

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 11.00am. 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 emptying 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](mailto:Cllr.Irene.Mann@swansea.gov.uk)>  
**Sent:** 10 May 2019 10:25  
**To:** Loosemore, Rachel <[Rachel.Loosemore@swansea.gov.uk](mailto: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](mailto:liam.jones@swansea.gov.uk) ✉  
[liam.jones@abertawe.gov.uk](mailto:liam.jones@abertawe.gov.uk)

**From:** Mann, Irene (Councillor) <[Cllr.Irene.Mann@swansea.gov.uk](mailto:Cllr.Irene.Mann@swansea.gov.uk)>  
**Sent:** 09 May 2019 13:29  
**To:** Jones, Liam <[Liam.Jones@swansea.gov.uk](mailto: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

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**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  
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[liam.jones@abertawe.gov.uk](mailto: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](mailto: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**

**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.**

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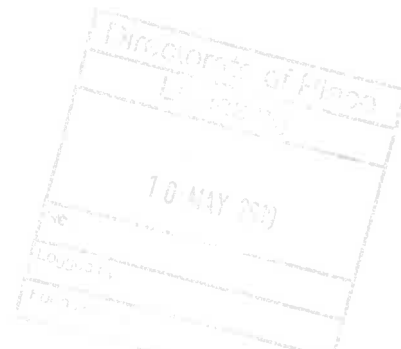
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I would ask the committee to reject the application.

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Yours faithfully


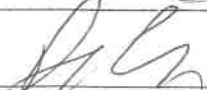
Cllr Irene Mann

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
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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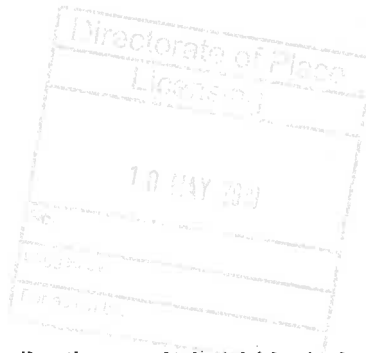
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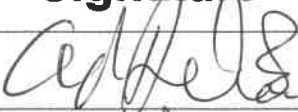

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Name	Address	Signature	Date
Ala Dobson	70 Penton Crescent Upland		7/5/19
Beryl Dobson	70, Penton Crescent, Upland		7/5/19
David Hughes	2 Richmond Rd Uplands	D. T. Hughes	9/5/19
Hedley Austin	3 Hillside Cres Uplands	H Austin	9/5/19

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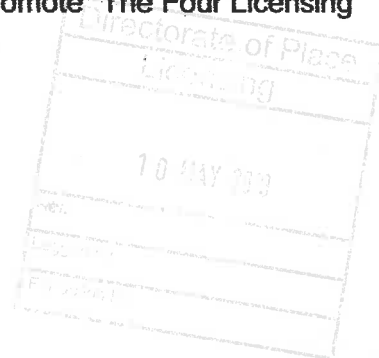
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Name	Address	Signature	Date
M. T. WOOLLARD	5, RICHMOND TCE	M. J. Woollard	3rd May 2019.
MARY E. GORMLEY.	6. Richmond Tce.	M.E. Gormley.	03/05/2019.
C. GOULD	102 EATON CRES	CR Gould	04/05/2019.
M. Fair	18. St Helens CRES.	m. Fair	4/5/19

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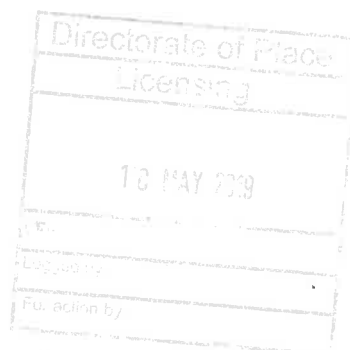
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Name	Address	Signature	Date
RADFORD	26A EATON CRESCENT	Wm E Radford	8/5/19
BIYTH	16 EATON CRESCENT	[Signature]	8/5/19
SKEE-BLYTH	16 EATON CRESC	[Signature]	8/5/19
PITMAN	7 GWENT GROVE	[Signature]	8/5/19
BARRY WILLIAMS	93 RICHMOND TERRACE	Barry Williams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

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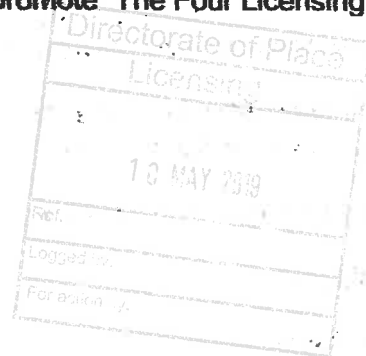
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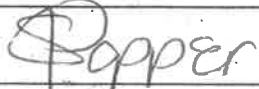
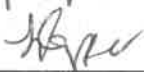

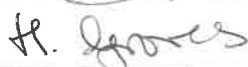

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J. Popper	7 MIRADOR CRESCENT		7-5-19
S. Tynan	7 Belgrave Road		8-5-19
H. Jones	4 MIRADOR CRESCENT		7-5-19
K. INGHAM	6 MIRADOR CRESCENT		8-5-19



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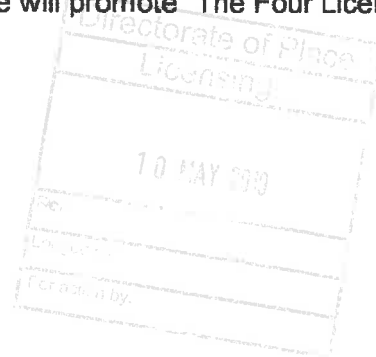
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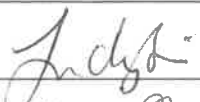
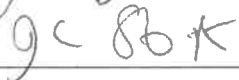
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Name	Address	Signature	Date
SUE ELWARD	5 ST HELENS AVE		3/5/2019
MARY MCCARTHY	212 ST HELENS SPIRIT AVE		3/5/2019
Jude Souia	33 Hawthorn Ave		5/5/19.
J. STORT	32 Rhyddings Park Rd		7/5/19
F. FERGUSON	191 ST HELENS AVE		7.5.19.

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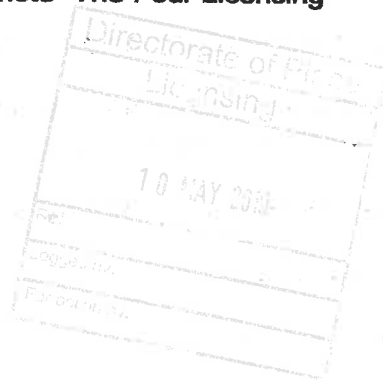
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Name	Address	Signature	Date
E.M. LITTLE	644 Crowe Rd - Uplands	[Signature]	8.5.19
M. WALKER	4 CAMBRIDGE ST UPLANDS	[Signature]	8.5.19
A.M. Jones	24 Hazel Road, Uplands	[Signature]	8.5.19
G. HUMPHREYS	11 Knoll Avenue Uplands Swansea	[Signature]	9.5.2019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

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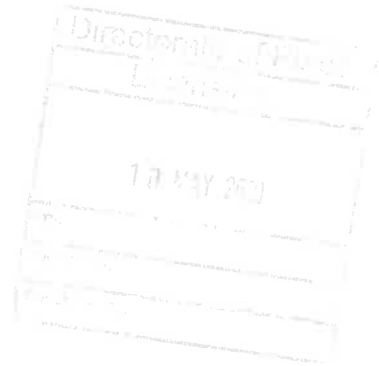
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Chris	6 RICHMOND MOUNT. UPLANDS	<i>C.J.</i>	6/5/19
J. Williams	31 THE GROVE SWANSEA	<i>J. Williams</i>	7/5/19
T. Acl	38 THE GROVE UPLANDS - SWANSEA	<i>T.Acl</i>	7/5/19
Phil Rushbeer	32 THE GROVE	<i>Phil Rushbeer</i>	8/5/19
Vincent Young	41 The Grove	<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 Coetie Bells Dunbart	<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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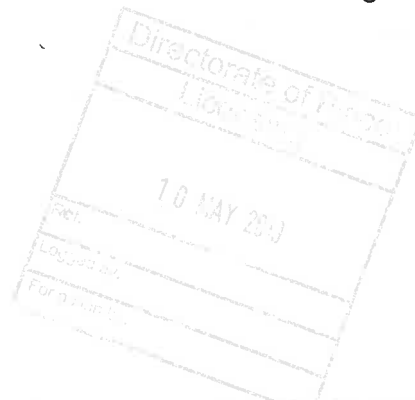
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DAVID GEORGE	6, Richmond Villas Fynstone Road, SA1 6DQ	DAVID GEORGE	6/1/19
ANGELA GEORGE	6 Richmond Villas SA1 6DQ	Angela	7.5.19
DAVE BACKEN	1 RICHMOND VILLAS SA1 6DQ	[Signature]	8/5/19
MARGARET BACKEN	1 Richmond Villas SA1 6DQ	[Signature]	8/5/19
CHRISTOPHER	2 RICHMOND VILLAS FYNSTONE SA1 6DQ	[Signature]	8/5/19

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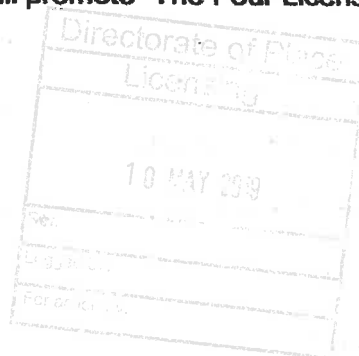
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N Q EVANS	3 Richmond Mews UPLANDS	I N Q Evans	8/5/19
<i>Elaine Evans</i>	11	ELAINE EVANS	8/5/19.

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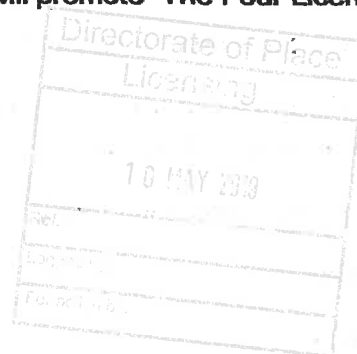
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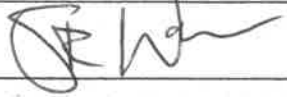
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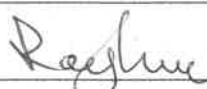


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R. JOHNSON	24 SATON Crescent SA14 4QP		6 May 19
B.C. CLEMENT	FLAT 2 5 UPLANDS CRESC SA2 0PB		9 May 2019.
A.V. REANEY	Floor 3 2 Uplands Cres		9 May 2019



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MICHAEL BACHELOR	19 St James Gardens SA1 6DY	M. Bachelor	8/5/19
Judith Davies	Bryn Cerrig Fynho S14 6BE	J. Davies	8/5/19
SANDY JOHNS	61 GLANBRYDAN AVE UPLANDS SA20 1YJ	S. Johns	8/5/19
KWELANZ	6 Gwladys Street Uplands	Kwelan	8/5/19

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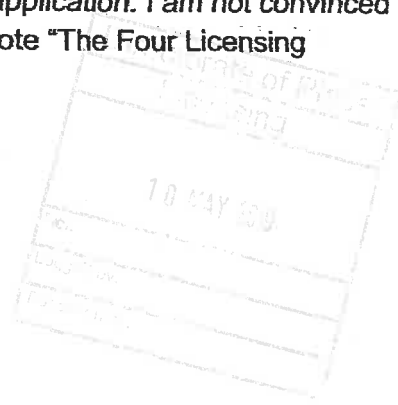
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Tom Goodman	14 Gaer Bellar Dunbart 5427RL		8-5-19

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

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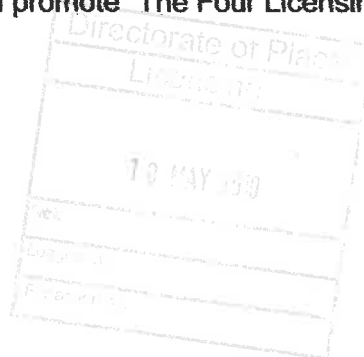
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D G BOAT	16 THE GROVE UPLANDS	D G Boat	7.5.19



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Licensing	
10 MAY 2009	
Ref.	
Logged by.	
For action by.	

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

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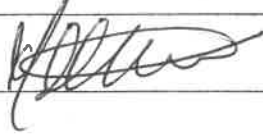
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MARK GRIFITHS	70 RICHMOND ROAD, UPLANDS SWANSEA SA1 0RB.		09/05/19

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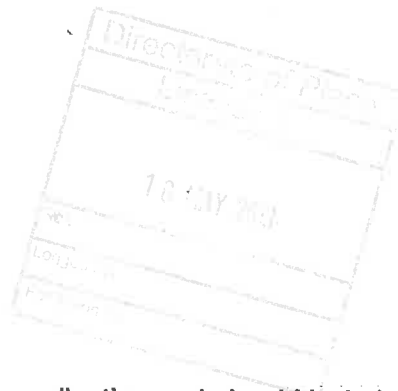
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VALERIE MARTIN	2 MIRADOR CRESCENT	<i>V.L. Martin</i>	2/5/19
TREVOR MARTIN	"	<i>T.C. Martin</i>	2/5/19

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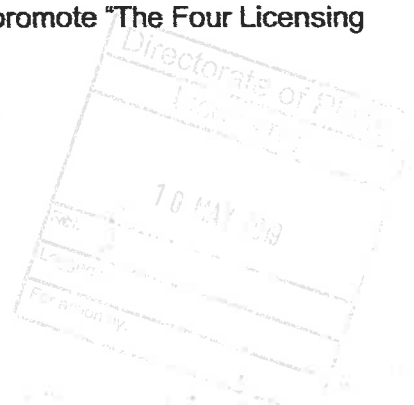
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Kim MARRIOTT	93 Khybering Lane	K. Marriott	8-5-19
ROB STEELE	1, UPLANDS TCE	R. Steele	8/5/19
M JENKINS	24 Eaton <sup>Eaton</sup> <del>Crescent</del>	M Jenkins	8/5/19
Z JENKINS	24 Eaton <del>Crescent</del>	Z Jenkins	9/5/19
R RICHARDS	6 ARMOND CL	R Richards	9/5/19
H. LANGSTONE & GWYDR CRES		H. Langstone	9/5/19



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R BARNARD	18 EATON RD	R Barnard	8 May 2019.
D BARNARD	18 EATON LEE	D Barnard	8.1 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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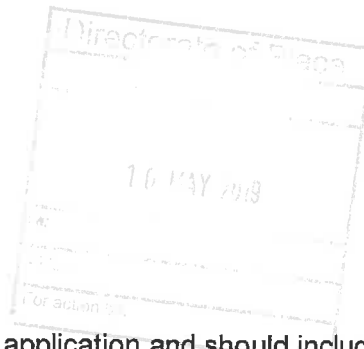
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Name	Address	Signature	Date
ALISON GUNDOZ	35 OAKWOOD RD		9/5/19
HOWARD MOSS	8 TRAFALGAR PLACE SA2 0BU		9/5/19
JASON WILLIAMS	21 CHANNING PARK ROAD		09/05/19
AYSE GUNDOZ	35 OAKWOOD RD	A-GUNDOZ	10/5/19
ESMA GUNDOZ	35 OAKWOOD RD		10-5-19.

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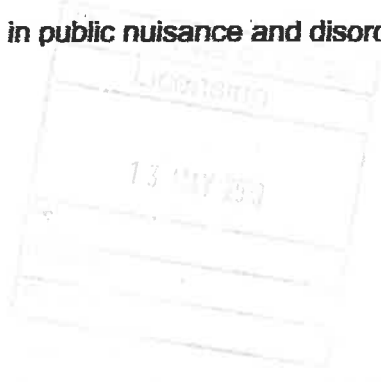
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Name	Address	Signature	Date
Gareth Thomas	1 Cwmdonkin Close Uplands SA20 0QZ		10.5.19
John Mainocery	1 Cwmdonkin Close SA20 0QZ		10.5.19
MARTA BULIK-PASINSKA	2 Cwmdonkin Close SA20 0QZ	Marta Pasinska	10/5/19
RAJ RAHMAN	4, Cwmdonkin Close, Uplands	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

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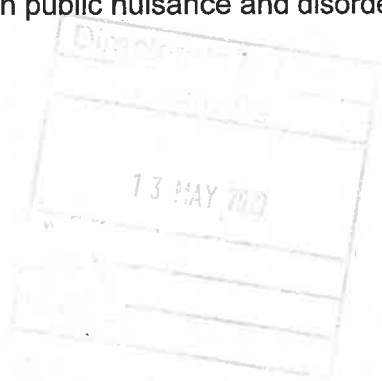
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Name	Address	Signature	Date
KEVIN BLACKMORE	53, BRYN RD, SWANSEA	K Blackmore	08/05/2019
TAMMY DAVIES	53, BRYN ROAD, SWANSEA	T Davies	09/05/2019



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Aisling Devine	27 Bernadst	<i>[Signature]</i>	09/05/19
Alex Holborow	27 Bernadst	<i>A. Holborow</i>	10/05/19
A.D. NATHAN	7 RICHMOND TERR	<i>[Signature]</i>	12/05/19

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

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John Thomas	88 Eaton Crescent 4QP.	John Thomas	10 May 2019