



Dinas a Sir Abertawe

Hysbysiad o Gyfarfod

Fe'ch gwahoddir i gyfarfod

## Yr is-bwyllgor trwyddedu statudol

**Lleoliad:** Siambr y Cyngor - Neuadd y Ddinas, Abertawe

**Dyddiad:** Dydd Iau, 13 Mehefin 2019

**Amser:** 10.00 am

**Cadeirydd:** Cyngorydd Penny Matthews

**Aelodaeth:**

Cyngorwyr: C Anderson a/ac B J Rowlands

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### Agenda

Rhif y Dudalen.

- 1 Ymddiheuriadau am absenoldeb.
- 2 Datgeliadau o fuddiannau personol a rhagfarnol.  
[www.abertawe.gov.uk/DatgeluCysylltiadau](http://www.abertawe.gov.uk/DatgeluCysylltiadau)
- 3 Deddf Trwyddedu 2003 - Adran 17 - Cais am Drwydded Mangre - Overdraft, 41 Stryd Fawr, Clydach, Abertawe. SA6 5LQ 1 - 25

Huw Evans

Pennaeth Gwasanaethau Democraidd

Dydd Mawrth, 4 Mehefin 2019

Cyswllt: Gwasanaethau Democraidd - 01792 636923

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## Report of the Divisional Licensing Officer

Statutory Licensing Sub Committee - 13 June 2019

### **Licensing Act 2003** **Section 17 Application for a Premises Licence**

1. **Premises: Overdraft, 41 High Street, Clydach, Swansea. SA6 5LQ**
2. **Applicant : Mr Stuart Matthew Jones**
3. **Application for a Premises Licence**
  - 3.1 An application was received by this authority on the 24<sup>th</sup> April 2019.
  - 3.2 This application proposes the following activities –
    - a) **Live Music both indoor and outdoor –  
Monday to Sunday 13:00hrs to 23:00hrs;  
New Year’s Eve from 13:00hrs to 00:00hrs**
    - b) **Recorded music both indoor and outdoor –  
Monday to Sunday 10:00hrs to 23:30hrs  
New Year’s Eve from 10:00hrs to 01:00hrs**
    - c) **Late night refreshment -  
Monday to Wednesday 23:00hrs to 00:30hrs  
Thursday to Sunday 23:00hrs to 01:00hrs  
New Year’s Eve from 10:00hrs to 01:30hrs**
    - d) **Supply of alcohol on and off premises -  
Monday to Wednesday 10:00hrs to 00:30hrs  
Thursday to Sunday 10:00hrs to 01:00hrs  
New Year’s Eve from 10:00hrs to 01:30hrs**
    - e) **The opening times for the premises -  
Monday to Wednesday 10:00hrs to 01:00hrs  
Thursday to Sunday 10:00hrs to 01:30hrs  
New Year’s Eve from 10:00hrs to 02:00hrs**

#### 4. Background

- 4.1 The premises 41 High Street was formerly a HSBC bank. From December 2015 the ground floor of the premises became a licensed bar called Piccolo. That premises has now relocated to 42-44 High Street. The licence for 41 High Street was issued on 11<sup>th</sup> December 2015 and remains in existence allowing the provision of licensing activities detailed below. Mr Jones is not the licence holder.

##### **Late Night Refreshment**

On & Off Sales

Thursday - Sunday 23.00 - 00.00

Beaujolais Day - 23.00 - 01.00

Boxing Day 23.00 - 01.30

New Year's Eve 23.00 - 02.00

##### **Supply of Alcohol**

Indoors only

Monday - Wednesday 10.00 - 23.30

Thursday - Sunday 10.00 - 00.30

Beaujolais Day - 10.00 - 01.00

Boxing Day 10.00 - 01.30

New Year's Eve 10.00 - 02.00

##### **The opening hours of the premises**

On & Off Sales

Monday - Wednesday 10.00 - 23.30

Thursday - Sunday 10.00 - 00.30

Beaujolais Day - 10.00 - 01.30

Boxing Day 10.00 - 02.00

New Year's Eve 10.00 - 02.30

The premises is situated on the main road through Clydach and within a mixture of residential and commercial premises such as shops, bars a veterinary practice and takeaways. Some of the commercial premises are directly next door to residential houses or have residents living above them.

- 4.2 The applicant describes the premises in the application form as:-

*A family run vibrant drinking establishment*

- 4.3 The other licenced premises on High Street, Clydach are as follows:-

Riverbank Restaurant 1 High Street;

Spar 54-56 High Street (off sales only);

Village Tavern 93-94 High Street (closed last month);

Piccolo Bar 44-46 High Street (opened March 2019);

Co-op 52 High Street (off sales only);

- 4.4 A location plan of the premises is attached at **Appendix A**.
- 4.5 A plan of the proposed premises is attached at **Appendix B**.
- 4.6 The conditions for the premises licence if granted are 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**  
No representations.
- b) **Trading Standards**  
No representations.
- c) **Mid and West Wales Fire Authority**  
No representations.
- d) **Health and Safety**  
No representations.
- e) **Planning Authority**  
No representations.
- f) **Pollution Division**  
No representations.
- g) **Child Protection**  
No representations.
- h) **Primary Care Trust/Local Health Board**  
No representations.
- i) **Licensing Authority**  
No representations.

j) **Immigration**  
No representations.

k) **Other Persons**  
Representations.

The representations referred to above which relate to Public Nuisance and Crime and Disorder are attached at **Appendix. D**

## 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) **Deregulation – Foreword**

(d) Certain activities are now no longer required to be licensed due to changes in legislation as a result of deregulation. Amendments made to the 2003 Act by the Live Music Act 2012 and the Licensing Act 2003 (Descriptions of Entertainment) (Amendment) Order 2013, Legislative Reform Order 2014 and the Deregulation Act 2015, means that a licence is not required for the following activities to the extent that they take place between 08:00- 23:00 on any day:

**Live music, where the live music comprises;**

- A performance of unamplified live music
- A performance of live amplified music in a workplace with an audience of no more than 500 people; or
- A performance of live or recorded music on licensed premises which takes place in the presence of an audience of no more than 500 people, subject to certain conditions being met.

**Recorded music, where recorded music comprises;**

- Any playing of recorded music on licensed premises which takes place in the presence of an audience of no more than 500;
- Any playing of recorded music in unlicensed premises, subject to certain conditions being met.
- Dance – no licence is required for performances on any day provided that the audience does not exceed 500.

Where de-regulated activities take place on licensed premises any licence conditions relating to 'live' music or entertainment will be suspended, but it is possible to impose new, or reinstate existing conditions following a review of a premises licence or club premises certificate.

(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 predominantly residential areas and will impose strict conditions relating to noise control where representations are received and it is considered necessary.

Paragraph 7.5 The Licensing Authority will allow shops, stores and supermarkets to sell alcohol, for consumption off the premises, at any time when the retail outlet in question is open for business. Limitations will only be imposed restricting the times alcohol can be sold from such premises if representations are received and there is evidence that the extended hours cause the premises to be a focus of disorder and disturbance.

(iii) **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.

- 7.2 A full copy of the Authority's 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 Licenses – Chapter 8
- (iv) Determining Applications – Chapter 9
- (v) Conditions attached to Premises Licenses – Chapter 10
- (vi) Promotion of Equality – Chapter 14 paragraphs 14.66 -14.67

Representations received include concerns regarding Crime and Disorder and Public Nuisance specifically in relation to the different hours of one licensed premises compared with the other in the village and the possibility of migration from one to the other after one closes.

- 8.2 Paragraphs 2.1 to 2.6 of the Guidance refer to Crime and Disorder and paragraphs 2.15 to 2.21 refer to Public Nuisance and in particular -

**(i) Crime and disorder**

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**

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.

8.3 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.

8.4 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](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)

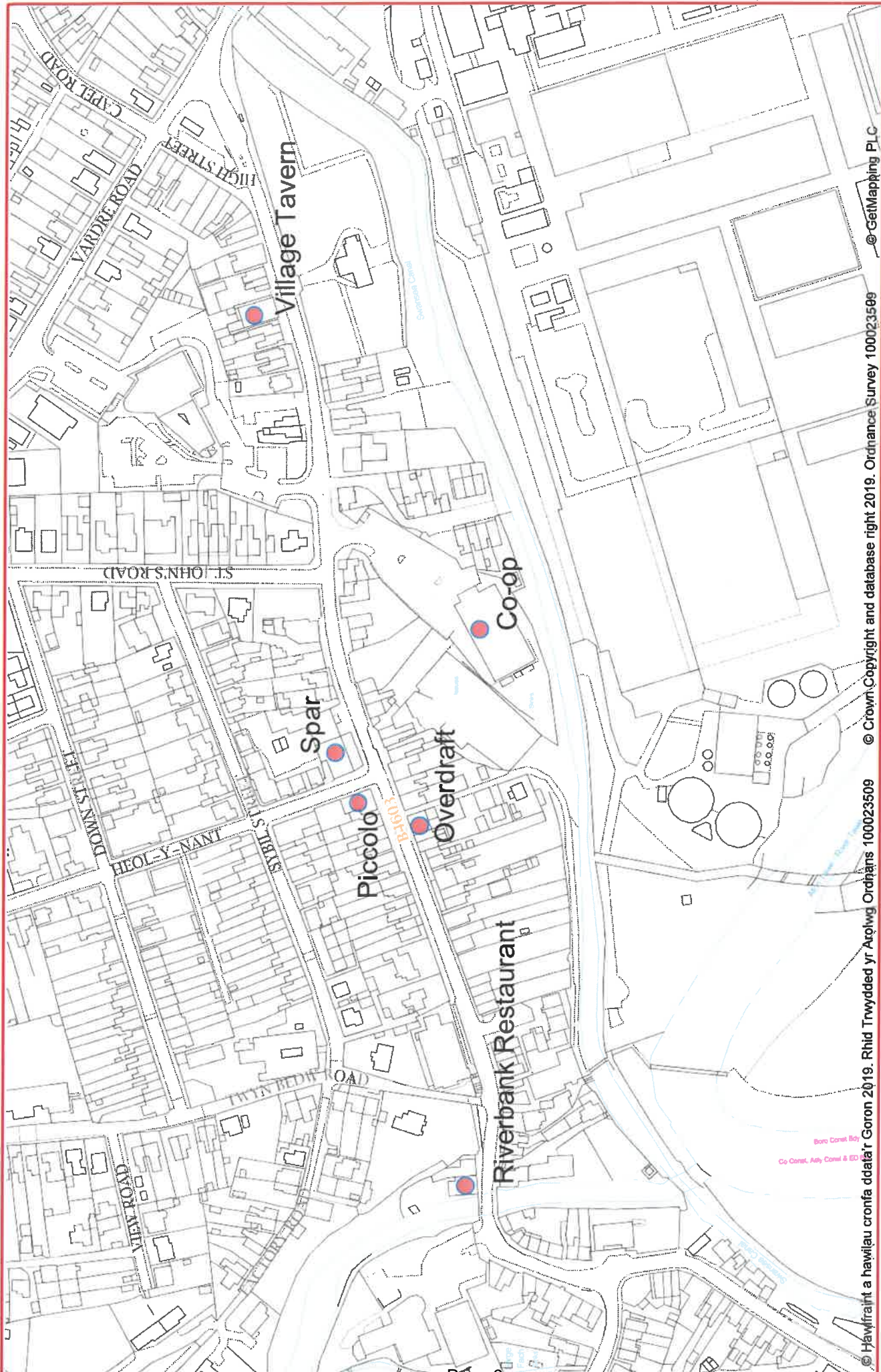


## **9. Determination Of The Application**

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

**The Licensing Sub Committee's instructions are requested.**

Background Papers:	Licence Application
Contact Officer:	Charles Gabe
Extension:	01792 635600



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Cyngor **Abertawe**  
**Swansea Council**

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

Licence application Overdraft 41 High Street  
Location of Overdraft on High Street, Ciydach.

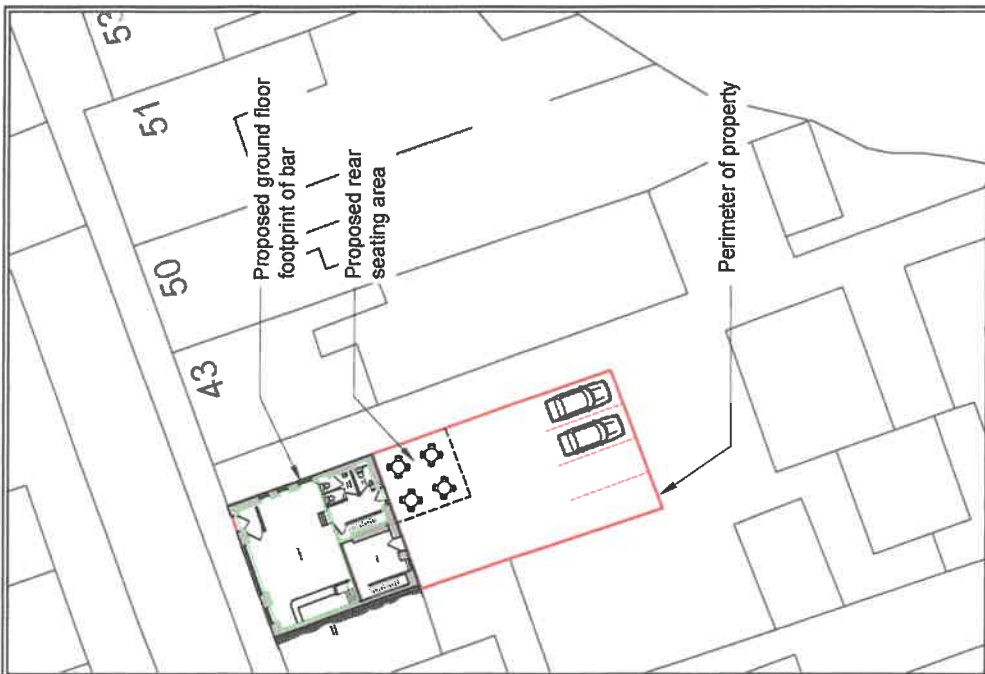
Scale: 1:2500  
Date: 29/05/2019  
Created by: Charles.Gabe

**Notes:**  
 All dimensions are to be checked and confirmed prior to the commencement of work on site.  
 Materials, workmanship & construction are to conform with the relevant standards, Codes of Practice, Approved Documents & any other relevant documents, recommended specifications and are to fully comply with the Building Regulation, related approved documents and legislation.  
 All services are to be installed in accordance with statutory authority regulations and by-laws.  
**SAFETY:**  
 All builder practices are to comply with:  
 • The Health & Safety at Work Act (1974)  
 • The Management of Health and Safety at Work Regulations (1999)  
 • The Construction (Health & Safety Welfare) Regs. (1988)  
 • The Construction (Lifting Operations) Regs. (1981)  
 • The Construction (Head Protection) Regs. (1989)  
 • The Construction (Design & Management) Regs. (2007)  
 • COSHH Regs  
 • PUWER Regs  
 • Lifting Operations Regs  
 • Manual Handling Regs  
 Go to www.hse.gov.uk for further information.

ID	Project	Ref's	DATE
REV	DESCRIPTION		
CHG	Mr. S. Jones		
Additional information			

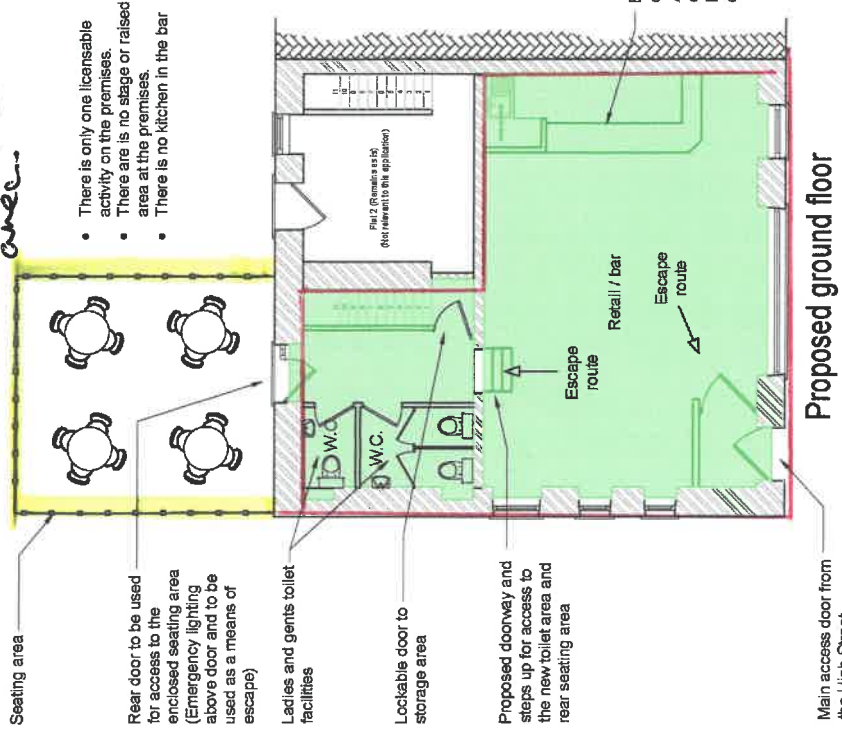
  

Shows	
Proposed change of use from residential flat to additional bar and storage area for bar / retail facility at No 41, High Street, Clydach	
Scale (A3)	Drawing No.
As shown	SJ-010
	00



**Block plan**  
 Scale - 1:500  
 WARNING: THIS MAY BE A REDUCED SIZE PRINT, CHECK SCALE BELOW  
 10m 0 10m 20m 30m 40m 50m  
 1:500

**Key:**  
 Mixed retail / bar  
 Licensable area



**Proposed ground floor**  
 Scale - 1:100  
 WARNING: THIS MAY BE A REDUCED SIZE PRINT, CHECK SCALE BELOW  
 2m 1m 0 5m 10m  
 1:100

1. SIA licensed door supervisors shall be employed on occasions when a requirement is identified by the licence holders written risk assessment. Consideration will be given to large sporting events which are displayed on screens within the venue, public holidays and days considered to be major event days in the city. If a written risk assessment identifies that door staff are required the following numbers will be adhered to:-

Members of the Public Present                      Number of door Supervisors

1	-	100	2
100	-	250	3
250	-	500	4
500	-	750	5
750	-	1,000	6
1,000	-	1,250	9
1,250	-	1,500	10
1,500	-	2,000	12

In excess of 2,000 - at least 12 and such other stewards as may be required either by the Chief Fire Officer or the Council.

2. An incident book, bound in numerical order, shall be maintained at the premises showing details of the date and time of all assaults, injuries, accidents, interventions by staff or ejections, as well as details of the members of staff involved, the nature of the incident and the action/outcome. The book must be kept available for inspection by the Police and authorised officers of the Local Authority.
3. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
4. 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.
5. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition. Cameras shall encompass all ingress and egress to the premises, fire exits, all areas where the public have access and any external areas. Equipment must be maintained in good working order, the system must continually record whilst the premises is open for licensable activities and during all times when customers remain at the premises. Recordings must be correctly timed and date stamped and kept in date order, numbered sequentially and kept for a period of 31 days and handed to a Police Officer/Local Authority Officer on demand. The Premises Licence Holder must ensure that at all times a Designated Premises Supervisor (DPS) or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format to a Police Officer/Local Authority Officer on demand. The

Recording equipment shall be kept in a secure environment under the control of the DPS or other responsible named individual. An operational daily log must be maintained, endorsed by signature, indicating the system has been checked and is compliant. In the event of any CCTV system failings the actions taken are to be recorded, and the Premises Licence holder/DPS must report the failure to the Police/Local Authority.

- 6 A log shall be kept detailing all refused sales of alcohol. The log will include the date and time and reason for the refused sale and a means of identifying the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premises are open.
- 7 Premises to keep up to date records of staff training and refresher training in respect of age related sales including proxy sales, sales to persons who are drunk and identifying and preventing drug misuse, in written or electronic format, available for inspection on request by an authorised officer.

Appendix D

Rep 1.

City & County of Swansea  
Licencing Division  
Enforcement Department  
Civic Centre  
Oystermouth Road  
Swansea SA1 3SN

Directorate of Place
Licensing
19 04 19
Ref:
Applicant:
Product Code:

37A High Street  
Clydach  
Swansea  
SA6 5LQ

27<sup>th</sup> April 2019

Dear Sir/Madam

RE:

**APPLICANT NAME: STUART JONES**  
**PREMISES NAME: THE OVERDRAFT**  
**41 HIGH STREET**  
**CLYDACH**  
**SWANSEA SA6 5LQ**

As the occupant of a flat which is above the property adjoining the proposed business, I am contacting you to raise objections in the strongest possible terms to the above application for a premises licence on the following grounds:

- i) Potential for unacceptable levels of noise after 11pm (Noise Act, 1996)
- ii) Increased likelihood of unacceptable use of the car park behind the proposed business leading to potential problems for residents in relation to access and parking
- iii) Increased potential for anti-social behaviour (alcohol-related or otherwise)

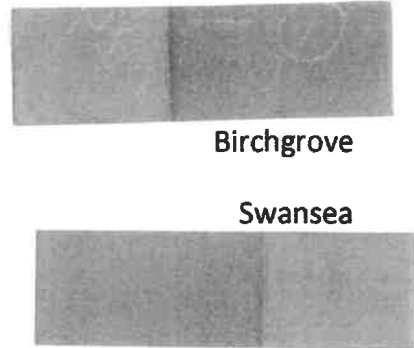
Please do not hesitate to contact me for further information.

Kind regards



Annie Roigé

Directorate of Place Licensing
7 6 MAY 2019
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Licensing Division  
Swansea City Council

16/5 2.

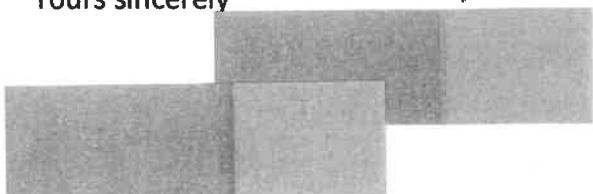
To whom it may concern:

I wish to make representations against the granting of the license application by STUART JONES, THE OVERDRAFT, 41 HIGH STREET, CLYDACH. SA6 5LQ.

As a business partner in one of the shops on the High Street in very close proximity to the above property I have these concerns:

1. Opening hours of 10:00 until 01:00 on Mondays to Wednesdays and 10:00 until 01:30 on Thursdays to Sundays. These hours seem excessive and not in line with current businesses and would lead to increased noise disruption for local residents and shopkeepers.
2. The inclusion of live music and outdoor alcohol sales as this will lead to excessive noise and disturbance to local residents and other businesses in the vicinity. There are many residential properties in close proximity.
3. The sale of alcohol for up to 15 hours a day does not fit with the current businesses in the High Street and would be detrimental to these local businesses with the possibility of loud behaviour towards passersby due to excessive alcohol consumption. This could deter customers from walking past the premises towards the other businesses close by. I feel strongly that this would negatively affect the current "family ethos" of the village's main shopping area.
4. The increase of litter e.g. cigarette paraphernalia, due to numbers of his customers smoking outside the premises and loitering on the pavements. These would also deter potential customers from walking past the premises towards the other businesses close by.
5. The effects of passive smoking on those living and working in the businesses adjacent to the above premises and on passersby and potential customers for the nearby businesses
6. Increased parking problems in the area- there are already numerous issues with vehicles parking illegally on the double yellow lines and zigzag areas of High Street close to the above property

Yours sincerely



Rep 3



Birchgrove

Swansea



Directorate of Place Licensing
7 6 MAY 2019
Ref.
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For action by.

Licensing Division

Swansea City Council

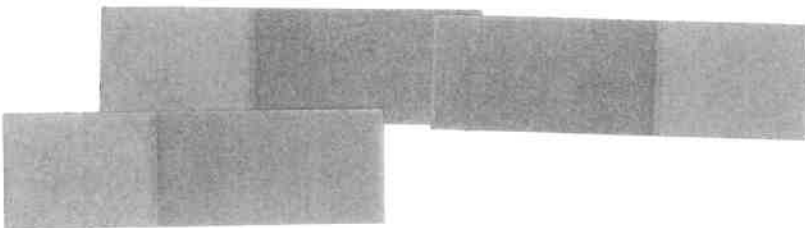
To whom it may concern:

I wish to make representations against the granting of the application by STUART JONES, THE OVERDRAFT, 41 HIGH STREET, CLYDACH. SA6 5LQ

My objections concern these points:

1. Opening hours of 10:00 until 01:00 on Mondays to Wednesdays and 10:00 until 01:30 on Thursdays to Sundays and the inclusion of live music and outdoor alcohol sales on the grounds of excessive noise and disturbance to local residents and other businesses in the vicinity.
2. The sale of alcohol for up to 15 hours a day does not fit with the current businesses in the High Street and would be detrimental to the current enhancement of the area.
3. Increased parking problems in the area

Yours faithfully





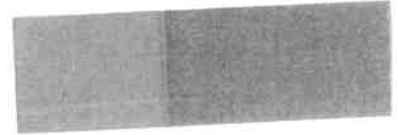
Directorate of Place Licensing
20 MAY 2019
Ref.
Logged by.
For action by.

Rep H.



Clydach

Swansea



Dear Sirs,

I am writing to register my objection to the application for a premises licence by Stuart Jones for 41 High Street Clydach Swansea.

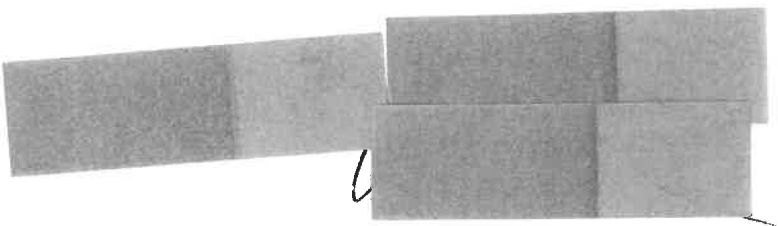
The basis for my opposition is that of the opening hours requested, I feel granting a licence for this premises will not promote the licencing objectives for the prevention of disorder, public nuisance and anti-social behaviour.

The applicant proposes that alcohol will be sold for consumption on the premises between Monday to Wednesday 10.00 – 01.00 and Thursday to Sunday 10.00 - 01.30, granting a licence would provide a further source of alcohol within an area already populated with licenced premises, again causing disorder and public nuisance.

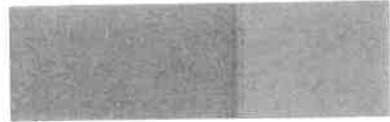
The applicant has also requested for indoor and outdoor sales of alcohol, playing music and live music performances again this is an area where families are living so the protection of children from harm comes into play as people will be drinking outside till 01.30 in the early hours of the morning.

In view of the above, I would urge the licencing authority to refuse the application.

Yours faithfully



Rep 5.



Clydach  
Swansea  
SA6 5LQ

City and County of Swansea  
Alcohol and Entertainment Licensing Dept.  
County Hall  
Oystermouth Road  
Swansea

22 May 22, 2019

Dear Sir/Madam  
Re Objection to the licensing application for the premises

**OVERDRAFT 41 HIGH STREET CLYDACH SWABSEA SA6 5LQ**

We would like to raise objections to the granting of the licensing hours applied for by Mr. Stuart Matthew Jones proprietor of the above premises.

Mr. Jones has applied for a license to play  
Live music from  
Monday to Thursday 13.00 to 23.00 hours

Recorded Music  
Monday to Sunday 10.00 to 23.30 hours

Mr. Jones has also applied for a

license to serve alcohol and late-night refreshment from  
Monday to Wednesday 10.00 to 00.30  
Thursday to Sunday 10.00 to 01.00.

The council website advises the following

All applications for alcohol or entertainment licenses have to meet the four licensing objectives. These are there to help make sure the licence meets the public interest. The four objectives are

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

Clydach, like many communities within the County of Swansea has many public houses/wine bars, many of these provide live/recorded entertainment. However, these establishments, especially those in heavily residential areas, as the Overdraft is situated usually close at midnight at the latest at weekends and earlier Monday through Thursday

Having a licensed premise, situated in a heavily residential area, being allowed to keep the hours Mr Jones is requesting will we believe

#### **Cause disorder into the early hours of the morning.**

The longer people consume alcohol the greater the risk of noisy disorderly behaviour, added to this there is likely to be taxi's collecting people, engines running, car doors slamming. The Overdraft is adjacent to, opposite and close to many domestic dwellings, there is also housing for the elderly close by. Many of the residents of these dwellings get up very early for work, children have to get up for school. There is a very real risk the sleep of residents both adult and children is going to be detrimentally affected if Mr Jones is granted the late licensing hours he is requesting. Residents living in the elderly housing facility may well feel very vulnerable and frightened by any late-night disturbances.

#### **Public Safety.**

The more alcohol people consume the greater the risk of violence and anti-social behaviour. Unlike the city centre when, if excessive alcohol consumption leads to disorder violence, Clydach does not have a police presence immediately at hand to deal with any public safety issues. It would in all likelihood be some considerable time before police arrived to deal with any disturbances

#### **Prevention of Public Nuisance.**

Again, as with the above if the extended late drinking hours cause public nuisance there is no police presence to act as a deterrent or to prevent an escalation of anti-social behaviour.

**Protection of Children from Harm.**

As stated the location of the Overdraft is in a heavily residential area, the makeup of the residents is mixed, elderly people, single people, and many families with young families. If alcohol is served until past midnight and until 00.10, people in all likelihood would be leaving the premises probably around 20 to 30 minutes after 'last orders'.

As already stated there is likely to be taxi's collecting people, engines running, car doors slamming, people under the influence of alcohol being rowdy, (being woken up by happily rowdy people is no easier than being woken up by unpleasant rowdy people)

Sleep deprivation and disruptive sleep are known to have a damaging effect on physical and mental health, this is a proven medical fact. Studies have also shown children who are tired perform poorly in school. It is our contention, should Mr Jones be allowed the licensing hours he is requesting they will be harmful to children living locally, having a detrimental effect on the childrens physical and mental health and on their education.

In conclusion we feel, while the licensing hours Mr. Jones is requesting would be suitable for a city centre location, or a location in one of the cities tourist area e.g. the marina, they are completely unsuitable for a public house situated in a heavily residential village high street. A license of no later than 23.00 hours Sunday to Thursday and midnight Friday and Saturday would we feel be more appropriate

We are respectfully requesting the licensing committee rejects the requests Mr Jones has made for late licenses for the reasons stated above

We would like to thank you for taking the time to consider the issues raised in this correspondence.

Yours faithfully



Rep 6

**Chappell, Hayley**

**From:** [Redacted] <[Redacted]@hotmail.com>  
**Sent:** 21 May 2019 21:55  
**To:** EVH Licensing  
**Subject:** Licence Application- Stuart Jones , The Overdraft, 41 High St, Clydach, Swansea. - sent to YL

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Red Category

Dear Sir/Madam,

Further to my letter dated 17th May 2019 regarding my objection to the above application i would like to make the following observations to amplify said objection :-

Prevention of Public Nuisance - The villagers are already subjected to noise from the existing licensed premises & another premises staying open even longer and also with an extended music licence would be totally unacceptable, in part due to the noise at and after closing as clientele leave the premises eg shouting, singing, cars & taxi's pulling up and banging of doors etc to name but a few!

Prevention of Crime & Disorder - Along with many other villages we already have a serious drug & alcohol problem and an extended licence would enhance an already worrying situation. There is a lane to the side of the premises which is already known to be used for such purposes.

Public Safety - This premises is in close proximity to private dwellings and also sheltered housing units for the elderly. An extended licence would encourage disturbances such as fighting within the premises and also spilling onto the pavement/street which would affect both customers and passers by.

If you require any more information, please do not hesitate to contact me,  
Yours faithfully

[Redacted Signature]  
[Redacted]@st.com

Rep. 7

Directorate of Place
Licensing
22 MAY 2019
Ref:
Logged by: FEL
For action by:



Clydach

Swansea



To whom it may concern,

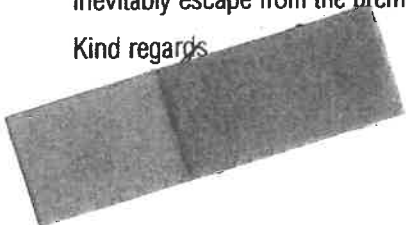
I would like to object in reference to the new application for 41 High Street Clydach, Swansea SA6 5LQ, The Overdraft, this is based on the grounds of prevention of public nuisance. If this premises could stay open until 01.00 Monday to Wednesday and until 01.30 Thursday to Sunday, this is an unacceptably late time for residents. Noise at and after closing time is a public nuisance problem along with anti-social behaviour, low level nuisance – non reportable crime including shouting, swearing, urination in public, littering etc, will be increased.

This would also bring concern for myself under the prevention of crime and disorder and with people being intoxicated leaving the premises in the early hours of the morning.

This application is also trying to create a bigger premise within the planning department of The City & County of Swansea & an outdoor seating area, again causing public safety and nuisance issues when it is closing time and crowds will be spilling out directly onto the main High Street.

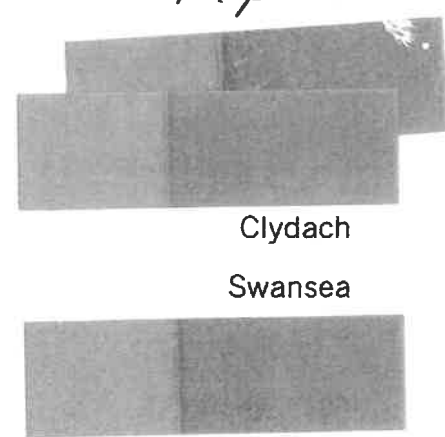
The applicant has also applied for live music performances with late night refreshments, I feel again this noise will disturb residence, the premises does not have sound-proofing or noise-limiting devices or double glazed windows as it is an old building that was not designed to contain modern levels of sound and vibration, and that the noise will inevitably escape from the premises.

Kind regards



Directorate of Place  
Licensing  
22 MAY 2019  
Ref.  
Logged by. *FEC*  
For action by.

00006 CAB  
Rep 08



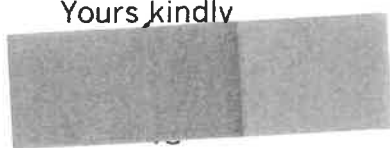
Sir/Madam,

Please find attached my email sent to the licencing department on Monday 20<sup>th</sup> May 2019 and after speaking with a member of your team Bethan on Tuesday 21<sup>st</sup> May regarding all the issue in my email, I would like to object to the premises licence for 41 High Street, Clydach.

As I explained to your colleague the blue sign put up at the premises does not represent what has been put into the City & County of Swansea regarding hours/activites & as discussed, we are unsure of the hours actually put into the local paper either.

If hours were passed by licensing it would have a detrimental effect on the shopping High Street in Clydach with regards to the prevention of public nuisance & public safety, this is a forma bank trying to be made into a public house & the location of this property is on a busy shopping High Street. This would involve intoxicated people being around vulnerable groups like the old age & children after school hours, as only 6 door away is a comic café used heavily after school hours by children until 19.00hrs, allowing people to drink for long periods of time such as the applicant requires would bring concern to me for the protection of children from harm as 10.00hrs in the morning until 01.00/01.30 in the early hour of the morning is excessive alcohol trading hours.

Yours kindly



To Whom it may concern,

I am looking for some clarity in relation to a Premises licence application I am in the process of objecting to for 41 High St, Clydach, Swansea.

As you can see from the blue notice I have attached to this letter which is displayed at the above property, it states the hours of proposed opening are Monday to Wednesday 10.00 until 01.00 and Thursday to Sunday 10.00 until 01.30, however on your website the applicant has applied for conflicting hours, Monday to Wednesday 10.00hrs to 00.30hrs; Thursday to Sunday 10.00hrs to 01.00hrs; on and off premises which means the hours displayed at the property currently are different the hours held by the City & County of Swansea.

There is also a provision of late night refreshments Monday to Wednesday 10.00hrs to 00.30hrs; Thursday to Sunday 10.00hrs to 01.00hrs, this however this information is not stated on the Blue notice currently displayed at said premises, along with the hours proposed for live music and recorded music at set times.

I feel this information is purposely conflicting i.e. showing City & County of Swansea shorter hours of trading than the applicant intends to carry out.

Unfortunately I did not see the advertisement in the local paper so would like to know which hours were actually advertised as per your licence requirements, and feel this matter requires immediate attention due to the imminent ending of the consultation period being 22<sup>nd</sup> May 2019, and as stated above I wish to object on a number of issues.

Yours Faithfully





**NOTICE OF APPLICATION FOR A PREMISES LICENCE  
SECTION 17 OF THE LICENSING ACT 2003**

**APPLICANT:**

APPLICANT NAME: STUART JONES  
PREMISES NAME: THE OVERDRAFT  
41 HIGH STREET  
CLYDACH  
SWANSEA  
SA6 5LQ

**THE PROPOSED LICENSABLE ACTIVITIES:**

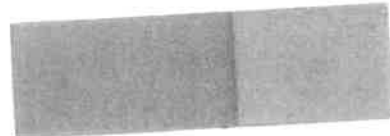
Indoor and outdoor sale of alcohol, playing  
occasionally holding live music performance  
refreshments-Monday to Wednesday 10.00  
Thursday to Sunday 10.00 until 01.30.

Full details of the application can be inspected  
below during normal business hours:

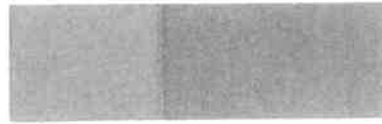
CITY AND COUNTY OF SWANSEA  
LICENSING DIVISION  
ENVIRONMENT DEPARTMENT

Directorate of Place  
Licensing  
22 MAY 2019  
Fee:  
Logged by: *FEC*  
For action by:

*Rep 19*



Rhos



**Applicant Name: Stuart Jones**

**Premises Name: The overdraft, 41 High Street Clydach, Swansea SA6 5LQ**

To whom it may concern,

I wish to object to the above premises licence with regards to the opening hours requested.

The hours requested for the licence would be Monday – Wednesday 10.00 until 01.00 and Thursday to Sunday 10.00 until 01.30, however the hours held by the planning department for this premises to operate is Sunday – Friday 10.00-23.00 and Saturday 10.00-23.30 these hours were granted due to it being part of a residential area with so many private flats being rented above the shops in the High Street, if this was granted it would cause no end of issues with regards to public safety, the prevention of crime & disorder & public nuisance due to the length of hours people could potentially be drinking for.

Please could you record my objection to this premises licence being granted.

Many thanks

