



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: Friday, 17 May 2019

Time: 10.00 am

Chair: Councillor Penny Matthews

Membership:

Councillors: P Lloyd and C L Philpott

Agenda

Page No.

- 1 Apologies for Absence.
- 2 Disclosures of Personal and Prejudicial Interests.
www.swansea.gov.uk/disclosuresofinterests
- 3 Licensing Act 2003 - Section 17 - Application for a Premises Licence - Smugglers Beach Bar and Kitchen, Port Eynon, Swansea. SA3 1NN. 1 - 19

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

Huw Evans
Head of Democratic Services
Friday, 10 May 2019

Contact: Democratic Services tel: 636923



Cyngor **Abertawe**
Swansea Council

**Report of the Divisional Licensing Officer
To the Statutory Licensing Sub Committee
17th May 2019**

Licensing Act 2003 Section 17 Application for a Premises Licence

1. **Premises: Smugglers Beach Bar and Kitchen, Port Eynon, Swansea. SA3 1NN**
2. **Applicant : Donna Marie Paterson**
3. **Application for a Premises Licence**
 - 3.1 An application was received by this authority on the 27th March 2019.

The premises has a licence which will be surrendered if the current application is successful.

The current licence is attached at **Appendix A**
 - 3.2 This application proposes the following activities –
 - a) **Indoor Sporting Events –
Sunday to Thursday 10:00hrs to 23:30hrs;
Friday and Saturday 10:00hrs to 00:00hrs**
 - b) **Live Music –
Monday to Sunday 12:00hrs to 23:00hrs**
 - c) **Recorded Music –
Sunday to Thursday 10:00hrs to 00:00hrs;
Friday and Saturday 10:00hrs to 01:00hrs**
 - d) **Late Night Refreshment –
Sunday to Thursday 23:00hrs to 00:00hrs;
Friday and Saturday 23:00hrs to 01:00hrs**
 - e) **Supply of Alcohol –
Sunday to Thursday 10:00hrs to 00:00hrs;
Friday and Saturday 10:00hrs to 01:00hrs**

The opening times for the premises are proposed as:

Sunday to Thursday 10:00hrs to 00:30hrs;

Friday and Saturday 10:00hrs to 01:30hrs

4. Background

- 4.1 The premises has been a licensed restaurant for many years situated in the village of Port Eynon which is close to the nearby villages of Horton and Overton. It is one of the last properties you pass prior to arriving at the beach. The village is rural with mainly residential properties. It is a holiday destination and experiences a large influx of holidaymakers in the summer season with several large caravan sites nearby.
- 4.2 The applicant describes the premises in the application form as – Smugglers is located on the Beach front down Port Eynon with a beer garden located by the entrance of the building where we have marked as an external area for the consumption of alcohol. Through the entrance of the building we have our tea rooms where afternoon teas and coffees will be consumed. Our bar for the supply of alcohol is located at the back of the venue where the restaurant tables are planned out. We also have another entrance located by the toilets at the end of the back room opposite the bar.
- 4.3 The premises also has an external car park which when set out for external consumption will still accommodate approximately 10 vehicles.
- 4.4 There are several commercial properties nearby which include fish and chip shops and gift shops.
- 4.5 There is one other licensed premises in the village namely The Ship, which is approximately 100 metres from Smugglers Beach Bar and Kitchen. The hours authorising licensable activities are as follows -

Performance of Live Music

Monday to Sunday - 1000 hours to 2300 hours

Playback of Recorded Music

Monday to Sunday - 1000 hours to 2300 hours

Supply of Alcohol

Sunday to Thursday - 1000 hours to 2330 hours

Friday & Saturday - 1000 hours to 0030 hours

Easter Weekend, Mayday Bank Holiday, Spring Bank Holiday, August Bank Holiday, Boxing Day, New Year's Eve:

Friday to Monday - 1000 hours to 0100 hours

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

A plan of the proposed 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.

5.2 Conditions consistent with the operating schedule that will be attached to the licence if granted are at **Appendix D**.

6. RELEVANT REPRESENTATIONS

6.1 Responsible Authorities

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

i) Licensing Authority

No representations.

j) Immigration

No representations.

j) Other Persons

Representations have been received from 2 residents both of whom have properties in the village of Port Eynon.

These are attached at **Appendix E**.

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.

(ii) 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.

(iii) 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.

(iv) 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

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



Cyngor Abertawe
Swansea Council

LICENSING ACT 2003

**Premises Licence
Part A**

Premises licence number

SJ023038

Part A1 – Premises Details

Smugglers Haunt Smugglers Restaurant Porteynon			
Post town	Swansea	Post code	SA3 1NN
Telephone number	01792 391257		

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 hours to 2400 hours
Sunday - 1200 hours to 2330 hours

The opening hours of the premises

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

Donna Marie Paterson
Seabreeze
Horton
Swansea

SA3 1LQ

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

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

Donna Marie Paterson
Seabreeze
Horton
Swansea
SA3 1LQ

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 : SJ82753

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made under the Premises Licence -
 - i) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence or;
 - ii) At a time when the Designated Premises Supervisor does not hold a Personal Licence or their 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. Any individuals who carry out security activities at the premises must be licensed by the Security Industry Authority.
4. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange, or participate in any irresponsible promotions in relation to the premises.

(2) 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 in a manner which carries a significant risk to leading or contributing to crime and disorder, prejudice to

public safety, public nuisance, or harm to children-

(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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

(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;

(d) Provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on -

(i) the outcome of a race, competition or other event or process, or

(ii) the likelihood of anything occurring or not occurring;

(e) 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.

5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without the assistance by reason of a disability).

6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

7. 1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.



(2) 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 a holographic mark.

8. The responsible person shall 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 : 25ml or 35ml ; and
- (iii) still wine in a glass ; 125ml ; and

(b) customers are made aware of the availability of these measures.

Annex 2 – Conditions consistent with the Operating Schedule

1. RESTAURANT AND RESIDENTIAL

Alcohol may be sold or supplied:

- On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 10am to 12pm.
- On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11:30pm
- On Christmas Day: 12 noon to 11:30pm;
- On New Year's Eve, except on a Sunday, 11 a.m. to midnight;
- On New Year's Eve on a Sunday, 12 noon to 11.30 p.m.
- 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:
consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the premises.



2. Suitable non-alcoholic beverages, including drinking water, shall be equally available for consumption with or otherwise as an ancillary to meals served in the licensed premises.

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

Annex 4 – Plans

Plans submitted on 27th July 2005.

Director of Place	
Authorised Officer	

Dated: 30/01/2019

Ref: cmg/dps/plh



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

Licence Application

Scale: 1:1250
Date: 25/04/2019
Created by: Charles.Gabe

1. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition. Cameras shall encompass all ingress and egress to the premises, fire exits, all areas where the public have access and any external areas. Equipment must be maintained in good working order, the system must continually record whilst the premises is open for licensable activities and during all times when customers remain at the premises. Recordings must be correctly timed and date stamped and kept in date order, numbered sequentially and kept for a period of 31 days and handed to a Police Officer/Local Authority Officer on demand. The Premises Licence Holder must ensure that at all times a Designated Premises Supervisor (DPS) or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format to a Police Officer/Local Authority Officer on demand. The Recording equipment shall be kept in a secure environment under the control of the DPS or other responsible named individual. An operational daily log must be maintained, endorsed by signature, indicating the system has been checked and is compliant. In the event of any CCTV system failings the actions taken are to be recorded, and the Premises Licence holder/DPS must report the failure to the Police/Local Authority.
2. Any individuals who carry out security activities at the premises must be licensed by the Security Industry Authority.
3. 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.
4. Other than for off sales in sealed containers no drinks are permitted to leave the licensed and consumption area as shown on the deposited plans
5. No consumption of alcohol or other refreshments to be permitted after 23:00 hours in the external drinking area.
6. There shall be "CCTV in operation" signs prominently displayed in the premises
7. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
8. All windows and external doors shall be kept closed after 21:30hrs, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.

9. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
10. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents in the vicinity.
11. External area to be regularly supervised by staff from premises when in use.
12. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
13. Throughout the venue an additional soundproofing suspended ceiling made from two layers of high density acoustic board and additional specialist soundproofing quilting will be installed and maintained.
14. 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.
15. 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.
16. 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.
17. 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.
18. Persons under the age of 16 years to be accompanied by an appropriate adult at all times.

The Poplars
Port Eynon
Swansea
SA3 1NN

14.4.19

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

Dear Sirs

Re Application for a premises licence for the **Smugglers' Beach Bar and Kitchen, Port Eynon, Swansea SA3 1NN**

I have some concerns about the above licence application under the headings of the prevention of public nuisance, the prevention of crime and disorder, and public safety.

My first concern is the lateness of closing time. (Supply of alcohol until 00.00/1.00 and premises open until 00.30/1.30.) I do not see the need for such late hours in a place like Port Eynon. I am worried that drinkers from the Ship, at closing time there, will make their noisy way round to the Smugglers for another hour or so of drinking and then make an even noisier way back to wherever they are staying. People who have been drinking all evening do not seem to realise or care, how loud their voices are or how far the sound carries. It is not only local residents who will be affected but families with young children who are staying in the surrounding holiday lets and the camp site opposite.

Under the heading 'late night refreshment' (23.00-00.00/1.00) Donna Paterson has indicated that it will be both inside and outside but under the prevention of crime and disorder she makes a conflicting statement that 'No consumption of alcohol or other refreshments to be permitted after 23.00 in the external drinking area'. As she says, under the prevention of public nuisance, that 'all windows and external doors shall be kept closed after 21.30', I think it would prevent a lot of noise nuisance if there was no eating and drinking outside from the same time, i.e. 21.30.

In the Live Music section Donna Paterson states 'during our hot summer days and evenings we will have band performing indoors and outdoor, music will be amplified during these events'. Under the prevention of public nuisance she states 'Loudspeakers shall not be located ... outside the premises building'. I hope there will be no outdoor amplified music as hot weather is just when people like to relax in their gardens or have their windows open and do not want to hear loud music.

Looking at the plan of the site I cannot tell the extent of the external area for alcohol consumption. If it covers the whole of the present car park then I think it could easily become a public nuisance due to the sheer number of people who could congregate there, outnumbering those who could be accommodated indoors. If it covers only part of the car park and the rest is still in use as a car park, then unless it is suitably enclosed, there would be serious danger of an accident, especially to young children who may be running around while their parents chat to friends.

When I was talking to Donna about her plans, she said that what she really wanted to do was to run a family friendly restaurant and tea rooms and was not interested in running a pub. I think that, as a restaurant and tea rooms, it will be very popular with holiday visitors and I wish her every success with that part of her business. I hope she will be willing to agree to much earlier regular closing times and to apply for an extension for occasional private functions such as weddings.

Yours faithfully

Madeline Gill

City and County of Swansea

Licensing Division – Environmental Department

Civic Centre, Oystermouth Road

SWANSEA SA1 3SN

8.4.2019

Re: Application for a premises licence – Port Eynon, Smugglers Beach Bar and Kitchen

Dear Madam, Dear Sir

In relation to the request for an entertainment licence requested by D. Paterson for the soon to open Smugglers Beach Bar and Kitchen (ex- Smugglers Haunt). According to the notice affixed outside the premises, I understand that a request has been made to Swansea Council for the premises to be open and to serve alcohol from 10.00 am to midnight, with extensions until 01.00 am on Fridays and Saturdays. The licence application includes the facility to play recorded and live music, hold sporting events and serve late night refreshment.

I wish to object to this application: firstly, regarding the length of time the premises will be open and licensed to sell alcohol. I do not believe that alcohol on sale for 14 or 15 hours a day in a small, family-oriented resort would be a wise or judicious move. Also, these opening hours would not be fair as The Ship pub nearby does not enjoy the same hours. I am not suggesting that The Ship's hours be extended as it took some battling over the years to control the noise and customer behaviour from the pub.

The second point concerns the nuisance value of noise from the venue as well as the potential for nocturnal disturbance from future customers at The Smugglers, especially if the late night opening is granted. Not just loud music, but also customers' comings and goings will affect quite a lot of people as that part of the village is now densely built up, plus there would be disturbance to the population of the camp site at Carreglwyd. Regarding inflow into the village, has any planning been undertaken with provision for the car park to stay open to accommodate overflow from the restaurant car park? As this currently closes at 8.00 pm late visitors will then park anywhere they can (by the Green, in disabled places, on double yellow lines, etc).

I appreciate that people have to live, and there will be some employment created and I understand that people also are entitled to enjoy their holidays, but "live and let live" – this letter is to request that the licence be granted with reasonable opening hours, especially with regard to the sale of alcohol, and environmental considerations (traffic, noise, waste ...).

Sincerely