

CITY AND COUNTY OF SWANSEA

MINUTES OF THE STATUTORY LICENSING SUB COMMITTEE

**HELD AT COMMITTEE ROOM 1, CIVIC CENTRE, SWANSEA ON
FRIDAY, 6 NOVEMBER 2015 AT 10.00 AM**

PRESENT: Councillor P M Matthews (Chair) Presided

Councillor(s)	Councillor(s)
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A M Cook	C L Philpott
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Officers:

L Thomas	-	Senior Lawyer
R Westlake	-	Senior Licensing Officer
S Woon	-	Democratic Services Officer

Applicant's Representative:

W Parry	-	Parry & Co, Solicitors
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Representatives of South Wales Police:

PC J Hancock	-	South Wales Police
N Bailey	-	South Wales Police

25 **APOLOGIES FOR ABSENCE.**

No apologies for absence were received.

26 **DISCLOSURES OF PERSONAL AND PREJUDICIAL INTEREST.**

In accordance with the Code of Conduct adopted by the City and County of Swansea, no interests were declared.

27 **LICENSING ACT 2003 - SECTION 17 -APPLICATION FOR A PREMISES
LICENCE - FANCY A RUM, 1ST FLOOR, 1 YORK STREET, SWANSEA.**

The Chair welcomed all attendees to the meeting and requested that the Senior Lawyer outline the procedure to be adopted by the Sub Committee in considering the application.

The Senior Lawyer referred to correspondence from both Parry & Co, Solicitors acting on behalf of the Applicant and South Wales Police. As a result of the correspondence, the position had changed and Members had been advised in relation to the procedure that must now be followed.

PC J Hancock, South Wales Police, referred to correspondence received from Parry & Co, Solicitors, acting on behalf of the Applicant. He referred to an incident in Princess Way in the early hours of Sunday 1 November, 2015 and as a result, the necessity for the matter to be considered by senior police officers. As a result, the Police agreed the Applicant's amended application for licensable activities to end at 02.30 hours and the premises to close at 03.00 hours. Late Night Refreshment would still cease at 01.00hours in accordance with the original application.

In response to a question from the Lawyer advising the Committee, PC J Hancock confirmed that the Police were withdrawing their representation.

The Lawyer advising the Committee advised that as a result of the only relevant representation being withdrawn the application had to be granted in accordance with the application (as amended).

In response to a question from the Lawyer advising the Committee, Mr W Parry, Solicitor representing the Applicant confirmed the application being sought was for:

- the licensable activities would cease at 02.30 hours with the premises closed to the public at 03.00 hours. He confirmed that the provision of late night refreshment would cease at 01.00 hours.
- The operating schedule was amended so as to add the conditions in Appendix C to the report to the licence.

Mr Parry confirmed the Applicant would surrender the existing premises licence when the new premises had been constructed and all the associated leases and planning applications had been granted. He stated that it was not the Applicant's intention to run both licences concurrently.

The Lawyer advising the Committee reiterated that as the only relevant representation had been withdrawn the modified application had to be granted as detailed below:

- **Live Music** – Monday to Sunday 12.00 hours to 02.30hours
 - **Recorded Music** – Monday to Sunday – 12.00 hours to 02.30hours
 - **The provision of late night refreshment** – Monday to Sunday – 23.00 hours to 01.00 hours
 - **The Supply of Alcohol** – Monday to Sunday – 12.00 hours to 02.30hours.
1. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition. Cameras shall encompass all ingress and egress to the premises, fire exits all areas where the public have access and any external drinking area's. Equipment must be maintained in good working order, the system must continually record whilst the premises is open for licensable activities and during all times when customers remain at the premises. Recordings must be correctly timed and date stamped, recordings must be kept in date order, numbered sequentially and kept for a period of 31 days and handed to a Police Officer/Local Authority Officer on demand. The Premises Licence Holder must ensure that at all times a Designated Premises Supervisor (DPS) or appointed

member of staff is capable and competent at downloading CCTV footage in a recordable format either disc or VHS to a Police Officer/Local Authority Officer on demand. The Recording equipment and tapes/discs shall be kept in a secure environment under the control of the DPS or other responsible named individual. An operational daily log report must be maintained, endorsed by signature, indicating the system has been checked and is compliant. In the event of any failings the actions taken are to be recorded. In the event of technical failure of the CCTV equipment, the Premises Licence holder/DPS must report the failure to the Police/Local Authority.

2. There shall be a personal licence holder on duty at the premises at all times when the premises are authorised to sell alcohol.
3. Suitable non-glass receptacles only to be used at premises on days considered to be major event days in the area. Such days to be notified to designated premises supervisor in writing at least 14 days prior to the event, or with agreement of Pub and Club Watch.
4. Other than for off sales in sealed containers, no glassware or glass bottles to be taken outside the building by patrons of the premises.
5. At least 2 SIA licensed door supervisors shall be on duty at the entrance of the premises at all times when regulated entertainment takes place at the premises and in any event from 21.00 hours onwards on days when the premises is open for business.
6. A register of door supervisors (Safer Swansea Partnership Register or like detailed bound numerical register) to be maintained at all times at the premises. Such register to include the name, registration number, contact details of the member of door staff along 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 requested by an Authorised Officer.
7. 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; including the use of new psychoactive substances (legal highs) and that the venue operates a drug search policy as a condition of entry reserving the right to search customers under this provision.
8. 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.
9. A drug safe to be present in the premises.
10. Managers/supervisors of premises to attend and fully participate in the City Centre Pub and Club Watch Scheme.
11. Premises to actively participate in the City Centre Nitenet radio communication scheme. Participation to specifically include a member of staff responsible for

signing the system, monitoring, responding to transmissions, making transmissions when incidents arise to alert other premises using the system and signing off. This participation to take place at all times the premises is open to customers and trading.

12. Premises to actively participate in the City Centre exclusion order scheme.
13. An incident book (Safer Swansea Partnership Incident Book or like detailed bound numerical register) 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 or alcoholic drinks purchased at the premises is prohibited on the highways outside the premises.
15. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
16. All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.
17. The external drinking area when utilised to be constantly supervised by a dedicated member of staff who is solely responsible for this duty.
18. No entertainment, performance, service or exhibition involving nudity or sexual stimulation which would fall within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009), shall be provided.
19. 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 holographic mark.
20. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the Police or an Authorised Officer of the Council at all times whilst the premises are open.
21. Premises to keep up to date records of staff training in respect of age related sales, in written or electronic format, available for inspection on request by an Authorised Officer.
22. There shall be no access to the premises by persons under the age of 18 years after 21.00 hours.

23. Notices shall be clearly displayed in the premises to emphasise to customers the prohibition on providing sales of alcohol to persons under the age of eighteen years.
24. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
25. All windows and doors shall be kept closed when regulated entertainment takes place, except for the immediate access or egress of persons.
26. A sound limiting device located in separate and remote cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an Authorised Officer of the public protection service's Pollution Control Division to ensure that no noise nuisance is caused to local residents. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only. The limiter shall not be altered without prior agreement with the Public Protection Service.

The meeting ended at 10.09 am

CHAIR