules. South Wales Police actively encourages early engagement and consultation in order to assist applicants, to work in a partnership approach, however disappointingly, no such contact or advice has been sought on this occasion.

This application's approach to the crime and disorder objective is wholly inadequate. Whilst there is a proposed CCTV condition, there are no conditions relating to any door staff provision. Section 2.2 of the 1982 guidance refers to the use of door staff to be "appropriate to ensure that people who are drunk, drug dealers or people carrying firearms (or more relevant to Swansea knives or weapons) do not enter the premises". Door staff are also required to ensure the safe capacity of the venue. This application seeks operating hours of 0230hrs on Fridays, Saturdays and Sundays, along with an additional hour for every Friday, Saturday, Sunday and Monday for every May, Spring/Whitsun, and August bank holidays. An additional hour is also requested for every Thursday, Friday, Saturday and Sunday and Monday for every Easter Bank Holiday weekend as well as an additional hour for every Christmas Eve and Boxing Day. These operating hours will provide potential access to all persons leaving other licensed premises as they close, many of which will be intoxicated and there will be no door staff to carry out the necessary controls.

Jack Murphy's currently has a premises on Wind Street, Swansea, and since January 2017, it has experienced 57 incidents that can be directly attributable to the venue (sourced from SWP Niche incident record management system). 29% of the incidents relate to incidents of anti-social behaviour which relate to intoxication issues and ejections by door staff. 23% of the incidents relate to assault with injuries, with 19% of the incidents relating to violence without injury. Whilst that it is accepted that such incidents are expected in such a busy night time economy hot spot, it illustrates that the operation of the venue does experience issues of crime and disorder, public safety and public nuisance despite their numerous premises licence conditions. It does beg the question how a venue managed by the same operator, utilising the same operating late night operating hours, will address similar issues without inadequate measures and conditions to promote the licensing objectives

Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg.
Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd
gohebu yn Gymraeg yn arwain at oeddi.

South Wales Police welcomes receiving correspondence in Welsh and English.
Any correspondence received in Welsh will be answered in Welsh and corresponding
in Welsh will not lead to a delay in responding.



following issues since January 2017.

There are no proposed conditions relating to the prevention and detection of drugs misuse and no measures in relation to the use of glassware (internally or externally) and the prevention of glassware and alcohol being taken outside the building by customers. Any of the above issues would not need to be recorded as there has been no condition offered in relation to an incident book which would consider 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 which also clearly undermines the public safety objective. Section 2.7 states Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act.

The application makes no reference to an external area. Subsequent information and premises plans have been submitted relating to an external terrace, located on the first floor at the rear of the premises. There are no conditions which satisfy the licensing objective of protection of public nuisance by minimising noise or waste issues. Uplands is a residential area, with a number of residential properties located at the rear of the proposed site, in close proximity to the rear terrace. There has been no attempt to minimise disruption to local residents by limiting noise levels during sensitive periods which is clearly identified as a consideration under 2.19 of the 182 guidance. There are no restrictions offered in relation to the use of the external area and offering reassurance that loudspeakers would be utilised within this external area. The variation is to amend operating hours from 2300hrs to 0230hrs and to change the operation of the premises from a restaurant to a late night drinking/music venue, which will clearly increase levels of noise and anti-social behaviour at, and, surrounding the premises.

This application fails to promote the protection from harm objective. Section 2.26 of the 182 guidance identifies that responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule to set out the steps to be taken to protect children from harm when on the premises. The application fails to identify any measures that will control, manage or prevent children from entering the premises, or being exposed to moral, psychological and physical harm, not only through alcohol consumption but also exposure to strong language or sexual expletives as outlined in section 2.22 of the guidance. The application fails to address any form of Challenge Age policy and has failed to identify how staff will trained in age



verification, intoxication issues and drugs misuse, therefore putting children at risk of being exposed to alcohol consumption within the premises.

Section 8.41 of the 182 guidance states

“In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. Licensing authorities and responsible authorities are expected to publish information about what is meant by the promotion of the licensing objectives and to ensure that applicants can readily access advice about these matters. However, applicants are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application.

Section 8.42 of the guidance states that applicants are in particular expected to obtain sufficient information to enable them to demonstrate when setting out the steps they propose to take to promote the licensing objectives, that they understand

- The layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate
- Any risk posed to the local area by the applicants proposed licensable activities; and
- Any local initiatives (for example, local crime reduction initiatives or voluntary schemes including taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.

Having examined the application, it is clear that the applicant has failed to address any of these concerns within its description of the premises or within the operating schedule.

Section 8.44 of the guidance states

“it is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises with close proximity to residential premises should consider what effect this will have on their smoking, noise



management and dispersal policies to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, acknowledge this in their application

South Wales Police, being a Responsible Authority, hereby submits the above representations which are reasonable and proportionate, focusing on the nature of the premises and its proposed operating hours whilst ensuring the promotion of the Licensing Objectives.

I urge the Licensing Committee to support South Wales Police in our representations and refuse the application.

The above information is submitted for your information and consideration.

Yours sincerely,

Police Licensing Officer
(On behalf of the Chief Officer of Police)



City & County of Swansea / Dinas a Sir Abertawe

Directorate Of Place / Cyfarwyddiaeth Lleoedd
Planning and City Regeneration / Cynllunio ac Adfywio'r Ddinas
 Civic Centre, Oystermouth Road, Swansea, SA1 3SN
 Y Ganolfan Ddinesig, Heol Ystumllwynarth, Abertawe, SA1 3SN
 ☎ (01792) 635701 ☎ (01792) 635719 ☎ (01792) 635708
 ✉ planning@swansea.gov.uk / <http://www.swansea.gov.uk>

Rachel Loosemore
Licensing Officer

Please ask for:

Emma North

Direct Line:

By e-mail only to:
Rachel.loosemore@swansea.gov.uk

E-mail: enforcement@swansea.gov.uk

Date: 13/05/2019

Dear Rachel

Site Location: Wasabi, 49 Uplands Crescent, Uplands
Proposal: License application

I refer to the above application, to your initial consultation to Enforcement on 15th April, and to the updated plan received 29th April indicating an outside smoking area; and have the following comments to make:

1. There is no opening hours restriction on the original planning permission (86/0727/03 – change of use from retail to licensed bar and restaurant with living accommodation above) other than restricting the use to hours specified by the licensing authority.
2. However, that permission was restrictive in terms of the use of the premises whereby the approved "... bar shall at no time be operated in isolation, but only when the restaurant is open". Any deviation from this will require an application to vary/remove that condition, and would be subject to the normal planning consultation process.
3. In addition, the creation of a smoking area at the rear at first floor level does not require, in itself, the grant of planning permission. However, any works to the ground floor flat roof to facilitate that use would require planning permission, as would the installation of the proposed 2m high fencing surrounding the area.

If the license is granted, there is still a need to comply with planning requirements and failure to do so may result in Enforcement and/or legal proceedings being instigated. It is, of course, open to the applicant to submit an application for planning permission to vary the conditions attached to the original permission, in an attempt to regularise the use; and such an application would be considered on its planning merits, taking into account relevant planning policies and other material considerations.

I trust the above is self-explanatory but if you have any other queries in respect of the foregoing, please do not hesitate to contact me.

Yours sincerely

Emma North
Senior Enforcement/Planning Officer (Bay)

*To receive this information in alternative format, please contact the above.
 I dderbyn yr wybodaeth hon mewn fformatt arall, cysylltwch a'r person uchod.*

From: Aazem, Jenny
Sent: 07 May 2019 11:57
To: Loosemore, Rachel
Cc: Price, Tom
Subject: Wasabi (Jack Murphy's Uplands), 49 Uplands Crescent

Hi Rachel

I am in receipt of an application for variation of a premises licence relating to the premises below:

Premises: Wasabi (Jack Murphy's Uplands) 49 Uplands Crescent, Uplands, Swansea SA2 ONP

Having considered the application on behalf of Pollution Control Division I would like to **OBJECT** to the application for the following reasons:

- The applicant has requested live music, recorded music and performance of dance until 2am outside the building which has the potential to cause public nuisance;
- The applicant doesn't demonstrate in the operating schedule how they will prevent the occurrence of public nuisance from regulated entertainment in the external areas.

Kind regards



Jen Aazem

Jen Aazem
Swyddog Rheoli Llygredd
Pollution Control Officer
☎01792 635600

Rachel Loosemore,
The Licensing Section,
The Civic Centre,
Swansea,
SA1 3SN/

CYFARWYDDIAETH LLEOEDD

Canolfan Ddinesig, Heol Ystumllwynarth,
Abertawe, SA1 3SN

www.abertawe.gov.uk

DIRECTORATE OF PLACE

Civic Centre, Oystermouth Road,
Swansea, SA1 3SN

www.swansea.gov.uk

Gofynnwch am/ask for:

Bethan Walker

Llinell Uniongyrchol/Direct Line: 01792-635600

E-bost/E-mail: Bethan.walker@swansea.gov.uk

Ein Cyf/Our Ref:

Eich Cyf/Your Ref:

MENDIX
G

Dyddiad/Date: 13th May 2019*

To receive this information in alternative format, please contact the above.
I dderbyn yr wybodaeth hon mewn fformat arall, cysylltwch â'r person uchod.

Dear Miss Loosemore,

The application to vary a premises licence for Jack Murphy's Uplands Ltd at 49 Uplands Crescent, Uplands, Swansea seeks to vary the application as follows:-

- To vary permission for the sale of alcohol Monday - Thursday 10:00 to 00:00; Friday – Sunday 10:00 to 02:00;
- To extend the opening hours Monday to Thursday 10:00 to 00:30; Friday to Sunday 10:00 to 02:30;
- To vary the conditions in Annex 2 to the premises licence to be in line with the above hours;
- To vary the layout of the premises in accordance with the plans submitted;
- Introduce the provision of regulated entertainment and late night refreshment:-
 - Films, indoor sporting, live music, recorded music, performance of dance and anything of a similar description for the hours requested for the sale of alcohol;
 - Late night refreshment Monday – Thursday 23:00 to 00:00; Friday to Sunday 23:00 to 02:00.
- Extend the opening hours and the hours for the sale of alcohol, regulated entertainment and late night refreshment for an extra hour on bank holidays.

The Licensing authority acting as a Responsible Authority consider the conditions in Annex 2 are no longer relevant and do not promote any of the licensing objectives as they relate to previous legislation and are therefore out of date.

1.2 ON LICENCES

Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10 a.m. to 11 p.m.*
- b. On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30 p.m.*
- c. On Good Friday, 12 noon to 10.30 p.m.*
- d. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.*
- e. On New Year's Eve, except on a Sunday, 11 a.m. to 11 p.m.*
- f. On New Year's Eve on a Sunday, 12 noon to 10.30 p.m.*
- g. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).*

In respect of the variation to the layout of the premises. Further plans have been submitted by the applicant during the consultation period. The updated plans propose an increase in an external area identified as the terrace, and the applicant identifies the need for a 2m high fence to "maintain the privacy of adjoining tenants all around" however the application makes no reference to the use of an external area. The applicant has not included any conditions to satisfy the licensing objective of prevention of public nuisance and although the premises is located in a mostly commercial area, there are a number of residential properties located to the rear of the proposed terrace and no further consideration by way of condition has been given to the said properties.

The previous business trading from the premises was a noodle & sushi restaurant. The current premises licence allows the following:-

The times the licence authorises the carrying out of licensable activities

Supply of Alcohol

Monday to Saturday 1000 to 2300 hours

Sunday 1200 to 2230 hours

10:00hrs New Year's Eve to 23:00hrs New Year's Day; 12:00hrs to

15:00hrs & 19:00hrs to 22:30 Christmas Day and Good Friday

The opening hours of the premises

Monday to Saturday 1000 to 2330 hours

Sunday 1200 to 2300 hours

10:00hrs New Year's Eve to 23:00hrs New Year's Day; 12:00hrs to

15:00hrs & 19:00hrs to 23:00 Christmas Day and Good Friday

The variation proposes a very different type of operation to that of a noodle and sushi restaurant, with extended opening hours to serve alcohol at the premises and also the provision of live and recorded music. The applicant has however requested to include only one further condition in the operating schedule.

Having regard to the Home Office Statutory 182 guidance relating to operating schedules, in particular the following:

8.47 Applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area. Applications must not be based on providing a set of standard conditions to promote the licensing objectives and applicants are expected to make it clear why the steps they are proposing are appropriate for the premises.

The applicant has not provided sufficient information to enable the Authority to determine whether the proposals are appropriate to promote the licensing objectives. The only proposal included by the applicant is for CCTV to be installed, this condition replicates the model condition as it appears in the pool of conditions provided to applicants as guidance as referred to in the Council's Statement of Licensing Policy detailed below –

12.1 The Licensing Authority will only impose conditions on a premises licence or club premises certificate which are consistent with the operating schedule and are appropriate to promote the four licensing objectives. Standard conditions will not be used. The Licensing Authority has developed a pool of conditions, which are provided in the guidance for applicants. This guidance has been produced to assist applicants in completing their operating schedule. The pool of conditions will be used to translate any non-specific steps for the promotion of the licensing objectives, contained within the operating schedule. Applicants are encouraged to consider the use of this pool of conditions to address key issues when completing their operating schedule. (See paragraph 18). All conditions should be -

- Clear*
- Enforceable*
- Evidenced*
- Proportionate*
- Relevant*
- Be expressed in plain language capable of being understood by those expected to comply with them*

In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. Licensing authorities and responsible authorities are expected to publish information about what is meant by the promotion of the licensing objectives and to ensure that applicants can readily access advice about these matters. However, applicants are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application.

It is clear that the applicant has not had regard to the relevant section of the policy detailed above. The expectation of the licensing authority is that the applicant produces a detailed operating schedule that clearly identifies the steps that are proposed to promote the licensing objectives in the local area and in accordance with the Home Office guidance make it clear why the steps are appropriate for the premises.

Section 9.34 of the 182 guidance states that applicants should be encouraged to contact responsible authorities and others, such as local residents, who may be affected by the application before formulating their applications so that the mediation process may begin before the statutory time limits come into effect after submission of an application. The hearing process must meet the requirements of regulations made under the 2003 Act. Where matters arise which are not covered by the regulations, licensing authorities may make arrangements as they see fit as long as they are lawful.

From the level of detail contained in the application it appears that the applicant did not contact the responsible authorities before making the application.

We would expect the applicant for this premises licence to submit a detailed operating schedule which addresses how they intend to promote all of the licensing objectives, including matters such as the provision of door staff, age verification policies, restrictions on use of external areas after certain times etc.

Paragraph 8.42 of the S182 guidance states *“Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand: the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;*

*• any risk posed to the local area by the applicants’ proposed licensable activities; and
• any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.”*

The application relates to the variation of a licence that is currently in place for a premises that was previously operating as a restaurant. The only conditions attached to the existing licence are the mandatory conditions. The operation now proposed by the applicant is very different from that of a restaurant and proposes a bar serving alcohol, providing live and recorded music and late night refreshment. This is clearly a substantial change to the operation of the premises authorised by the existing licence and it is extremely disappointing to note that the applicant considers the only additional step appropriate to promote the licensing objectives is the installation of a CCTV system. In the absence of a comprehensive operating schedule, put forward by the applicant, which would translate into conditions to be attached to the licence, the licensing authority, acting as a Responsible Authority is unable to determine how the licensing objectives will be promoted by the proposed variation. In view of this I would request that the variation is refused.

Please accept this as a representation by the Licensing Authority as a Responsible Authority’s objection to the grant of the application.

Yours faithfully,



Bethan Walker
Licensing Officer

Loosemore, Rachel

From: Mann, Irene (Councillor)
Sent: 29 April 2019 10:18
To: Loosemore, Rachel
Subject: Jack Murphys Licensing application

Dear Ms .Loosemore

I would like to make representations on the above licensing application. I am not convinced that the applicant has clearly demonstrated how he will promote "The Four Licensing Objectives";

1)The prevention of crime and disorder

2)Public safety

3)The Prevention of public nuisance

4)The protection if children from harm

I believe each objective is of equal importance.

"The Operating Schedule", is an important part of the application and should include all the information necessary to allow a responsible authority to assess whether the application demonstrates and promotes these licensing objectives. The omission of this information and the reputation of "The Jack Murphy Brand ", predisposes me to believe that the granting of this licensed business is not in the interests of the wider community.

I have a number of concerns, they are catalogued below. However The Prevention of public nuisance and associated noise pollution is a priority.

The extension of licensing hours to 2.30 am (Friday/Saturday/Sunday and Bank Holidays) is wholly inconsistent with the existing business model in the Uplands.

While noise nuisance is experienced in the area this terminates by 1 .0am. However these licensing hours would propel public nuisance and the opportunity for crime and disorder to 3 or 4 o'clock in the morning. Wholly unacceptable in a residential area.

The applicant fails to indicate clearly how he will strategically plan for :

1)Door security and threat to community safety (Including proof of age, prevention of services ing alcohol to minors those already inebriated or those in possession of drugs or using drugs

2)Performance of live or recorded music.

3)Recorded or live music

4)Late night refreshments and food consumption

5)Maximum number of clients and associated fire safety recommendations

6)Disability access

7)Smoking or outside drinking areas how are they to be supervised

8)Rubbish litter and e.ptyi g of bottles from bins etc

9)Sound insulation of premises where appropriate

10)Car parking g facilities or taxi access

11)On street drinking and smoking and the prohibition of use of glassware on public space.

12)Opportunity for children to experience the use of unacceptable language .

The site of the proposed bar is in the centre of a residential area Families and the elderly live adjacent to the site .

I would ask the committee to reject the application

This drink led license will contribute to an increase in public nuisance and disorder and will not benefit the wider community .

One Wind Street is sufficient for any city

Yours faithfully

Cllr Irene Mann

7 Richmond Tr Uplands

Subject: FW: Response from planning ref 49 Uplands Cres
Attachments: RE: Restaurant to bar query.

From: Mann, Irene (Councillor) <Cllr.Irene.Mann@swansea.gov.uk>
Sent: 10 May 2019 10:25
To: Loosemore, Rachel <Rachel.Loosemore@swansea.gov.uk>
Subject: Fwd: Response from planning ref 49 Uplands Cres

Good morning Rachel
I'll be bringing down petition today Any chance of meeting up
Kindest regards Irene

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From: Jones, Liam
Sent: Thursday, May 9, 2019 1:45:17 PM
To: Mann, Irene (Councillor)
Subject: RE: Response from planning ref 49 Uplands Cres

Hi Irene,

Please find attached email I sent to Cllr Mary Sherwood on this same point earlier with scanned attachment of former planning permission.

Regards,

Liam



Liam Jones BSc (Hons) MSc MRTPI
Arweinydd Tim Rhanbarth (Y Bae), Rheoli Cynllunio,
Cynllunio ac Adfywio'r Ddinas
Area Team Leader (Bay), Planning Control, Planning and
City Regeneration

☎ 01792 635735 | 07970 680580
✉ liam.jones@swansea.gov.uk ✉
liam.jones@abertawe.gov.uk

From: Mann, Irene (Councillor) <Cllr.Irene.Mann@swansea.gov.uk>
Sent: 09 May 2019 13:29
To: Jones, Liam <Liam.Jones@swansea.gov.uk>
Subject: Response from planning ref 49 Uplands Cres

Good afternoon Liam,
Please could I have the current "Planning Permission "for 49 ,Uplands Cres and what steps they would need to take should the current licensing application be granted.
I require this information to amplify my representation to the licensing application by tomorrow
Kindest regards

Loosemore, Rachel

From: Jones, Liam
Sent: 09 May 2019 11:20
To: Sherwood, Mary (Councillor)
Cc: North, Emma (Planning)
Subject: RE: Restaurant to bar query.
Attachments: SKM_30819041809000.pdf

Hi Mary,

In Wales there is no separate 'A4' use class and all restaurants, bars, takeaways etc... come within an A3 Use Class. As such on a technical basis any operator changing from one A3 use to another A3 use would not ordinarily require planning permission.

You are correct that there is a 1986 permission for a bar and restaurant but having looked at that permission there is a condition on the permission (copy attached – condition b) that places a restriction on the scope of the permission to only operate as a bar and restaurant and not to operate the 'bar' in isolation. If the proposal was solely to operate a bar then my opinion would be that planning permission would be required on the basis of that restrictive condition.

Obviously the permission is relatively old and there could be debate about whether a bar which serves food would be covered under the scope of the permission. If marketed solely as a bar though it would clearly not be in accordance with the scope of the planning condition.

The only way around the above would be for the developer to prove that there has been an intervening solely Bar A3 use for a period of 10 or more years.

I am aware that there is a licencing application for the premises which falls outside of our planning remit.

Regards,

Liam



Liam Jones BSc (Hons) MSc MRTPI
Arweinydd Tim Rhanbarth (Y Bae), Rheoli Cynllunio,
Cynllunio ac Adfywio'r Ddinas
Area Team Leader (Bay), Planning Control, Planning and
City Regeneration

☎ 01792 635735 | 07970 680580
✉ liam.jones@swansea.gov.uk ✉

liam.jones@abertawe.gov.uk

From: Sherwood, Mary (Councillor) <Cllr.Mary.Sherwood@swansea.gov.uk>
Sent: 09 May 2019 10:34
To: Jones, Liam <Liam.Jones@swansea.gov.uk>
Subject: Restaurant to bar query.

Hi Liam

Please help me out - as you know I am no planning expert!

Wasabi restaurant in Uplands closed and the venue has been acquired for a Jack Murphy's bar.

Am I correct in thinking:

1. Normally change of use class from A3 to A4 would require planning permission?
2. Permission isn't required here because the use class given in 1986, "Licensed public bar and restaurant" did not distinguish between a restaurant and a bar, and it remains valid?

If this is correct ... it seems that Planning policy has evolved to recognise that living near a bar is very different from living near a restaurant, but in Uplands we can't benefit from that evolution and must simply accept the change to the neighbourhood. Is that right?

Please do clarify and set me straight if I'm incorrect on any of this.

Many thanks

Mary



Councillor/ Y Cynghorydd Mary Sherwood

Cynghorydd dros Uplands/Cllr for Uplands

Aelod Y Cabinet Dros Gymunedau Gwell
Cabinet Member for Better Communities

01792 637428 / 07452 997699
cllr.mary.sherwood@swansea.gov.uk



Planning Application No. 2/1/86/0727/03

THE COUNCIL OF THE CITY OF SWANSEA

TOWN AND COUNTRY PLANNING ACT 1971 (AS AMENDED)

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1977 (AS AMENDED)

To

Whereas on 29th May, 1986 you submitted an application for planning permission for the following development:-

CHANGE OF USE FROM RETAIL PREMISES TO LICENSED PUBLIC BAR AND RESTAURANT AND LIVING ACCOMMODATION OVER.

**at 49 UPLANDS CRESCENT, UPLANDS, SWANSEA.
(hereafter called "The Development")**


THE SWANSEA CITY COUNCIL as the Local Planning Authority for the City of Swansea in pursuance of its power under the above-mentioned Act and Order hereby PERMITS the development to be carried out in accordance with the application and the plans submitted therewith, subject to compliance with the conditions specified hereunder:-

- (a) The development shall be commenced not later than the expiration of 5 years from the date of this planning permission and shall be completed to the satisfaction of the Council in accordance with the said application and plans prior to any part thereof being put into beneficial use.
- (b) This consent is for a licensed bar and restaurant and the bar shall at no time operate in isolation, but only when the restaurant is open.
- (c) Any music and dancing facility shall be an ancillary feature to be used solely by persons using the restaurant and use of the premises as a discotheque is forbidden.
- (d) No nuisance shall be caused to the occupants of adjoining property by reason of noise, smell or any other disturbance.
- (e) The developer shall adequately insulate the building so as to prevent any noise nuisance.
- (f) No signs or advertisements shall be displayed without the specific consent of the Local Planning Authority.
- (g) The developer shall adhere strictly to the conditions regarding opening hours imposed by the relevant Licensing Authority.

The reasons for the Council's decision to grant permission for the development, subject to compliance with the conditions specified are:-

- (a) To comply with the provisions of Section 41 of the Town and Country Planning Act, 1971 and to ensure that the development is commenced within a reasonable period and is completed in accordance with the plans approved by the Council.
- (b) To ensure a satisfactory form of development at all times.
- (c) To ensure a satisfactory form of development at all times.
- (d) In the interests of amenity.
- (e) In the interests of amenity.
- (f) In the interests of visual amenity.
- (g) To ensure a satisfactory form of development.

Dated 31st July, 1986


CHIEF EXECUTIVE AND TOWN CLERK
THE GUILDHALL
SWANSEA

PETITION OBJECTING TO LICENSING APPLICATION "JACKMURPHYS" 49 UPLANDS CRESCENT SA2 0NP

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We wish to object on the "Four Licensing Objectives" outlined in Councillor Mann's representation.

We wish the application to be refused. A copy of the representation is attached to each objection sheet.

I would like to make representations on the above licensing application. I am not convinced that the applicant has clearly demonstrated how he will promote "The Four Licensing Objectives ":-

- 1) The prevention of crime and disorder.
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- 4) The protection of children from harm.

I believe each objective is of equal importance.

"The Operating Schedule", is an important part of the application and should include all the information necessary to allow a responsible authority to assess whether the application demonstrates and promotes these licensing objectives. The omission of this information and the reputation of "The Jack Murphy Brand ", predisposes me to believe that the granting of this licensed business is not in the interests of the wider community.

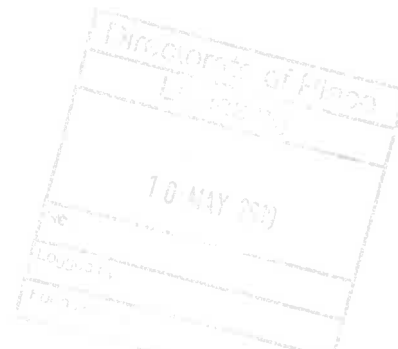
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The applicant fails to indicate clearly how he will strategically plan for:

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The site of the proposed bar is in the centre of a residential area. Families and the elderly live adjacent to the site.

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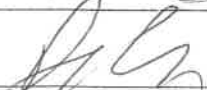
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7 Richmond Terrace Uplands

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We consent to our personal details (name and address) being published.

This petition is supported by Uplands councillors Irene Mann and Peter May.

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G. CUNNINGHAM	5 DEVON TCE. SWANSEA SAIGDG		07/05/19
ALAN COX	5 RICHMOND VILLAS		07/05/19
TERRI O'NEALE	5 RICHMOND VILLAS	Terri O'Neale	07/05/19
Anne Cunningham	5 DEVON TCE	Anne Cunningham	07-05-19

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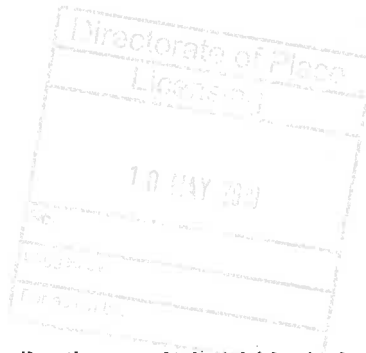
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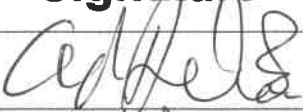
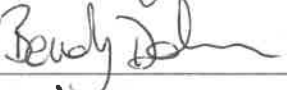
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Ala Dobson	70 Penton Crescent Uplands		7/5/19
Beverly Dobson	70, Penton Crescent, Uplands		7/5/19
David Hughes	2 Richmond Rd Uplands	D. T. Hughes	9/5/19
Hedley Austin	3 Hillside Cres Uplands	H Austin	9/5/19

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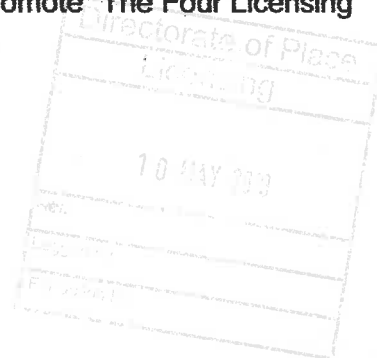
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M. T. WOOLLARD	5, RICHMOND TCE	M. J. Woollard	3rd May 2019.
MARY E. GORMLEY.	6. Richmond Tce.	M.E. Gormley.	03/05/2019.
C. GOULD	102 EATON CRES	CR Gould	04/05/2019.
M. Fair	18. St Helens CRES.	m. Fair	4/5/19

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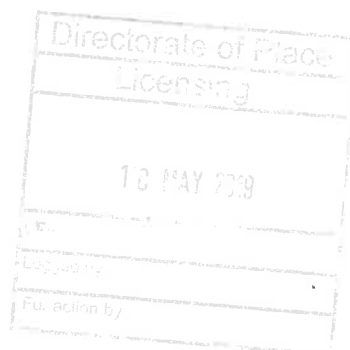
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RADFORD	26A EATON CRESCENT	Wm E Radford	8/5/19
BIYTH	16 EATON CRESCENT	[Signature]	8/5/19
SKEE-BLYTH	16 EATON CRESC	[Signature]	8/5/19
PITMAN	7 GWENT GROVE	[Signature]	8/5/19
BARRY WILLIAMS	93 RICHMOND TERRACE	Barry Williams	08/05/19

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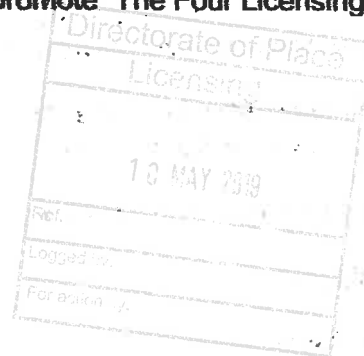
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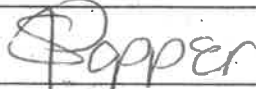
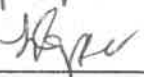



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J. Popper	7 MIRADOR CRESCENT		7-5-19
S. Tynan	7 Belgrave Road		8-5-19
H. Jones	4 MIRADOR CRESCENT		7-5-19
K. INGHAM	6 MIRADOR CRESCENT		8-5-19

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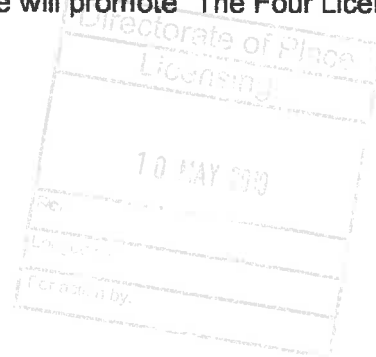
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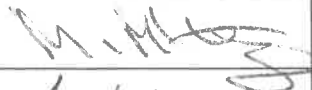
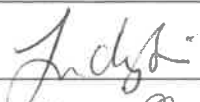


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SUE ELWARD	5 ST HELENS AVE		3/5/2019
MARY MCCARTHY	212 ST HELENS SPIRIT AVE		3/5/2019
Jude Souia	33 Hawthorn Ave		5/5/19.
J. STORT	32 Rhyddings Park Rd		7/5/19
F. FERGUSON	191 ST HELENS AVE		7.5.19.

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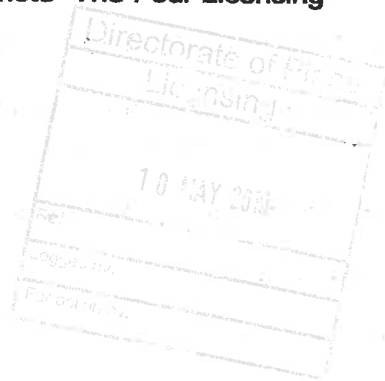
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Name	Address	Signature	Date
E.M. LITTLE	644 Crowe Rd - Uplands	[Signature]	8.5.19
M. WALKER	4 CAMBRIDGE ST UPLANDS	[Signature]	8.5.19
A.M. Jones	24 Hazel Road, Uplands	[Signature]	8.5.19
G. HUMPHREYS	11 Knoll Avenue Uplands Swansea	[Signature]	9.5.2019
[Signature]	4 Parkhurst Rd Swansea	[Signature]	9.5.19

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Chris	6 RICHMOND MOUNTS, UPLANDS	<i>C.J.</i>	6/5/19
J. Williams	31 THE GROVE SWANSEA	<i>J. Williams</i>	7/5/19
T. Acl	38 THE GROVE UPLANDS - SWANSEA	<i>T.Acl</i>	7/5/19
Phil Rushbeer	32 THE GROVE	<i>Phil Rushbeer</i>	8/5/19
Vincent Young	41 The Grove	<i>Vincent Young</i>	09.05.2019

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Sophie Goodman	349 Orchard Street SA1 5AW	<i>[Signature]</i>	08/05/19
Fran Goodman	14 Coombe Hill Duncton	<i>[Signature]</i>	8.5.19
Lydia Webber	30 Murton Lane, Newton	<i>[Signature]</i>	8/5/19
Nicola Webber	31 Stode Road, Newton	<i>[Signature]</i>	8/5/19
Steph Webber	30 Murton Lane, Newton	<i>[Signature]</i>	8/5/19

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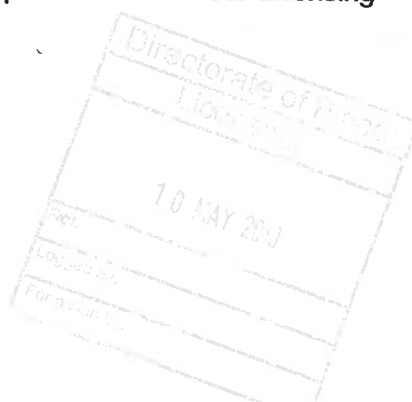
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DAVID GEORGE	6, Richmond Villas Fynstone Road, SA1 6DQ	David George	6/1/19
ANGELA GEORGE	6 Richmond Villas SA1 6DQ	Angela	7.5.19
DAVE BACKEN	1 RICHMOND VILLAS SA1 6DQ	[Signature]	8/5/19
MARGARET BACKEN	1 Richmond Villas SA1 6DQ	[Signature]	8/5/19
CHRISTOPHER	2 RICHMOND VILLAS FYNSTONE SA1 6DQ	[Signature]	8/5/19

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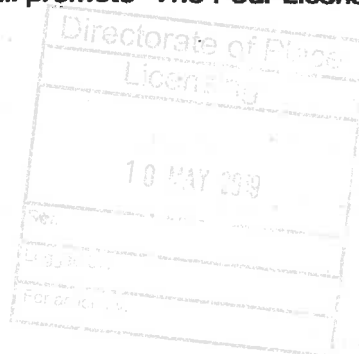
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Name	Address	Signature	Date
S A THOMAS	5 Richmond Manor Uplands	S.A. Thomas	8/5/19.
N Q EVANS	3 Richmond Manor UPLANDS	INA Evans	8/5/19
<i>Elaine Evans</i>	11	ELAINE EVANS	8/5/19.

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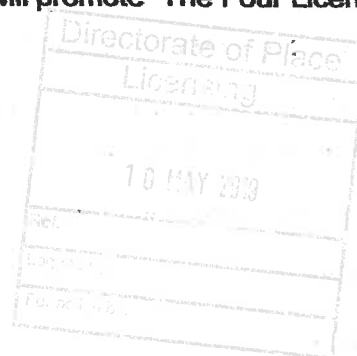
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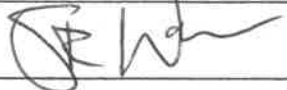
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STEPHEN WALDIE	35 MIRADOR CR UPLANDS SWANSEA		7/5/2019

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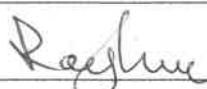


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Name	Address	Signature	Date
R. JOHNSON	94 SATON Crescent SA14 4QP		6 May 19
B.C. CLEMENT	FLAT 2 5 UPLANDS CRESC SA2 0PB		9 May 2019.
A.V. REANEY	Floor 3 2 Uplands Cres		9 May 2019

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MICHAEL BACHELOR	19 St James Gardens SAL 6DY	M. Bachelor	8/5/19
Judith Davies	Bryn Cerrig Fynho S14HE	J. Davies	8/5/19
SANDY JOHNS	61 GLANBRYDAN AVE UPLANDS GAZON	S. Johns	8/5/19
KWELAUZ	6 Gwladys Uplands	Kwela	8/5/19

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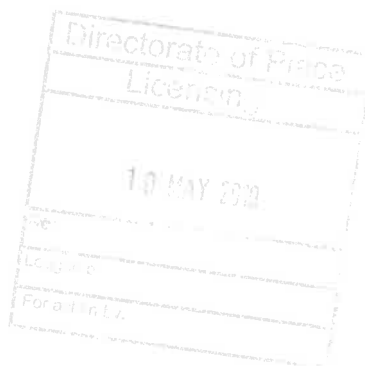
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Yours faithfully

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7 Richmond Terrace Uplands

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A.C. DAVES	2, UPLANDS CRESC.	<i>A.C. Daves</i>	5.5.2019

PETITION OBJECTING TO LICENSING APPLICATION "JACKMURPHYS" 49 UPLANDS CRESCENT SA2 0NP

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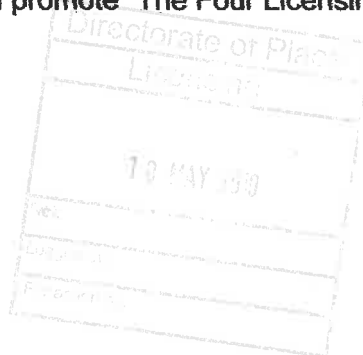
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D G BOAT	16 THE GROVE UPLANDS	D G Boat	7.5.19

**PETITION OBJECTING TO LICENSING APPLICATION
"JACKMURPHYS" 49 UPLANDS CRESCENT SA2 0NP**

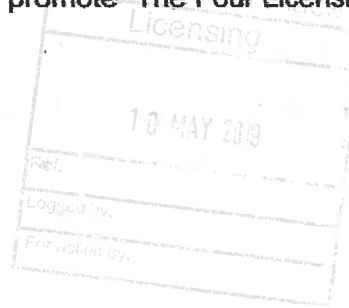
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Holly Gallagher	12 Parade Crescent Uplands	<i>Holly Gallagher</i>	9/5/19

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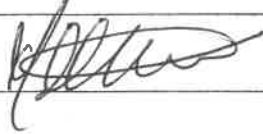
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MARK GRIFITHS	70 RICHMOND ROAD, UPLANDS SWANSEA SA1 0RB.		09/05/19

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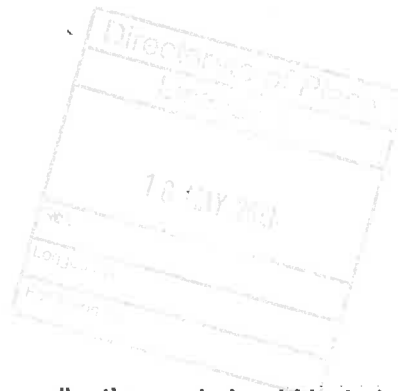
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VALERIE MARTIN	2 MIRADOR CRESCENT	<i>V.L. Martin</i>	2/5/19
TREVOR MARTIN	"	<i>T.C. Martin</i>	2/5/19

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Kim MARRIOTT	93 Khymping Lane	K. Marriott	8-5-19
ROB STEELE	1, UPLANDS TCE	R. Steele	8/5/19
M JENKINS	24 Eaton ^{Eaton} Crescent	M Jenkins	8/5/19
Z JENKINS	24 Eaton Crescent	Z Jenkins	9/5/19
R RICHARDS	6 ARMOND CL	R Richards	9/5/19
H. LANGSTONE & GWYDR CREW		H. Langstone	9/5/19

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Liz Frazer	14 Eaton Crescent	E Frazer	8 th May
R BARNARD	18 EATON RD	R Barnard	8 May 2019.
D BARNARD	18 EATON LEE	D Barnard	8. May 2019
SAM TOTTERDELL	18 EATON CRESC	S Totterdell	8 May 2019
Steve Totterdell	18 EATON CRESC	S. Totterdell	8/5/19
Isabelle Totterdell	18 Eaton Crescent	I. Totterdell	8.5.19

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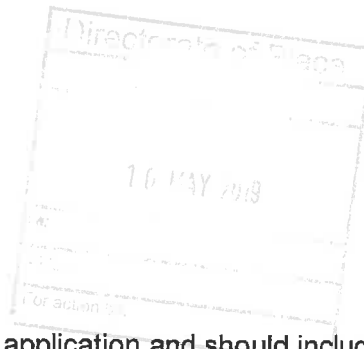
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ALISON GUNDOZ	35 OAKWOOD RD		9/5/19
HOWARD MOSS	8 TRAFALGAR PLACE SA2 0BU		9/5/19
JASON WILLIAMS	21 CHANNING PARK ROAD		09/05/19
AYSE GUNDOZ	35 OAKWOOD RD	A-GUNDOZ	10/5/19
ESMA GUNDOZ	35 OAKWOOD RD		10-5-19.

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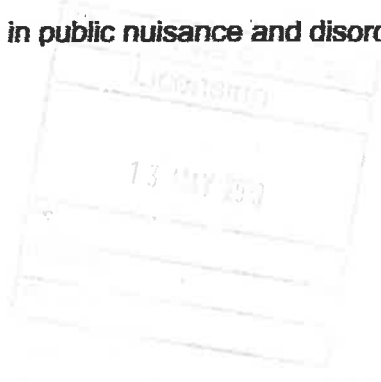
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Gareth Thomas	1 Cwmdonkin Close Uplands SA20 0QZ		10.5.19
John Mainocery	1 Cwmdonkin Close SA20 0QZ		10.5.19
MARTA BULIK-PASINSKA	2 Cwmdonkin Close SA20 0QZ	Marta Pasinska	10/5/19
RAJ RALLMAN	4, Cwmdonkin Close, Uplands		12.5.19

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While noise nuisance is experienced in the area this terminates by 1 am. However these licensing hours would propel public nuisance and the opportunity for crime and disorder to 3 or 4 o'clock in the morning. This is wholly unacceptable in a residential area.

The applicant fails to indicate clearly how he will strategically plan for:

- 1) Door security and threat to community safety (including proof of age, prevention of serving alcohol to minors, those already inebriated or those in possession of drugs or using drugs.
- 2) Performance of live or recorded music.
- 3) Recorded or live music.
- 4) Late night refreshments and food consumption.

- 5) Maximum number of clients and associated fire safety recommendations.
- 6) Disability access.
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- 8) Rubbish litter and emptying of bottles from bins etc.
- 9) Sound insulation of premises where appropriate.
- 10) Car parking facilities or taxi access.
- 11) On street drinking and smoking and the prohibition of use of glassware on public space.
- 12) Opportunity for children to experience the use of unacceptable language.

The site of the proposed bar is in the centre of a residential area. Families and the elderly live adjacent to the site.

I would ask the committee to reject the application.

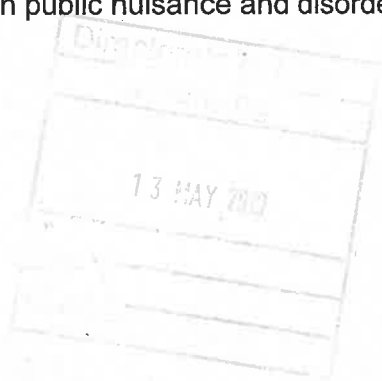
This drink-led licence will contribute to an increase in public nuisance and disorder and will not benefit the wider community.

One Wind Street is sufficient for any city.

Yours faithfully

Cllr Irene Mann

7 Richmond Terrace Uplands



We give permission for Councillor Mann to speak on our behalf in relation to this application, at any Licensing Committee meeting.

We consent to our personal details (name and address) being published.

This petition is supported by Uplands councillors Irene Mann and Peter May.

Name	Address	Signature	Date
KEVIN BLACKMORE	53, BRYN RD, SWANSEA	K Blackmore	08/05/2019
TAMMY DAVIES	53, BRYN ROAD, SWANSEA	T Davies	09/05/2019

PETITION OBJECTING TO LICENSING APPLICATION “JACKMURPHYS” 49 UPLANDS CRESCENT SA2 0NP

We the undersigned support Councillor Irene Mann in making representation reference the above.

We wish to object on the “Four Licensing Objectives” outlined in Councillor Mann’s representation.

We wish the application to be refused. A copy of the representation is attached to each objection sheet.

I would like to make representations on the above licensing application. I am not convinced that the applicant has clearly demonstrated how he will promote “The Four Licensing Objectives ”:-

- 1) The prevention of crime and disorder.
- 2) Public safety.
- 3) The Prevention of public nuisance.
- 4) The protection of children from harm.

I believe each objective is of equal importance.

“The Operating Schedule”, is an important part of the application and should include all the information necessary to allow a responsible authority to assess whether the application demonstrates and promotes these licensing objectives. The omission of this information and the reputation of “The Jack Murphy Brand ”, predisposes me to believe that the granting of this licensed business is not in the interests of the wider community.

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This petition is supported by Uplands councillors Irene Mann and Peter May.

Name	Address	Signature	Date
Aisling Devine	27 Bernadst		09/05/19
Alex Holborow	27 Bernadst		10/05/19
A. D. NATHAN	7 RICHMOND TERR		12/05/19

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This petition is supported by Uplands councillors Irene Mann and Peter May.

Name	Address	Signature	Date
J.A. LAMB	60 EATON CRESCENT	<i>J. Lamb</i>	9/5/19
Margaret LAMB	60 EATON CRES; SALFORD	M. Lamb	9/5/19

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Name	Address	Signature	Date
RUTH THOMAS	88 Eaton Crescent SAI	<i>Ruth Thomas</i>	10 May 2019
John Thomas	88 Eaton Crescent 4QP.	<i>John Thomas</i>	10 May 2019

Belgrave Gardens	1
Bernard Street	2
Bryn Cerrig, Ffynone	1
Bryn Road	2
Cambridge Street	1
Cwmdonkin Close	4
Devon Terrace	2
Eaton Crescent	16
Eaton Road	1
Ffynone Close	1
Glanbrydan Avenue	2
Glanmor Park Road	1
Goetre Bellaf	2
Gower Road	1
Gwent Grove	1
Gwydr Crescent	2
Hazel Road	1
Hillside Crescent	1
Knoll Avenue	1
Mirador Crescent	9
Murton Lane	2
Oakwood Road	3
Orchard Street	1
Pantygwydr	1
Penlan Crescent	2
Rhyddings Park Road	1
Rhyddings Terrace	2
Richmond Mews	4
Richmond Road	2
Richmond Terrace	3
Richmond Villas	7
Slade Road	1
St Helens Avenue	3
St Helens Crescent	1
St James Gardens	1
The Grove	5
Trafalgar Place	1
Uplands Crescent	3
Uplands Terrace	1

Representation by Cllr Mary Sherwood - application by *Jack Murphy's* to extend the premises licence for 49 Uplands Crescent, Uplands

I wish to register my strong objection to the extension of the licence for the supply of alcohol to the late hours requested, and the addition of further licensable activities. I write on behalf of myself, my family, and - as a local councillor - of my community, some of whom have added their names and additional comments to mine below.

The residents of Uplands understand the difference between living near a bar and living near a restaurant, and so did the Council in 1986 when it granted planning permission for this venue to be a "Licensed public bar and restaurant", but with a vital condition: the bar must only serve the restaurant, must never operate without the restaurant being open, and must never offer music or dancing except to be enjoyed by restaurant customers: "use of the premises as a discotheque is forbidden". There is a marked difference between the expectations of people who attend a bar, with recorded or live music, dancing etc, compared with those who attend a restaurant; what they come to Uplands for and how they behave here. Another Jack Murphy's bar, on Wind St, provides a living example of what we can expect if/when this establishment opens in our neighbourhood; other local licensed traders and their security staff are considerably nervous about this arriving in Uplands, as are residents. Having considered all this in the context of the licensing objectives and the comments set out below, which explain why a restaurant is acceptable in this location but yet another bar is not, I am objecting to the additional licensable activities requested as well as strongly objecting to the extension of hours for the supply of alcohol.

My concerns below refer to the licensing objectives:

The Prevention of Crime and Disorder

Uplands has a good record here, thanks to close collaboration between licensed venues and their security staff, police and the council. A preventative approach in which partners act quickly to stop problems escalating, and to prevent people causing trouble from being able to move on to other venues in the locality, is very effective. But all partners agree that pressure is increasing, creating a cost burden for all concerned. Radio systems, CCTV, staff hours and other resources are needed to keep on top of the escalating demand. The changes in Uplands, including the recent opening of numerous bars, increase this pressure enormously, and partners are trying to meet this challenge, although all are suffering the effects of austerity, with police and the council struggling with budget cuts and licensees suffering uncertain revenues. Residents commonly report, and I have personally witnessed and experienced myself, negative effects of drunken crowds in Uplands, including: violent outbursts on the street; verbal abuse, sexual harassment, smashed windows, broken car wing mirrors and windscreens and other incidents associated with the over-consumption of alcohol. Allowing the consumption of alcohol to extend late into the night is likely to push services to breaking point and see arrests and casualties increase, as residents suffer more crime and disorder.

Public Safety

The above paragraph explains some of the dangers which Uplands residents already experience regularly as a result of the local night-time economy. Furthermore, I have experienced the slip hazard of vomit on the pavement and abandoned bottles at the roadside, left by people drinking on their way out to one of the local bars, or on their way home. My morning school run with my children is often an obstacle course of vomit, broken glass and other drink-related litter, which I



fear will increase if yet another bar is permitted and drinking is allowed to go on later into the night.

The Prevention of Public Nuisance

Please note the above two paragraphs which list some of the public nuisances associated with the Uplands night-time economy. Further examples include:

- Drunk people ringing my doorbell and trying to insist on entering my home late at night, having mistaken my house for someone else's
- Take-away containers thrown into my front and rear gardens
- A neighbour's cordless doorbell being thrown into my garden
- Noisy crowds making their way home from Uplands bars to their various addresses, notably the Swansea University campus – particularly disturbing during the warmer months when windows are open.
- My children being woken up by drunk people shouting, laughing, swearing and screaming under their bedroom windows late at night.
- Noisy waste glass disposal at unsociable hours. I am aware of one resident who has been driven out of the neighbourhood by this disturbance.
- Taxis coming and going, with people shouting, doors slamming etc, late into the night.
- Discarded paraphernalia associated with recreational drug use

Over the last year or so, significant tree cover has been removed from Beechwood Road and Gwydr Square, very close to the licensed premises in question. At least one large mature tree has completely gone and others have been cut back drastically. This removes the sound insulation that we used to have here; noise from the bars is allowed to travel much further – my household can now hear music from the various venues in our front room, and the disturbance of cars driving around the area in the night, and glass being discarded or smashed in the street, is greater.

The addition of another bar would to be difficult for us to tolerate, increasing the likelihood and the impact of all these nuisances. Restricting the activities and operating hours of this establishment is an important way to reduce the harm done to my family and my community.

The Protection Of Children from Harm

Please note the points already mentioned above, and the impacts they can have on children. More specifically, here are some of the harms which my children (7 and 11), and others in Uplands ward, experience regularly because of living close to bars serving alcohol until late:

- Disturbed sleep due to noisy drunk people passing by, or talking loudly under their bedroom windows
- Walking through vomit and broken glass, typically in the morning on the way to school
- Alarm and distress at drunken shouting in the street, and drunk people ringing the doorbell and pounding on the door late at night, sometimes shouting obscenities.

I believe that there are 6 homes with children under 16 along Ernald Place and the end stretch of Beechwood Road closest to the venue in question. There are others equally nearby in other directions.

For all the above reasons, my family, and many other local residents, feel considerable sadness and anxiety about the proposed change from restaurant to another venue focused on the supply of alcohol. Planning and licensing powers must allow the authority to prevent this change, and we

ask that the activities and the hours of this establishment be maintained as per the current licence, thus retaining the existing licensing footprint in this highly residential area.

I have shared the above representation with colleagues and residents in my community. The below have all confirmed their agreement with it, and some wish to add their own comments.

NAME	ADDRESS	ANY ADDITIONAL COMMENT
		<p>I agree with all the points above. When we moved to Uplands Crescent in 2017 it was before they had opened Bar St James and the Bookshop Bar, the difference to us as a family has been significant, with noise, men urinating in our front garden, bottles thrown into our garden, beer glasses left on the front steps. When we walk to school it's like an obstacle course of vomit and broken glass as described above. The noise from the additional bars is phenomenal. We can't have our windows open at night in warm weather now because the howling and shrieking and crashing of glass disposal etc wakes my 7 year old. The atmosphere of Uplands has changed with the opening of two new bars, if another is opened I shudder to think what it will be like.</p>
		<p>I would also add that Belgrave Court is being used as an outside toilet. I have lost count of the times I have come across groups of drunken men using my garden and walls here as a urinal. It is upsetting. My husband recently remonstrated with some men who were peeing up against the entrance to the flats only to be met with foul mouthed abuse and laughter. We moved here three years ago and in that relatively short time have seen the area change, but clearly, not for the better.</p>
		<p>The Jack Murphy's in town sells £1 shots and is the place the young people go to first to drink as much alcohol as possible! I love living in Uplands and am very happy living among students but feel that the nature of the nightlife will change that if places like Jack Murphy's are allowed to come here.</p>

	<p>We have read Councillor Sherwood's representations concerning licence(s) for the above premises and fully support what she says and her reasoning. We do so as local residents at 80 Eaton Crescent, a property which we own.</p>
	<p>My family (three children under 7) lives opposite the new Bookshop bar, which is clearly a bar / nightclub and not a restaurant, with crowds of people drinking alcohol and making noise in the street until midnight. In the few months since this new bar opened, noise and drunken disorder have become much, much worse in Uplands. Friends of mine have been subject to drunken abuse and violence on the street outside my home. We have to keep our windows closed even in warm weather to try and minimise the noise disturbance. I am deeply concerned about the arrival of Jack Murphy's in Uplands because I know what their Wind Street venue is like. Please don't allow Uplands to further deteriorate into a destination for late night drinking and night clubbing. Maintain the restricted opening times and conditions of use as a restaurant, for all the valid reasons listed in Cllr Sherwood's letter. I have no doubt that this premises would be snapped up by a legitimate restaurant operator quickly should Jack Murphy's decide not to open, given the increasing popularity of Uplands as a sociable place to go out for dinner. If we let the area become more and more like Wind Street, we will completely lose the friendly local vibe that residents and visitors have so far enjoyed in Uplands</p>
p	
	<p>I have been out earlier this evening and I can honestly say I will not be returning to Uplands for any night in the future. Noahs Yard has already been granted an extension and this is enough. Too many people were out behaving in a threatening and anti-social way. <i>(Received by email 10:47pm Saturday 11 May.)</i></p>
	<p>We have been woken on many occasions by noisy, alcohol fuelled groups in the early hours & would not welcome an increase of this behaviour</p>
r	<p>I was sad to see Wasabi close and there is a real dearth of restaurants in Uplands that serve good, reasonably priced food. This has made myself and my colleagues from the university go to different areas of Swansea for social activities (Mumbles, Sketty, Marina). I fear that Uplands will merely become a new Wind Street and drive the more mature population from the area in the future which would be a shame for such a lovely place to live.</p>
r	

	<p>As a long-term resident of Uplands I'm dismayed by the thought of an increase in drinking establishments in Uplands. In particular I object to the thought of more late night drinking, until 2 am at the weekends. My nights are already broken by the shouting and swearing of groups and individuals going home in a drunken state down Glanbrydan Avenue, and I spend a lot of day time picking up bottles, cans and fast food litter from my street, and indeed from my front garden. I used to have a dog and would frequently have to sweep up broken glass from the pavement before being able to take him out.</p> <p>Our car has been attacked on several occasions, with mirrors and windscreen wipers ripped off. An elderly neighbour got rid of his car because he became so anxious about damage to it at night.</p> <p>The character of Uplands Crescent has changed while I've lived here, from a good mixture of shops, cafes and bars serving local residents and visitors, to a place where many people come to drink, with little concern for locals.</p> <p>I have been thinking for some time that I'll have to move away, but don't know if I'd be able to sell my house at a price which would allow me to buy elsewhere.</p> <p>The Jack Murphy's application will only make the current situation more unbalanced, and make Uplands a less desirable and more dangerous place to live.</p>
	<p>I agree with the comments above, especially the negative effect the number and type of bars is having on our children. Mornings with my children are often spent explaining why there is vomit or drink related litter on our streets. Such a shame for a residential area to be changed in this way.</p>
LP	<p>There should always be a balance in local communities where all interests can be balanced, that balance has recently been lost and our lovely community is in danger of being destroyed.</p>
	<p>I also object to this extension request and yet another drinking venue. Since Tesco's and Sainsbury's were allowed to set up shop the Uplands community spirit has declined. Local businesses have not been able to compete with such giants. The lost of the Chatterry as a warm friendly venue for all ages was a blow to the community. The Uplands has become mainly the young - a second Wind street. There is less inclusion of all ages and more alcohol and 'party' venues. This is great for the student population and less for the wider community,</p>

		<p>meaning isolation for those others. I support the above stance and wish to see an inclusive Uplands where neighbours can meet and socialise, as well as the party goers.</p>

After considering all this engagement and feedback, I have a further point to add, about Licensing and the Well-Being of Future Generations Act. The Licensing Objectives do not go far enough in upholding the seven Well-Being Goals, which Swansea council as a public body is nevertheless obliged to consider.

If the number of bars in Uplands keeps increasing, and children living nearby keep seeing that being drunk early in the day and late into the night is “normal”, this is an additional harm to children and furthermore we will not be pursuing a **healthier Wales**. If older people and families grow weary of the noise, nuisance and increasing sense of isolation and move away from the neighbourhood – as they already are – we will not be pursuing a **Wales of Cohesive Communities**.

Many thanks for considering this representation

Cllr Mary Sherwood
(by email, as agreed prior with Rachel Loosemore, Licensing Officer), 13.5.19

Representation concerning license application by Jack Murphy's for extension of hours and addition of licensable activities: former Wasabi premises, Uplands Crescent.

Cllr Nick Davies

As an elected member of the City and County of Swansea, representing Uplands ward, where the premises in question are situated, I wish to register my strong objection to the application for an extension of hours for the supply of alcohol to midnight Monday to Thursday and 2 am Friday to Sunday, and for the license to include additional activities.

This application has provoked considerable local opposition, because residents of Uplands understand the difference between living near a restaurant, which is what the premises has been used for, and a bar with music, which is what the premises will be if the application is approved.

Swansea Council, in 1986, granted a license for the premises to be a licensed public bar and restaurant with the condition that the bar must only serve the restaurant; it could not operate without the restaurant and could not offer music and dancing except for the enjoyment of restaurant customers. It could not operate, therefore, as the planning conditions of the time worded it, as a discotheque. The difference between a restaurant and a bar with music, and the difference between the expectations of those attending the two are obvious.

I refer to the licensing objectives:

The prevention of crime and disorder

Up to now Uplands has had a good record in balancing its night time economy with the needs of residents and other traders. Licensees, the police, security staff and the Council have worked together to achieve this. However, with the increase in the number of bars and the financial difficulties faced by the authority, this is getting more and more difficult to sustain. Residents already commonly report the negative effects of a large number of people in one place consuming alcohol: noise, abusive language, violent confrontations, sexual harassment and damage to parked vehicles. If this application is granted these problems will only worsen.

Public Safety

The above difficulties are applicable to this heading, as is the presence of vomit, and drink-related litter such as broken bottles and discarded takeaway foodstuffs on the pavement. These problems will worsen if this application is granted.

The prevention of public nuisance

I repeat and adopt the problems referred to under the two headings above. In addition, residents report that drunk people mistakenly attempt to enter their homes late at night, they report the throwing of litter into their front gardens, they report sleeplessness and disturbance due to 'transient' noise in the street from groups of people noisily leaving licensed premises and making their way home or getting taxis to take them elsewhere. These problems will increase if this application is a granted.

This application has caused anger and anxiety in the community of Uplands and Brynmill:

- It threatens to worsen the quality of life of residents;
- It threatens the existing balance between the night time economy, residents and other economic activity in the community;
- It threatens to jeopardise the good work done to date by existing licensees, their security staff and the police in containing, as far as is possible, the negative features of the existing night time economy.

I ask that the authority refuse this application both in respect of the extension of the hours and the additional activity and retain the existing licensing footprint for these premises.

Loosemore, Rachel

APPENDIX H5

From: [Redacted]
Sent: 08 May 2019 10:46
To: EVH Licensing
Subject: Objection to extension of license 49 Uplands Crescent, Swansea SA2 0NP

Good morning,

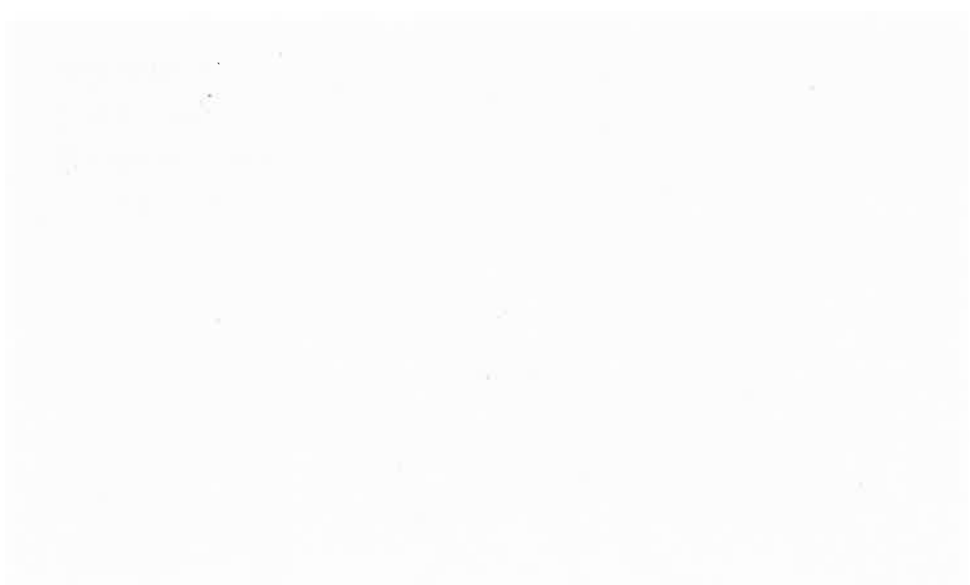
I wish to register my strong objection to the extension of the license for the supply of alcohol to the late hours requested by Jack Murphy's

This is a residential area, and it is very important to retain the existing licensing footprint, which maintains balance between the night time economy and the needs of local residents.

I am concerned that residents already suffer considerable disruption due to the ever-increasing flow of people through Uplands and Brynmill on weekday and weekend evenings; I am mindful of complaints about noisy glass waste disposal at unsociable hours, taxis coming and going and other kinds of negative impacts, which an extension to late night opening at this venue would worsen considerably. The noise of numerous groups of party goers walking through the neighboring streets already causes regular disturbance to sleep patterns.

As a venue within a few hundred metres from local primary schools it is important to ensure that licensing balances the need to prevent public nuisance and protect children from harm. Late night alcohol serving venues inevitably result in a larger number of intoxicated customers. Given numerous instances of drunk students attempting to enter local homes, not knowing which one were their own, I fear that this problem would only increase. Uplands is simply not an area geared for late night clubs. It does not have the taxi rank facilities that wine street does, nor does it have the open spaces suitable for mass congregation and importantly, does not have the 'contained' easily monitored and patrolled layout that Wind street has. As such, the extension of license should be denied.

I have no objection to the additional licensable activities being allowed, but only during the hours of the existing license for supply of alcohol.



Loosemore, Rachel

From: [Redacted]
Sent: 08 May 2019 15:33
To: EVH Licensing
Subject: Licensing Objection: Jack Murphy's Uplands

To Swansea Council Planning Department

I wish to register my strong objection to the extension of the license for the supply of alcohol to the late hours requested.

This is a residential area, and it is very important to keep the balance between the night time economy and the needs of local residents. The pattern already agreed for Wasabi sought to do this.

Residents already suffer considerable disruption due to the ever-increasing flow of people through Uplands on weekday and weekend evenings; there are complaints about noisy glass waste disposal at unsociable hours, taxis coming and going and other kinds of negative impacts, which an extension to late night opening at this venue would worsen considerably. I am frequently kept awake on summer evenings by the noise from Uplands being carried up the hill to my home and to do not wish to further exacerbate this with yet later hours of the disruption.

I have no objection to the additional licensable activities being allowed, but only during the hours of the existing license for supply of alcohol.

I hope that sense will prevail

[Redacted signature block]

s

Loosemore, Rachel

From: Craig Kelly <craig@theomshreemgroup.com>
Sent: 08 May 2019 16:00
To: EVH Licensing
Cc: mary4uplands@gmail.com
Subject: Uplands Jack Murphys

To Whom it may concern,

I wish to register my strong objection to the extension of the license for the supply of alcohol to the late hours requested.

I have mixed views about the additional licensable activities requested. As explained below, I fear they will increase disturbance, but not as much as the late-night supply of alcohol. I recognise that they are important activities for the viability of this business, but I would prefer to see different activities in these premises. Therefore, while I would prefer to see the additional activities not allowed, in the hope that a business model more focused on food would be encouraged, I certainly object to them being allowed after 23:00 (22:30 on Sundays) – they should only be allowed during the hours of the existing license for supply of alcohol.

My concerns below refer to the licensing objectives:

The Prevention of crime and disorder

As the director of a security company which supplies door supervisors to a venue in the Uplands area, I have witnessed firsthand the crime and disorder associated with the nighttime economy. This will bring a new demographic of clientele into the area, and with the current clientele of Jack Murphy's and Coyote Ugly (Both owned by the same person) being somewhat rowdier than the nearest venues, and the distinct lack of council CCTV in the area, already placing residents of the area, and staff of the night-time economy at risk (which in the last few months, have included a severe assault outside the chemist and a member of staff at Optimist bar being assaulted), the lack of a regular police presence on the weekends further burdening the door supervisors that are working tirelessly against threats and violence, I can only predict a sharp increase in the calls to police and assaults on door supervisors in the area.

Uplands has a good record here, thanks to close collaboration between licensed venues and their security staff, police and the council. A preventative approach in which partners act quickly to stop problems escalating, and to prevent people causing trouble from being able to move on to other venues in the locality, is very effective. But all partners agree that pressure is increasing, creating a cost burden for all concerned. Radio systems, CCTV, staff hours and other resources are needed to keep on top of the escalating demand. The change from a restaurant to a bar is already going to increase this pressure, and partners are preparing themselves to meet this challenge, although all are suffering the effects of austerity, with police and the council struggling with budget cuts and licensees suffering uncertain revenues. Allowing the consumption of alcohol to extend late into the night is likely to push services to breaking point and see arrests and casualties increase, as residents suffer more crime and disorder.

On a weekly basis, there is a team of beggars (Usually about 4 or 5) outside Sainsbury's and Tesco, and after those two stores close, usually outside Wasabi. Waiting for customers that are under the influence of drink to take pity on them and give them money. I predict this will also increase with the new venue due to open.

Public safety

The above paragraph explains some of the dangers which Uplands residents already experience regularly as

a result of the local night-time economy. Furthermore, I have experienced the slip hazard of vomit on the pavement and abandoned bottles at the roadside, left by people drinking on their way out to one of the local bars, or on their way home.


Wishing you all the best,
Kind Regards,



Craig Kelly.
Director



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Loosemore, Rachel

From: Rhod Evans <rhod50@googlemail.com>
Sent: 13 May 2019 04:22
To: EVH Licensing
Subject: Objection -licence application - Jack Murphys Uplands

To whom it may concern ,

I would like to formally lodge an objection to the planned drinks licence application for the proposed Jack Murphy's pub which was previously the Wasabe restaurant in Uplands, Swansea .

I am a resident of Eaton Crescent Uplands and we have lived here for 27 years. The recent major increase in the number of drinking establishments in Uplands has seen a rapid deterioration in amenity for us as local residents .The noise, vandalism, abuse and feelings of intimidation when having to negotiate a way through the drunken hoardes that now frequent Uplands at night is unfair and an impingement on our civil liberties as local residents .As a result of the associated heavy drinking culture ,we now have to regularly negotiate a way through the debris left after the carnage of heavy drinking .The morning after weekend nights in particular ;cigarette ends, broken bottles, vomit and takeaway food debris and worse now regularly litter our neighbourhood.

There should always be a balance sought in communities and unfortunately the recent upsurge in drinking establishments in Uplands has tipped the balance into a popular drinking and nightclub area ie a second Wind street ,with all its associated problems. We need a balance of pubs ,restaurants ,cafes and shops but this proposal will do nothing but creat even further imbalance within our area .It will undoubtedly lead to Uplands becoming a no go area at night to those of us who seek a safe ,welcoming and friendly atmosphere.

We object strongly to this proposal

Dr Rhodri M Evans & Mrs Lynne Evans
84 Eaton Crescent
Uplands
Swansea
SA1 4QP

Directorate of Place
Licensing
16 MAY 2019
File:
Logged by:
For action by:

5 Devon Terrace
 Ffynone Road
 Swansea
 SA1 6DG

7TH May 2019

Licensing Committee
 Swansea City Council
 County Hall
 Swansea

Dear Sirs

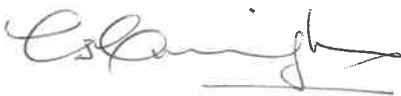
Re Licensing Application, JackMurphy's, 49 Uplands Crescent, SA2 0NP

I write as Chairman of Ffynone and Uplands Conservation Group to register our disgust and apprehension at the proposal submitted by this well known company, with its notorious reputation in Swansea, to establish an outlet at the above premises for the sale of alcohol.

It is an obvious fact that this street has reached saturation point in alcohol retailers both in regard to pubs and restaurants and there must be a limit, not only to the number of such establishments, but also to the quality of such businesses seeking to come into the area. Furthermore, it is not only the more mature members of the community who regard this as a retrogressive intrusion but also many young people in their twenties and thirties, who presently enjoy the available facilities, consider this application with horror and foreboding. As an example, I have three grandchildren aged between 20 and 30 years old (all of whom enjoy the Uplands "nightlife") who are all appalled by this application.

We ask you therefore to reject the application before you and halt the never ending slide to the destruction of the residential area and community and ask you to consider carefully the arguments put forward by our local councillors who oppose the submission.

Yours faithfully,



G. Cunningham



Loosemore, Rachel

From: Charlotte Bruce <lottieandclare@hotmail.co.uk>
Sent: 13 May 2019 09:45
To: EVH Licensing
Subject: Jack Murphy, Uplands

Good morning,

We, Clare and Charlotte Bruce-Lloyd of 35, Glanmor Road, Uplands (along with our eight and six year old) have read the objections made by Cllr Mary Sherwood and totally agree and echo these objections.

Alongside these objections we can add that we are aware of friends who have received homophobic abuse whilst passing the licensed premises quite early in the evening on her way home from work. We are also aware of a resident who lives opposite this establishment who is a single mum and can catalogue a number of anti social behaviour incidents that she has been victim too whilst in her own home.

On a personal note we walk our children to school via Glanmor Road and through the Gwydr Square area and often need to be aware of broken glass, vomit and rubbish which are littering the pavement and causing a hazard for residents.

Our eight year old son sleeps in the front of our house and has been awoken on countless occasions at people walking home late at night from establishments.

We often find bottles, glasses and late night eating establishment containers in my front garden.

We are saddened that another licensed premises is to open in the area, Wasabi was a food venue that we would visit with our young family and friends including visitors. We had hoped that a family / community establishment would have opened instead of another licensed premises. I do believe that the residential area we reside in is becoming saturated with such establishments, and fear that an extension to licensing will further exacerbate the issues faced by our family, community and emergency services etc.

We request that these objections are heard along with Cllr
Sherwood's and acted upon.

Regards,

Clare and Charlotte Bruce-Llound
Sent from my iPhone



Loosemore, Rachel

From: Mark Robinson <marcmywurdz@gmail.com>
Sent: 13 May 2019 10:45
To: EVH Licensing
Subject: Jack Murphy licence application

I wish to register my strong objection to the extension of the licence for the supply of alcohol to the late hours requested, and the addition of further licensable activities.

I have lived in Uplands for 12 years and welcome the growth of a vibrant local economy; I make full use of many of the local businesses.

However I have noticed a marked increase in late night disturbance and anti social behaviour over the past couple of years. We are regularly disturbed by gangs of men and women chanting and screaming in the streets around uplands as they leave the bars.

There are often broken windows in local businesses and damage to resident's cars and property.

On several occasions I have gone outside my property to find one or more people urinating in the garden or the driveway.

I have witnessed outbursts of aggression and violence in the street following drunken arguments and on two occasions have called the ambulance and police services.

Last summer I spent many nights on the phone to the out of hours noise pollution team with problems with local bars.

There are regularly pools of vomit and empty glasses and bottles around the area after a Friday and Saturday night.

When it is busy in Uplands a long queue of taxis forms in Uplands Crescent and along Glanmor Road. This means 4 or 5 cars with Diesel engines running outside our bedroom window until late at night or early in the morning. When I have asked drivers to turn off the engines they have ignored me and in the past have become confrontational. I have reported this issue but it persists.

I am extremely anxious that the granting of a further late night licence will further exacerbate these issues and it will have a significant negative impact on the quality of life of residents of and many visitors to Uplands.

I volunteer for a community project in Uplands and I know the local PCSOs and a couple of the police officers. They do a wonderful job but are rarely, if ever, around in the evenings and I have never see them late at night. Unlike Wind street there is no regular police presence in the area to deal with the late night antisocial behaviour; furthermore the police service is already fully stretched.

As I understand, the licensing objectives include; the prevention of crime and disorder, public safety, the prevention of public nuisance, the protection of children from harm. It is my submission that for all of these reasons this license should be denied.

Regards
Mark Robinson and Deryl Dix
8 Glanmor Road
Uplands
SA20PT

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Loosemore, Rachel

From: Deborah Bowen <deborahkbowen@hotmail.com>
Sent: 13 May 2019 15:32
To: EVH Licensing
Subject: Jack Murphy planning application, Wasabi unit in Uplands

Importance: High

Hello

Can I please put forward an objection to the above planning application.

I own a property at 2 Beechwood Road and I have seen a massive amount of development both residential and business in the 25 years I have lived here.

Whilst the developments have mainly improved the area and added vibrancy to the Uplands I do feel that that the noise disruption this application will cause is a step too far.

There is significant noise from live music events coming from The Optimist but they do ensure the noise stops between 11 and 12 pm on Friday and Saturday evenings.

I understand this planning application is looking to have live music and sporting events until 2am which is totally unacceptable in what is after all a primarily residential area.

There has been an increase in anti social behaviour late in the evening with a number of violent incidents outside my home in the early hours and this is extremely unsettling and combined with the retail premises having their waste disposal coming between 5 and 6 am is proving to be rather a pain for the residents around here.

The Uplands has developed a reputation as a place for good dining experiences and it would be a shame for this to be stopped by placing a focus on the 'drinkers' market as it is too small an area for this to work well.

I would appreciate it if you can consider this objection and if possible can you advise me of your decision.

Many thanks

Deborah Bowen

Loosemore, Rachel

From: Blagrove M.T. <m.t.blagrove@swansea.ac.uk>
Sent: 13 May 2019 22:32
To: EVH Licensing
Subject: Objection to planning request for Jack Murphy's in Uplands, formerly Wasabi building

Dear Planning Office,

I wish to strongly object to the proposal by Jack Murphy's to have an alcohol licence to midnight on weekdays and to 2am Friday to Sunday in Uplands, in the premises previously occupied by Wasabi. I am also against the change of use from a restaurant to yet another bar in the area, as we need to keep the area diverse. There are plenty of music venues in Uplands and it is maintaining restaurant facilities that is most needed.

I object on the licensing objective grounds of:

The Prevention of crime and disorder

People coming out of the premises at 2am having been drinking for hours will make the area unsafe, whereas at the moment public drunkenness in the area tends to stop about midnight. Licensing this proposed bar will make this worse.

The prevention of public nuisance

My road already has cans and bottles left by people walking home in the late evening, and groups of people after about 11pm noisily walking up the road. This will become worse if people are allowed to continue drinking in the centre of Uplands to 2am.

The protection of children from harm

I often walk with my children through central Uplands in the evening and the change in emphasis to a loud and laddish drinking culture rather than a more mixed eating in some places and drinking in others is changing the feel of the area. From a time when the area was starting to look welcoming and somewhat upmarket it is now becoming a place to get drunk. If people know that bars can be open to 2am this will further fuel the idea that from 5pm or 6pm central Uplands is a place for lengthy alcoholic drinking. We have already had the bookshop change to a bar, but change to 2am bars will be even worse.

Please note that I thankfully live north of central Uplands, the situation for people unlucky enough to live in central Uplands or south of there will be even worse. I would hope that the Council would wish to keep the area as one where people with families can still live, and get decent sleep at night.

Sincerely,
Mark Blagrove
88 Hawthorne Avenue
Uplands
SA2 0LY
07976136193

Loosemore, Rachel

From: [Redacted]
Sent: 13 May 2019 22:34
To: EVH Licensing
Subject: Jack Murphy's in Uplands

I am against this license. Uplands is getting rowdier with more drunk people, more car crime and burglary attempts and feels less safe at night . We do not need a loud bar. This is spoiling the essence of the area as people are coming en masse to get drunk. I object to yet another bar. Let it to a restaurant or shop instead. I don't want Uplands to be Wind Street. We have seen drug dealing near our homes and the atmosphere is changing too much. This is a family and student area.

Yours sincerely

[Redacted Signature]