Public Document Pack

Licensing Sub-Committee

Meeting Venue By Teams

Meeting Date **Tuesday, 10 August 2021**

Meeting Time 10.00 am Powys

County Hall Llandrindod Wells Powys LD1 5LG

For further information please contact **Carol Johnson** 01597 826206 carol.johnson@powys.gov.uk

2 August 2021

Mae croeso i chi siarad yn Gymraeg neu yn Saesneg yn y cyfarfod. Rhowch wybod pa iaith rydych am ei defnyddio erbyn hanner dydd, ddau ddiwrnod gwaith cyn y cyfarfod. You are welcome to speak Welsh or English in the meeting.

Please inform us of which language you wish to use by noon, two working days before the meeting.

AGENDA

The Sub-Committee Members are required to attend a private Briefing meeting at 9.30 a.m.

1. APPLICATION FOR PREMISES LICENCE

1.1. Sub-Committee procedures

To receive introductions by the Chair and an explanation of the Sub-Committee's procedures by the Principal Solicitor. (Pages 3 - 6)

1.2. **Application for full variation of a licence**

To consider an application for full variation of a licence from 1898, 37-38 High Street, Welshpool, Powys, SY21 7JL. (Pages 7 - 92) This page is intentionally left blank

POWYS COUNTY COUNCIL

LICENSING ACT 2003

Licensing Sub-Committees – Procedural Guidelines for the conduct of hearings in accordance with the Licensing Act 2003 (Hearings) Regulations 2005 ("the Regulations")

Introduction

The four licensing objectives, as set out in the Licensing Act 2003 are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

Each application that comes before a sub committee of the Authority will be treated on its own merits and this licensing authority will take its decision based upon the merits of the application, taking into account the need to promote the four licensing objectives. This Authority will also have regard to its Statement of Licensing Policy and the guidance issued under section 182 of the Licensing Act 2003.

- 1. The hearing will normally be held in public. However, the sub committee may exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public.
- 2. The hearing shall take the form of a discussion led by the Licensing sub committee and cross examination will not be permitted except at the discretion of the sub committee if it is required to consider the application or representations. This is in accordance with Regulation 23 of the Regulations. A party wishing to cross examine another party must make an application to the sub committee.
- 3. The procedure at the hearing shall be determined by the sub committee, normally in accordance with the following guidelines.
- 4. The sub committee shall appoint a Chairman.
- 5. The Chairman will welcome everyone to the hearing and will introduce him/herself and the other members of the sub committee.
- 6. The Legal Adviser to the sub committee will ask everyone present to introduce themselves and will explain the procedure to be followed. He/she will ask the applicant, if unaccompanied, if he/she was aware of the right to be represented. The sub committee will also consider any

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request made by a party under Regulation 8(2) for permission for another person to appear at the hearing as a witness.

- 7. The Licensing Officer will present a report outlining the nature of the application to be considered, any relevant representations and policy statements. The sub committee may ask any relevant questions of the officer through their Legal Adviser.
- 8. The applicant (or his/her representative) will be invited to put his/her case. The applicant may call witnesses to support the case provided that the sub committee have given permission to do so. The sub committee and other parties who have made relevant representations may ask any relevant questions of the applicant or of persons representing them. The sub committee should ask questions through their Legal Adviser.
- 9. The Chairman will then invite those parties making representations to address the sub committee. The sub committee may ask relevant questions of those parties making representations through their Legal Adviser. The applicant or his/her representative may also ask relevant questions of those parties making representations.
- 10. The Chairman will invite the applicant (or his/her representative), and any parties making representations, to briefly summarise their points if they wish.
- 11. The sub committee may ask relevant questions of any party during the hearing through their Legal Adviser, but should refrain from any discussion of the merits of the case.
- 12. The sub committee will retire with their Legal Adviser to deliberate in private. It if is necessary to recall any party to provide further information or clarification, all parties at the hearing will be asked to return.
- 13. When the sub committee has reached its conclusion, the parties will be recalled and the decision will be announced to the applicant by the Legal Adviser to the sub committee, accompanied by, as appropriate, a description of any conditions which are to be attached to the grant of a licence and the licensing objectives that they relate to. Reasons will be given for the decision. That information will also be given to the applicant in writing as soon as is practicable and he/she will be told of any statutory rights of appeal that are available. In cases where a decision cannot be given at the end of a hearing, the applicant and those parties present will be notified of the decision within five working days.

PLEASE NOTE:

- Any person attending the hearing, who, in the opinion of the Chairman, is behaving in a disruptive manner, may be required to leave.
- Late additions to representations and evidence will only be considered with the agreement of all parties present
- The sub committee may allow a maximum period of time for each party to make all relevant statements in support of their written representations. The sub committee would request that all parties avoid repetition and keep the discussion moving in the interests of efficiency.
- Decisions will generally be taken regardless of whether the applicant or those who have made written representations are present. All notices and written representations received from absent parties will be considered. However if a party is unable to attend a hearing due to unforeseen circumstances and would wish to be present, that party should contact the relevant Licensing Officer or Committee Clerk by telephone in order to explain the circumstances. In such a case, the sub committee may be prepared to adjourn the hearing.

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1.b

CYNGOR SIR POWYS COUNTY COUNCIL

Licensing Sub-Committee 10th August 2021

REPORT BY: Natalie Jones Licensing Officer

SUBJECT: Application for a FULL VARIATION to a Premise Licence at 1898, 37-38 High Street, Welshpool, Powys, SY21 7JL

REPORT FOR: DECISION

1. APPLICATION

- 1.1 On the 23/6/21, an application for a Full Variation to a Premises Licence was received from Larry Bowyer and Rob Burr for the premise formerly known as Signatures / Churchills, located at 37/38 High street, Welshpool.
- **1.2** A location map of the premises is set out at **Annex A.** Also included is areas of note, including objector locations etc.
- **1.3** A copy of the application and a plan of the premises are reproduced at **Annex B.**
- 1.3 The proposed Premise Licence Variation has been applied for to essentially ensure uniformity in times for licensable activities and remove the distinction between 'upstairs and downstairs' which was a unique way in which the previous licence holders chose to run the venue.
- 1.4 The applicant & The Licensing Authority satisfied procedural obligations by consulting the Responsible Authorities and advertising the application in the Local Press. The Notice was observed displayed at the premise entrance.
- 1.5.1 The Applicant has applied for a Variation to the existing Premise Licence to authorise the sale of alcohol, provision of regulated entertainment (indoor and outdoor) and late night refreshment. There is also a variation to remove some outdated and unenforceable conditions and replace some of them (which are applicable to Licensing) with more effective ones. Please note some of the Conditions that are being removed will not be replaced with newer or better Conditions as a change in various Legislation essentially means that these Conditions there has been an update in legislation since this licence was first granted and the Licensing Authority are no longer responsible for enforcement of Fire Regulations)
- 1.5.2 Please see **Annex C** for breakdown of the application showing the licensable activities and times applied for) . A comparison table is also included to demonstrate old times verses new times to make it easier to read.

1.5.3 Also included as part of Annex C is a table showing other Licensed Premises in the locality. This is useful as a general comparison tool but it should be noted that what another premises has, should not reflect on any other application. It is also useful to show that although a premise may have very extensive times, these are rarely used to their full extent in practice.

2. **REPRESENTATIONS**

2.1 <u>Responsible Authorities</u>

There were No Objections from any of the Responsible Authorities.

The Police, Trading Standards and Fire Service responded with "no objections" Senior Environmental Health Officer (noise pollution) offered no objections and gave additional comments in his response, which are found in **Annex D**.

2.1.1 A further document will also be produced by the Environmental Health Officer following his visit to the premise to carry out sound checks. This will be shared with all parties prior to the Hearing (but won't be done before this Report is scheduled to go out)

2.2 Other Persons

Representations have been received from the public and the details of these representations are detailed and attached at **Annex E**. All are residents located in the proximity of the new premise.

Although not a recognised objection, the Town Council also sent Representations to this Licence Application, which is also detailed in Annex E.

3. OPTIONS

- 3.1 In determining the application for the Premises Licence, the Sub-Committee must take such steps as are considered appropriate to promote the licensing objectives;
 - i) The Prevention of Crime and Disorder
 - ii) Public Safety
 - iii) The Prevention of Public Nuisance
 - iv) The Protection of Children from Harm
- (3.2 If appropriate make reference to LA03 guidance or our Licensing policy if it relates to any of the points raised by objectors)
- 3.3 The options are to;
 - a) grant the application as submitted by the applicant without modification, with the exception of the inclusion of mandatory conditions made under Section 19, Licensing Act 2003 (Supply of Alcohol); or

- b) grant a licence with modified conditions; or
- c) reject the whole or part of the application.

4. DETERMINATION

4.1 The Licensing Sub-Committee is requested to determine the application.

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LIST OF ANNEXES

ANNEX A – LOCATION MAP OF PREMISE (including areas of interest)

ANNEX B – COPY OF APPLICATION AND PLAN OF THE PREMISE

ANNEX C – BREAKDOWN OF APPLICATION SHOWING LICENSABLE ACTIVITIES

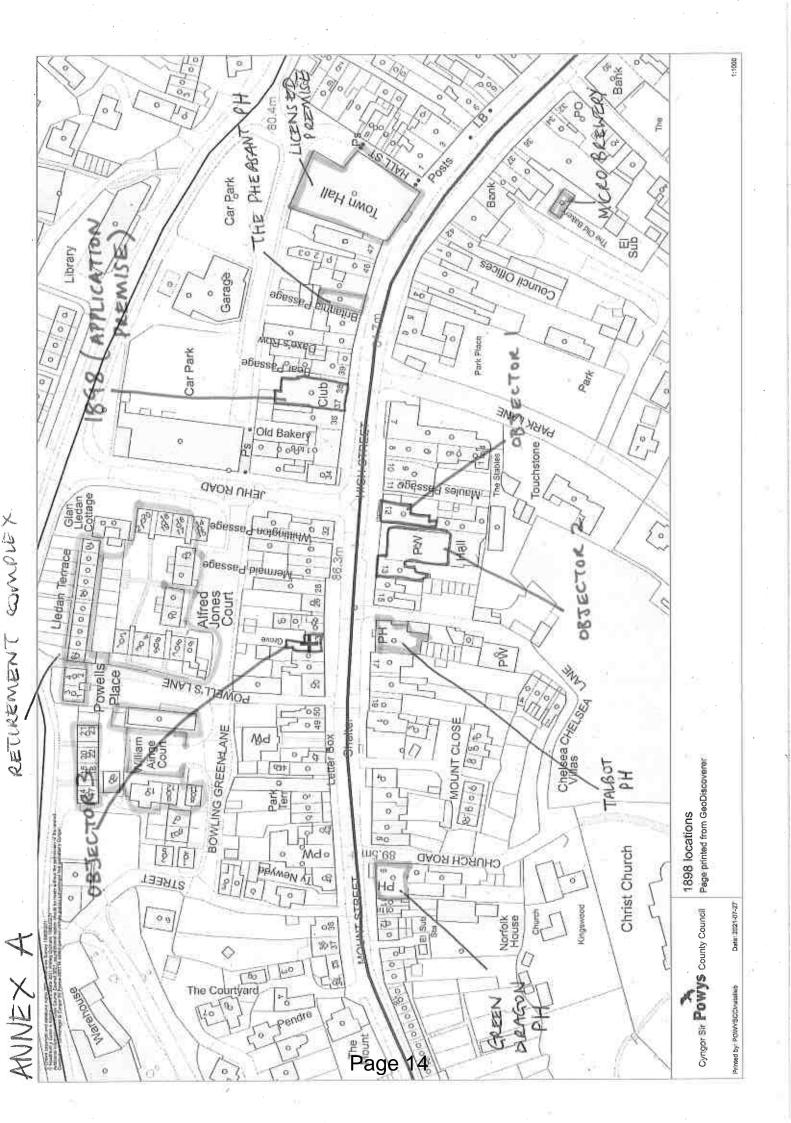
ANNEX D – LIST OF RESPONSIBLE AUTHORITIES RESPONSES

ANNEX E – LIST OF OBJECTORS

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ANNEX A

LOCATION OF PREMISE MAP (INLCUDING AREAS OF INTEREST)



ANNEX B

COPY OF THE APPLICATION AND ASSOCIATED PLANS

Cyngor Sir Powys County Council

FORM 11



Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

Once completed please send your application to: -

CYNGOR SIR POWYS COUNTY COUNCIL The Licensing Officer

Council Offices	Council Offices	Council Offices
Neuadd Brycheiniog	Y Gwalia	Neuadd Maldwyn
Cambrian Way	Ithon Road	Severn Road
Brecon	Llandrindod Wells	Welshpool
Powys	Powys	Powys
LD3 7HR	LD1 6AA	SY21 7AS
	02 7037 and ask to spea	ak to an Officer

You may wish to keep a copy of the completed form for your records

INe 18918 GROUP Limited

(Insert name of applicant / applicants)

being the premises licence holder, apply to vary a premises licence under Schedule 34 of the Licensing Act 2003 for the premises described in Part A1 below

OONN /Pasm /000114

Premises Licence Number

Part A1 – Premises Details Postal address of premises if any or if none ordnance survey map reference or description. 1898 HIGH STREET WELSHPOOL POWYS

WEISHNOOT Post town

Post code SY21

£

724000 01938 Telephone number of premises (if any)

£ Non-domestic rateable value of premises

Part 2 – APPLICANT DETAILS 01938 -724000 Daytime contact telephone number E-mail address if any (optional) CURRENT POSTAL ADDRESS if different from premises address Powys SROUP 38 HIGH STREET WELSHPOOL 1898 5421 751 Post town Post code SV21 WELSHPOOL Part 3 – Variation Please tick √ Do you want the proposed variation to have effect as soon as YES NO possible? 89 If not? When do you want the variation to take effect? Month Day Year DD/MM/YYYY 0107 2021 If your proposed variation would mean that 5000 or more people are expected to attend the premises at any one time, please state the ; number expected to attend Please describe briefly the nature of the proposed variation, (please read guidance note 1) · CHANGE TO LICENSTABLE MOWES FOR ALCOHOL + ENTERTAINMENT. (To make the times uniform throughout Prenise) Sale of Alcohol - 09.00 = 01.00 (Mun) the s - 09.00 = 03.00 (Fritsat+B/H) (opening hours additional //zhr) -12-00-12-00 (Sun) Entertamment - Live + Recorded (Indoor) + Performance of Dance 12.00-12.00 (Sun) Og.00-00-30 (Men 37 Wheads Og.00-02.30 (Fri /Sat + B/H) 12.00-12.00 (Sun) LNR. - 23.00 - 02.30. (prefit Satisa) 23.00 - 00.00 sun 123.00.01.00-11-2W Removal of some conditions (see attached)? Inclusion of some new conditions (such as SIA provision etc)

Part 4 - Operating Schedule		
Please complete those parts of the operating s subject to change if this application to vary we		
Provision of regulated entertainment	Pleas	se tick √
a) plays (if ticking yes, fill in box A)	YES	NO
b) films (if ticking yes, fill in box B)	YES	NO
c) indoor sporting events (if ticking yes, fill in box C)	YES	NO N
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	YES	NO 🗸
e) live music (if ticking yes, fill in box E)	YES	NO
f) recorded music (if ticking yes, fill in box F)	YES	NO
g) performances of dance (if ticking yes, fill in box G)	YES 🗸	NO
h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	YES	NO
	Pleas	se tick √
Provision of late night refreshment (if ticking yes, fill in box I)	YES	NO
Sale by retail of alcohol (if ticking yes, fill in box J)	YES	NO

IN ALL CASES PLEASE COMPLETE BOXES K, L, AND M BELOW

	BOX A] PLAYS andard days and timings		Will the performance of a play take place indoors or outdoors or both -	Indoors
		ince note 6)	Please Tick or insert "YES" in the relevant	Outdoors
Day	Start	Finish	box. (please read guidance note 2)	Both
Mon			Please give further details here (please read	guidance note 3)
Tue	-			
Wed			State any seasonal variations for performing guidance pote 4)	plays (please read
Thur				
Fri		- /	Non-standard timings. Where you intend to uperformance of plays at different times to the	ose listed in the column
Sat		/	on the left, please list. (please read guidance	<u>e note 5)</u>
Sun		· · · · · · · · · · · · · · · · · · ·		

	OX B] FILMS andard days and timings		Will the exhibition of films take place indoors or outdoors or both –	Indoors
	read guidar		Please Tick or insert "YES" in the relevant	Outdoors
Day	Start	Finish	box. (please read guidance note 2)	Both
Mon			Please give further details here (please read gu	uidance note 3)
Tue				
Wed		1	State any seasonal variations for the exhibition guidance note 4)	n of films (please read
Thur				JI.
Fri			Non-standard timings. Where you intend to use exhibition of films at different times to those list	e the premises for the sted in the column on the
Sat			left, please list. (please read guidance note 5)	
Sun				

Standa	C] R SPORTING rd days and t read guidan	imings	Please give further details here (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			
Thu			Non-standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the
Fri			<u>left, please list. (please read guidance note 5)</u>
Sat			
Sun			

Contraction of the second s	DMUSIC	Will the playing of recorded music take place indoors or outdoors or both -	Indoors	V
		Please Tick or insert "YES" in the relevant	Outdoors	
Start	Finish	box (please read guidance note 2)	Both	
09.00	00.30	Please give further details here (please read g	uidance note 3)	
		State any seasonal variations for playing reco guidance note 4)	rded music (ple	ase read
09-00	01-30			
09.00	02.30	playing of recorded music at different times to	those listed in	
			ildance note 5)	
V	V	NYE - all open.		1 (1 (c))
12.00	00.00			
	read guidance Start 09.00 09.00 09.00	09.00 00.30 V 09.00 01.30 V 09.00 02.30 V V	Coupy of any set of the set	Consistent of the set of th

[BOX	BOX G] PERFORMANCE OF		Will the performance of dance take place	Indoors
DANCE Standard days and timings (please read guidance note 6)			indoors or outdoors or both – Please Tick or insert "YES" in the relevant box	Outdoors
Day	Start	Finish	(please read guidance note 2)	Both
Mon	00.00	00.30	Please give further details here (please read	guidance note 3)
Tue		· · · · ·		
Wed			State any seasonal variations for the perform read guidance note 4)	nance of dance (please
Thur	09.00	01.50	3	
Fri	09.00	02-30	Non-standard timings. Where you intend to L performance of dance at different times to th	ose listed in the column
Sat			on the left, please list. (please read guidance	<u>note 5)</u>
Sun	12-00	12-00		

1

			Will the boxing or wrestling entertainment take	Indoors	
Standard days and timings (please read guidance note 6)		timings	place indoors or outdoors or both – Please Tick or insert "YES" in the relevant box (please read guidance note 2)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read gui	dance note 3)	
Tue					
Wed			State any seasonal variations for boxing or wres (please read guidance note 4)	itling entertainment	
Thur				1	
Fri			Non-standard timings. Where you intend to use or wrestling entertainment at different times to t	hose listed in the	
Sat	-		column on the left, please list, (please read guid 	ance note 5)	
Sun					

	E] LIVE MUS d days and t		Will the performance of live music take place indoors or outdoors or both –	Indoors	/
	read guidand		Please Tick or insert "YES" in the relevant	Outdoors	
Day	Start	Finish	box (please read guidance note 2)	Both	
Mon	9.00	00.30	Please give further details here (please read g	uidance note 3)	
Tue	4 00	00 30			
Wed	4.00	00 30	State any seasonal variations for the performa read guidance note 4)	nce of live mus	ic (please
Thur	9.00	104 30			
Fri	9.00	62.30	Non-standard timings. Where you intend to us performance of live music at different times to		
Sat	4.00	02.35	column on the left, please list. (please read gu	idance note 5)	
Sun	12 00	60 00 Apr	NIE		
	4		· · · · · · · · · · · · · · · · · · ·		

SIMILA THAT I or (G). timings	Standard di I	TION TO THIN (E), (F)	Please give a description of the type of entertain providing	nment you will be
Day	Start	Finish	Will the entertainment be taking place indoors	Indeors
Mon			or outdoors or both – Please Tick or insert "YES" in the relevant box	Outdoors
		-	(please read guidance note 2)	Both
Tue			Please give further details here (please read qui	dance note 3)
Wed				
Thu			State any seasonal variations for entertainment description to that falling within (e), (f) or (g) (ple	
Fri			note <u>A</u>)	
Sat		-/	Non-standard timings. Where you intend to use entertainment of a similar description to that fall	ling within (e), (f) or
Sun			(g) at different times to those listed in the colum list. (please read guidance note 5)	<u>n on the left, please</u>

ors	Indoors		Will the provision of late night refres	т	BOX I] LATE NIGHT		
oors	Outdoors	take place indoors or outdoors or both – Please Tick or insert "YES" in the relevant box	REFRESHMENT Standard days and timings (please read guidance note 6)				
	Both		(please read guidance note 2)		ay Start Finish		
e note 3)	uidance note 3	please read g	Please give further details here (plea	01.00	23-00		
				01-00	911000 23-00	Tue	
<u>night</u>	n of late night		State any seasonal variations for the refreshment (please read guidance n	01-80	801910	Wed	
		× .		02 00	Elvas	Thur	
to those listed in	t times to thos	<u>nt at differen</u>	Non-standard timings. Where you int provision of late night refreshment a	02.30	Error	Fri	
nce note 5)	<u>d guidance no</u> f	t. (please rea	the column on the left, please list. (pl	02.30	RIDD	Sat	
				12	1/2	Sun	
o	t times to	u intend to us nt at differen	Non-standard timings. Where you int	02:30	23-00 EANER 23-00 ENNER 23-00	Fri Sat	

J]		Will the sale of alcohol be for consumption on or off the premises or both –		
SUPPLY OF ALCOHOL Standard days and timings (please read guidance note 6)		Please Tick or insert "YES" in the relevant box	Off	
Start	Finish	(please read guidance note 7)	Both	
9 00	01.00	State any seasonal variations for the supply of guidance note 4)	alcohol (p	lease read
4 00	01.00			
9.00	01:00			
4.00	60 10	supply of alcohol at different times to those list		
9.00	82.30	left, please list. (please read guidance note 5)		
er 100	02-30			
12.00	12.00			·
	Y OF ALCOH read guidan Start 9 0.0 2 0.0	Y OF ALCOHOL rd days and timings read guidance note 6) Start Finish 9 00 01 00 4 00 01 00 9 00 01 00 9 00 01 00 9 00 01 00 9 00 01 00	Y OF ALCOHOL rd days and timings read guidance note 6)or off the premises or both - Please Tick or insert "YES" in the relevant box (please read guidance note 7)	Y OF ALCOHOL or off the premises or both – Please Tick or insert "YES" in the relevant box Off read guidance note 6) Start Finish (please read guidance note 7) Both 9 0.2 01 0.2 State any seasonal variations for the supply of alcohol (p guidance note 4) 9 0.2 01 0.2 State any seasonal variations for the supply of alcohol (p guidance note 4) 9 0.2 01 0.2 01 0.2 9 0.2 01 0.2 0.2 0.2 9 0.2 01 0.2 0.2 0.2 9 0.2 0.2 0.2 0.2 0.2 9 0.2 0.2 0.2 0.2 0.2 9 0.2 0.2 0.2 0.2 0.2 9 0.2 0.2 0.2 0.2 0.2 9 0.2 0.2 0.2 0.2 0.2 9 0.2 0.2 0.2 0.2 0.2

[BOX K] Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (Please Read Guidance Note 8)

ARE	OPEN TO 1 lard days a se read gui	PREMISES THE PUBLIC and timings dance	State any seasonal variation (please read guidance note 4)
Day	Start	Finish	
Mon	9 00	01:00	
Tue	9.00	01.00	
Wed	4.00	01.00	Non-standard timings. Where you intend to use the premises to be open to the public at different times to those listed in the column on
Thu	4.00	01 - 00 -	the left, please list. (please read guidance note 5)
Fri	9.00	60 . 20	
Sat	9.00	03 '00	
Sun	12 .00	12:00	

Please identify those conditions currently imposed which you believe could be removed as a consequence of the proposed variation you are seeking Please see attached previous from the. Many outdated, unenforceable conditions. Al marked with X to be removed, Please tick V Yes I have enclosed the premises licence I have enclosed the relevant part of the premises licence Yes If you have not ticked one of the boxes please fill in reasons for not including the licence, or part of it, below Reasons why I have failed to enclose the premises licence or relevant part of the premises licence Not available on the prenure (not displayed) [Box M] Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation: a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9) Mare met with Police Licensing officer + Noise Pollution. They have furill odertry any additional Conditions needed

b) The prevention	n of crime an	d disorder			
Ē	inf eist	J.		- 15 -	
c) Public safety	- (
and carety					-
I) The prevention	n of public nu	lisance			
e) The protection	of children f	rom harm			
	J	(25.			

CHECKLIST:	Please Tick or insert "YES" in the boxes below to indicate agree	ment
I have made or e	nclosed payment of the fee.	
	es of this application and the plan to responsible others where applicable	
 I understand that 	I must now advertise my application to vary	
 I have enclosed t 	he premises licence or relevant part of it or explanation	
 I understand that application will b 	if I do not comply with the above requirements my erejected	

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

	oplicant or applicant's so 11) If signing on behalf o		
Signature	houser	- (LARRY	BOWNER)
Date	21/6/21		
Capacity	DIRECTOR		
authorised age	ations signature of 2nd ent. (please read guidanc what capacity.		
Signature	Chille	(ROB	BURR)
Date	21/6/21		
Capacity	DIRECTOR		
	(where not previously given in this application (please		
Post Town		Postcode	
Che a construction and and a construction	umber (if any)	Postcode	

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act.

Notes for Guidance (cont)

- 1. Describe the premises. For example the type of premises it is, its general situation and layout and any other information, which would be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
- 2. Where taking place in a building or other structure please tick or insert "YES" in the relevant box as appropriate. Indoors may include a tent.
- 3. For example the type of activity authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
- 4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
- 5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
- 6. Please give timings in 24-hour clock (eg 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
- 7. If you wish people to be able to consume alcohol on the premises please Tick or insert "YES" in the "ON" box, if you wish people to be able to purchase alcohol to consume away from the premises please Tick or insert "YES" in the "OFF" box. If you wish people to be able to purchase alcohol to consume both "ON" and "OFF" the premises please Tick or insert "YES" in the "Both" box.
- 8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi nudity, films for restricted age groups, the presence of gambling machines.
- 9. Please list here steps you will take to promote all four licensing objectives together.
- 10. The application form must be signed.
- 11.An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- 12. Where there is more than one applicant, either both applicants or their respective agents must sign the application form.
- 13. This is the address, which we shall use to correspond with you about this application.

COPY OF EXISTING LICENCE WITH SUGGESTED AMENDMENTS.

Cyngor Sir Powys County Council

Premises Licence

Premises Licence Number 00NN/PREM/M/000114

Premises Details

Address of premises, or if none, ordnance survey map reference or
descriptionChurchills
37/38 High StreetWelshpool
Powys, SY21 7JLTelephone Number01938 555740

Where the licence is time limited the dates

N/A

The opening hours of the premises GROUND FLOOR SUNDAY TO THURSDAY 0900 TO 0030 FRIDAY 0900 TO 0130 SATURDAY 0900 TO 0330

FIRST FLOOR SUNDAY TO THURSDAY 0900 TO 0030 FRIDAY & SATURDAY 2130 TO 0330

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

Hole horopy & Stor

CONSUMPTION ON AND OFF THE PREMISES

Name, (registered) Address a of premises licence.	nd Telephone n	umber of holder
Mr Gareth Michael Pugh		
Station Yard	0	
Abermule		
Montgomery		
Powys	r	х
Telephone Number	01686 630	500



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

N/A

Licensable activities authorised by the licence & the times the licence authorises the carrying out of those licensable activities

GROUND FLOOR THE SALE / SUPPLY OF ALCOHOL X SUNDAY TO THURSDAY 0900 TO 0000 FRIDAY 0900 TO 0130 - NO DRIME UPTIME SATURDAY 0900 TO 0300 - DRIME WE TIL 03.30

HALLOWE'EN, WELSHPOOL CARNIVAL NIGHT, ST DAVIDS, ST PATRICKS, ST ANDREWS & ST GEORGES DAY 0900 TO 0300

INDOOR FILMS, SPORTING EVENTS, LIVE & RECORDED MUSIC, PERFORMANCE OF DANCE, PROVISION OF FACILITIES FOR MAKING **MUSIC & DANCING AND OTHER REGULATED ENTERTAINMENT** 0900 TO 0000 MONDAY TO SUNDAY

LATE NIGHT REFRESHMENT 2300 TO 0000 MONDAY TO SUNDAY

FIRST FLOOR -Sunday??? THE SALE / SUPPLY OF ALCOHOL 0900 TO 0000 MONDAY TO THURSDAY 2130 TO 0300 FRIDAY & SATURDAY

INDOOR FILMS, SPORTING EVENTS, LIVE & RECORDED MUSIC, PERFORMANCE OF DANCE, PROVISION OF FACILITIES FOR MAKING **MUSIC & DANCING, STRIPTEASE AND OTHER REGULATED** ENTERTAINMENT (take

0900 TO 0000 SUNDAY TO THURSDAY 2130 TO 0200 FRIDAY & SATURDAY

Sot

alc 41 03.00

LATE NIGHT REFRESHMENT 2300 TO 0000 SUNDAY TO THURSDAY 2300 TO 0300 FRIDAY & SATURDAY ALL BANK HOLIDAY SUNDAYS & CHRISTMAS EVE 2130 to 0300

ON NEW YEARS EVE FROM THE END OF PERMITTED HOURS ON NEW

YEARS EVE TO THE START OF PERMITTED HOURS ON THE FOLLOWING DAY (OR, IF THERE ARE NO PERMITTED HOURS ON THE FOLLOWING DAY, MIDNIGHT ON THE 31st DECEMBER

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

Helen Jane Lewis

Address & telephone num supervisor.	ber of designated premises
Grapes Hotel	
Commercial Street	
Newtown	
Powys2BL	
SY16 2BL	
Telephone Number	01686 624488

Personal licence number and licence held by designated pr premises licence authorises f	emises supervisor where the
Personal Licence Number	00NN/PERS/M/000181
Issuing Authority	Powys County Council

Annex 1 – Mandatory Conditions

(1) No supply of alcohol may be made under the premises licence-

a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

(2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

The admission of children to the exhibition of any film must be restricted in accordance with the film classification.

Door supervisors will be correctly registered with the SIA.

vi) Where the Council have given notice in writing to the Licensee objecting to an advertisement on the ground that, if displayed, it would offend against good taste or decency or be likely to encourage or incite to crime or to lead to disorder or to be offensive to public feeling that advertisement shall not be displayed at the premises except with the consent in writing of the Council.

DISPLAY OF LICENCE

The Licence shall be displayed on the premises in a conspicuous position where it can be easily read by members of the public, and a copy of the regulations shall be kept on the premises and produced for inspection on reasonable request.

RESTRICTION OF USE

The premises shall not be used for public entertainment on the days and outside the hours stipulated in the Schedule to the Licence.

NOISE NUISANCE

The Licensee shall ensure that no entertainment authorised by this licence shall cause any noise nuisance to the inhabitants of properties in the neighbourhood of the premises.

NUMBER OF PERSONS

- i) Persons awaiting admission to any public entertainment shall not be allowed to congregate in any portion of the premises except in positions approved by the Council in writing for this purpose.
- ii) The Licensee shall maintain a satisfactory system which ensures that the maximum number of persons that may be admitted to the premises, as specified in the Licence, is not exceeded. The system must be available for inspection by any authorised officer of the Council, Police or Fire Brigade at any time the premises are open to, or used by, the public, or at any other reasonable time.
- iii) Overcrowding in such a manner as to endanger the safety of the public shall not be permitted in any part of the premises (see Schedule to Licence for maximum permitted numbers). In premises where there is more than one room in use for public

Annex 1A – Embedded Restrictions

RESPONSIBLE PERSON

- i) The Licensee or some responsible person nominated by him in writing, not being a person under twenty one years of age, shall maintain good order and conduct and shall be present during the whole time the premises are open to the public. During that time a sufficient number (to be determined by the Council) of suitably trained attendants immediately identifiable to the public by means of conspicuous clothing or marking shall be on the premises for the purpose of securing safety. (See Schedule to Licence).
- ii) The Licensee and the staff of attendants shall take due precautions for the prevention of accidents.

CONDUCT OF PREMISES

- i) The Licensee shall ensure that no public entertainment which is offensive, obscene, immoral or indecent, or is likely to cause a riot or a breach of the peace, is permitted at the premises.
- ii) The Licensee shall ensure that illegal drugs or other noxious substances are not permitted on or in the vicinity of the premises. Any such drugs or substances found must be immediately reported to the Police.
- iii) No part of the premises shall be used by prostitutes for the purpose of solicitation or of otherwise exercising their calling.
- iv) The Licensee shall take all due precautions for the safety of the public, the performers and the employees and shall (unless authorised in writing otherwise by the Council) retain control over all portions of the premises.
- v) No poster, advertisement, photograph, sketch, synopsis or programme shall be displayed, sold or supplied on the premises by or on behalf of the Licensee, which is likely to be injurious to morality or to encourage or incite to crime, or to lead to disorder, or to be offensive to public feelings, or which contains any offensive representation of a living person.

- i) The premises shall be provided with an adequate number of outward opening exits so placed and maintained as to afford the public ready and ample means of safe egress.
- ii) The Licensee shall ensure that all emergency exit doors are kept unlocked the whole time the public are present before, during and after any entertainment authorised by this licence.
- iii) All doors leading from exits into passages or the outside of the premises shall, where required by the Council, be kept open and fastened back by means of a padlock or other device, and be kept clear of obstruction during and immediately before and after all public entertainment.
- iv) Temporary barriers shall not be fitted, and any permanent barrier in exit-ways which may be provided with the approval of the Council for checking or controlling admission, shall be so arranged that the portion immediately in the line of exit will open automatically upon pressure being applied in the direction of exit.
- v) All fire escapes, gangways, corridors and external passageways intended for exit shall be kept entirely free from obstruction.
- vi) The number, size and position of all doors or openings provided for the purpose of the egress of the public from the premises shall be to the satisfaction of the Council.

DOOR FASTENINGS

- i) No fastenings, other than those approved by the Council, shall be fitted on exit doors used by the public. Doors fitted with automatic bolts shall have the words "PUSH BAR TO OPEN" painted upon them in block letters at least 75mm (3") high in white lettering on green background.
- ii) If the Council give consent to the use of chains, padlocks or other locking devices for securing exit doors when the public are not on the premises, a responsible person shall be required to remove such chains, padlocks or other devices before the admission of the public, and such chains, padlocks or other devices shall be kept on a chain board to which the public has no access during the whole of the time that the public are on the premises.

entertainment at the same time, and where each room has a specified maximum permitted number of persons, a means of ensuring that the maximum number for each room is not exceeded, shall be put in place.

FIRE SAFETY

- The premises shall be provided with fire fighting appliances suitable to the fire risks of the premises and such fire fighting appliances shall be maintained in proper working order and shall be available for instant use.
- ii) The Licensee, the person in charge of the premises, and all stewards in attendance shall be properly instructed in the protection of the premises from fire, the use of the fire fighting appliances provided and the method of summoning the Fire Brigade, and the location of the nearest telephone.

LIGHTING

A safe level of lighting shall remain in operation during the whole time that members of the public are on the premises during the absence of daylight, or during the absence of sufficient daylight.

EMERGENCY LIGHTING

- i) Emergency lighting shall be provided as required by the Council. The emergency lighting including EXIT signs and fire alarm systems shall be tested immediately prior to the admission of the public to the premises in connection with any entertainment authorised by this licence, or weekly as per a scheduled plan of tests, and any fault or faults discovered in the said emergency lighting and fire alarm systems shall be rectified before the public are admitted to the premises.
- ii) A record of all tests and remedial measures taken, where necessary, shall be recorded in the Log Book provided and must be readily available for inspection by an authorised officer of the Fire Brigade or the Council as and when required.

EXITS

iii) Where collapsible gates or roll-up-shutters are used these must be locked in the open position whilst the public are present. Revolving doors shall not be used as exit doors.

REMOVE

SIGNS AND NOTICES

- i) All doors or openings approved by the Council shall be indicated by exit signs or pictograms with bold block lettering of a size to the satisfaction of the Council. Such signs shall, whilst members of the public are present, be illuminated by both main and secondary lighting, lettering of all signs shall be coloured white on a green background.
- ii) Doors and openings, other than exits, which lead to portions of the premises accessible to the public shall have notices placed over them indicating the use of such portions or be marked "PRIVATE".
- iii) Such notices and signs indicating the way out of the premises shall be provided as the Council may consider necessary.
- iv) Notices bearing the words "NO EXIT" shall not be exhibited. The notices referred to in this condition shall be, where practicable, at a height of at least 2.0m (6'6") above the floor; and, where possible, shall be placed over the doors or openings to which they relate.

CLOAKROOMS

Only such parts of the premises as have been approved by the Council shall be used as retiring rooms, or cloakrooms, and provisions for hanging hats or coats shall not be made in corridors, passages, gangways or exitways used by the public.

TOILET ACCOMMODATION

i) Lavatories, W.C's. and urinals in the premises shall at all times be kept in good order and repair, and be properly and efficiently cleansed, ventilated, disinfected and supplied with water, and the doors leading thereto shall be suitably marked. Sanitary paper and other facilities should be properly provided.

ii) Adequate and separate sanitary conveniences shall be provided for persons of each sex.

Table of minimum requirements:-

Appliance	s For male public	For female public
WCs	Minimum 1 for up to 250 males plus 1 for every additional 500 males or part thereof	Minimum 2 for up to 50 females 3 for 51 to 100 females, plus 1 for every additional 40 females or part thereof
Urinals	Minimum 2 for up to 100 males plus 1 for every additional 80 males or part thereof	
147521. L.S.		

Wash basins

1 per wc and, in 1, plus 1 per 2 WCs addition, 1 per 5 urinals or part thereof

ELECTRICAL FITTINGS

- i) All electrical fittings, wiring and appliances shall be constructed and maintained in a safe and satisfactory condition, and to the satisfaction of the Council, in accordance with regulations for the electrical equipment of buildings, issued by the Institution of Electrical Engineers or other approved body.
- ii) A current electrical safety certificate for the premises shall be available for inspection by any authorised officer.
- iii) All electrical lampholders within reach of the public shall be fitted with lamps or otherwise protected. Lampshades of readily combustible materials shall not be used.
- iv) Permanent residual current circuit devices (RCD's) shall be installed to protect all socket outlets on electrical circuits likely to be used in connection with public entertainment.

CARPETS AND UPHOLSTERY

All floors, carpets, rugs, and upholstery in the premises shall be thoroughly cleaned at frequent intervals.

CURTAINS, MATS, ETC.

- i) Mats, matting and other floor coverings shall be secured and maintained so that they will not ruck or be in any way a source of danger.
- ii) The hangings or curtains over exit doors or across gangways shall be made to part in the centre, to hang so as to be readily drawn aside and not to trail on the floor, and be arranged so as not to conceal notices.
- iii) All curtains and drapes hung in places of public entertainment should be of durable, flame retarded material.

PERMANENT DECORATIONS

All fixed or permanent decorations shall be of inherently incombustible materials or shall be treated and maintained so that they will not readily catch fire.

TEMPORARY DECORATIONS

Temporary decorations shall not be used, except with the permission of the Council, in writing, and in accordance with any conditions attached to such permission. All temporary decorations must be so treated as to be fire resisting.

RUBBISH AND WASTE PAPER

No rubbish or waste paper shall be stored or allowed to accumulate in any parts of the premises. Storage of necessary combustible materials shall be in such positions as may be approved by the Council.

MAINTENANCE

All parts of the premises and fittings therein, including the seating, door fastenings and notices, shall be maintained at all times in good order and condition.

REMOVE

ALTERATIONS TO STRUCTURE

Alterations or additions, whether permanent or temporary, to the structure, the lighting, heating or ventilating installations, or to the seating, gangways or other arrangements at the premises shall not be made except with the prior approval in writing of the Council for which purpose plans of the proposed alterations or additions shall be deposited with the appropriate Shire Environmental Health Manager of the Council. Provided that such approval need not be obtained for any work which is necessary for the efficient maintenance of the premises.

EDGE OF/STEPS

The edge of the treads of steps and stairways shall be made conspicuous if so required by the Council. All gangways, exit-ways and the treads of steps and stairways shall be maintained with a non-slip surface.

VENTILATION AND HEATING

- i) The public parts of the premises shall be kept properly and sufficiently ventilated and heated to the satisfaction of the Council.
- ii) Every heating appliance used in the premises, which is so situated as to be within reach of any member of the public, shall be fitted with guards which comply to the standards of construction and fitting require by the Council.
- iii) Every heating appliance used in the premises shall be situated sufficiently far from woodwork, hangings, or other materials, or substances liable to catch fire so that there is to be no likelihood of fire by reason of their proximity to the beating appliance.
- iv) Portable heaters shall not be used in any part of the premises to which the public are admitted without the consent of the Council. All heaters shall be in a fixed position.

STAGE SCENERY ETC.

i) Except with the consent of the Council in writing, and subject to any conditions which may be attached to such permission,

prement SNE Vexplosives or highly inflammable substances, liquids or highly inflammable articles, shall not be brought in to or used on the premises.

Limelight acetylene gas installation or cylinders for the storage of ii) compressed air, oxygen, hydrogen or other liquid gas under pressure shall not be used except with the permission of the Council. OF PREMISE

NEW PLAN

SEATING PLAN AND LAYOUT

RENDUE

- A seating plan shall be prepared and submitted to the Council for i). approval within three months from the grant of the licence.
- The plan when approved shall be conspicuously displayed on the ii) premises.
- No seat shall be further than 3.7m (12 feet) from the gangway, and iii) the minimum seatway (legroom) shall not be less than 300mm, (i.e. the distance from the back of one row to the front of the row behind).
- All seating which is not permanently fixed down shall be battened iv) together in lengths of not less than 4 seats, or more than 12 seats, per section.
- Loose seating shall not be used except with the prior consent of LV) the Council.
 - Gangways shall not be less than 1m wide. vi)

HYPNOTISM ACT 1952

- Any performance involving the use of stage hypnosis must be **i)**. referred to the Licensing Authority by the licence holder at least 28 days prior to the event.
- A professional hypnotist will know that he/she must apply . ii) separately to the Licensing Authority for a Permission to Perform. A list of proposed items to be included in the performance must be submitted with the application to the Licensing Authority for

vetting. A Permission to Perform will not be issued unless this procedure is followed and any performance subsequently carried out will be deemed to be illegal for the purposes of prosecution. If the procedure has been followed and the Licensing Authority are minded to refuse the application, the matter will be referred to the appropriate Committee of the Council.

MAXIMUM-NUMBERS Front bar'. Front bar 120 provided that an effective emergency escape management system is in place to ensure that EXIT doors remain open in the event of an emergency

Rear ground floor lounge seating 50 - Limited seating and standing 100

When number exceeds 60 both bolted sections of doors into/lounge are to be unlocked

First floor function room 100 mixed seating and standing

米

ATTENDANTS REMOVE - NEW CONDITION REGARDING SIA Two door supervisors as detailed in the Security Industries Act 2001 TO GO IN and licensed by the Security Industry Authority are to be in attendance when public entertainment is taking place on the ground floor. In addition there should be two attendants present.

Two door supervisors as detailed in the Security Industries Act 2001 and licensed by the Security Industry Authority are to be in attendance when public entertainment is taking place in the first floor function room.

No public entertainment shall take place simultaneously upstairs as well as downstairs and vice versa — TAKE OUT

The <u>"side door</u>" should be used for entry & exit to Churchills after 1100

All windows should remain closed at all times

Proper controls shall be maintained at the front door to ensure minimal opening until 1100. After 1100 the door shall remain closed and used for emergency exit only

The sound limiters are to be set at a limit to the satisfaction of the Local Kiepsing authority. A tamperproof seal shall be fitted to the control box in order to prevent unauthorised access to the controls. The operation of the sound limiter must be checked prior to each separate

REMOVE, Suggest NOISE Ragelazion) incl. new Condition if deemed necessary.

performance of public entertainment in order to ensure that it is functioning correctly. In all areas where public entertainment is to be held a noise limiter must be installed

All audio or musical equipment must be played through the noise limiter device and maintained at the approved noise level set by the Environmental Health Manager. The volume control for the jukebox is to be kept in a locked cupboard with access restricted to the manager. Musical instruments that cannot be controlled through the use of the sound limiter must not be used for the purposes of public entertainment

A CCTV system to be installed to the satisfaction of the Police Authority. The licensee will allow access to the footage upon request of the Police Authority

Air conditioning units to be installed in the first floor function room. The position to be agreed with the Licensing Authority

The position of the speakers in the first floor function room to be agreed with the Licensing Authority Pottorion

OFF-LICENCES AND OFF-SALES DEPARTMENTS OF ON LICENCES Alcohol shall not be sold or supplied except during permitted hours.

The above restrictions do not prohibit:

(a) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;

(b) the sale of alcohol to a trader or club for the purposes of the trade or club;

(c) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

OFF-LICENCE ADDITIONAL RESTRICTIONS

Consumption

Alcohol shall not be sold in an open container or be consumed in the licensed premises.

CREDIT SALES

Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied:

(a) with and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal;

(b) for consumption by a person residing in the premises or his guest and paid for together with his accommodation;

(c) to a canteen or mess.

Annex 2 – Conditions consistent with the operating Schedule

SIA door supervisors will be correctly registered with the SIA.

Stadoor statt to be employed when "upstairs" is used

SIA door staff employed on the ground floor on Saturday evenings and on nominated special evenings/events from 2130 until full closure at \$330

From 0000 (midnight) no amplified music or other entertainment to take place on the ground floor. Music levels will be maintained as background music only (Juke box at its current level is acceptable)

Fire Marshal

The fire authority require that when the bar area exceeds 60 persons, the main door will be marshalled, as it is an inward opening door. This is to accommodate safe evacuation of the calculated occupancy figures

CCTV will be installed and working to the satisfaction of the Police and Local Authority

CCTV recordings will be maintained for an appropriate period of time (generally one month – but to be agreed with Police and Local Authority)

un participate

Willing to be involved in Behave or Be Banned Scheme AU VII6 must be accompanied by an adult Children on premises site and the possible of the 20.00

When films are classified by the film classification body, they will be classified in the following way:-

- U Universal suitable for audiences aged 4 years and over;
- PG Parental Guidance some scenes may be unsuitable for young children;
- 12A Viewing by persons aged 12 years or older or persons younger than 12 when accompanied by an adult;
- 15 Viewing by persons aged 15 years and over;
- 18 Viewing by persons aged 18 years and over

Immediately before each exhibition of a film classified by the BBFC, there will be a reproduction of the certificate of the Board for at least five seconds so as to be easily ready by all persons in the auditorium or, as regards a trailer advertising a film, a statement approved by the Board indicating the classification of that film

Where the Licensing Authority has made a recommendation on the restriction of admission of children to a film, notices will be displayed both inside and outside the premises so that persons are aware of the classification

All children on the premises will be supervised by an adult

Advertising of such events will be agreed with the Council in advance

No person under 18 will be permitted to enter the premises whitst

Physical contact will not be permitted between performers, staff and oustomers

All adult entertainment will be on the first floor only z

SIA door staff-will supervise entry to all adult entertainment

L 07795 180650 - Rob Page 45 07464 850779 - Lam If the CCTV equipment is inoperative, the Police and Local Authority will be informed as soon as possible and immediate steps will be taken to put the equipment back into action

A notice will be displayed at the entrance to the premises advising that CCTV is in operation

Platic glasses to be med throughout, except in Regular checks are to be made to identify and remove any broken glass webs

A proof of age policy to the satisfaction of the police and the Local Authority will be in place, enforced by SIA door staff and bar staff

A certificate of inspection for portable fire fighting equipment will be provided. The inspection will be carried out annually and I will provide a new certificate each year

A certificate of inspection for any fire detection alarm at the premises will be provided. The inspection will be carried out annually and I will provide a new certificate each year

Means of escape will be maintained unobstructed, immediately available and clearly identifiable

A satisfactory NICEIC or ECA periodic electrical installation report will be provided. The inspection will be carried out annually or as otherwise stated by a qualified competent electrician (up to a maximum period of five years and I will provide a new report on completion of each test)

A satisfactory NICEIC or ECA periodic emergency lighting report will be provided. The inspection will be carried out annually or as otherwise stated by a qualified competent electrician (up to a maximum period of five years and I will provide a new report on completion of each test)

Permanent 30 milliamp residual current devices are to be provided to protect all socket outlets on electrical circuits likely to be used in connection with public entertainment.

A "hot line" to a local taxi firm, or the humbers of local taxi firms, will be available

In the vicinity of the premises litter directly related to sales will be collected and properly disposed of at the end of each trading day.

ood area to be provided 2

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

N/A

Annex 4 - Plans

See Attached

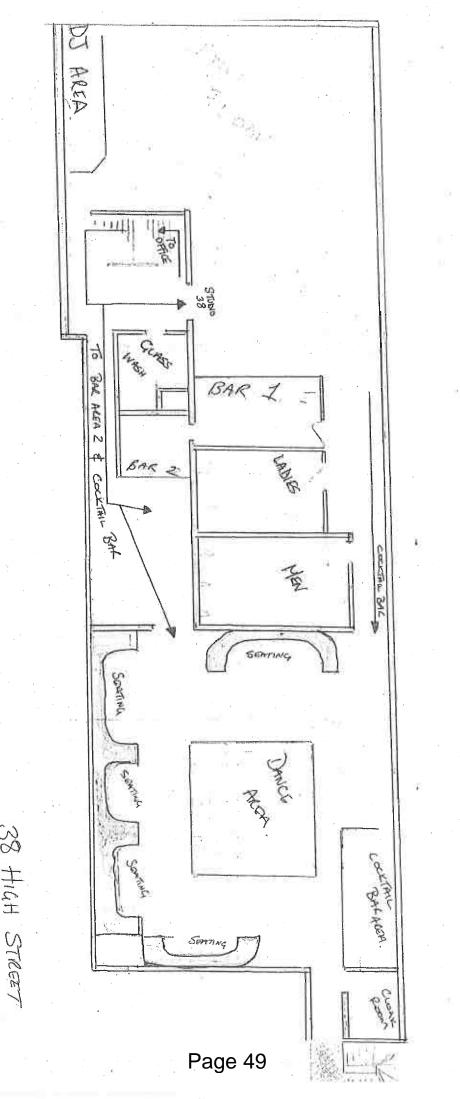
DATED: 8th December 2006

Authorised Officer:

Powys County Council, County Hall, Llandrindod Wells, Powys. LD1 5LG. Tel No. 01597 826000 Also on B/H Sundays.

NEW CONDITIONS-

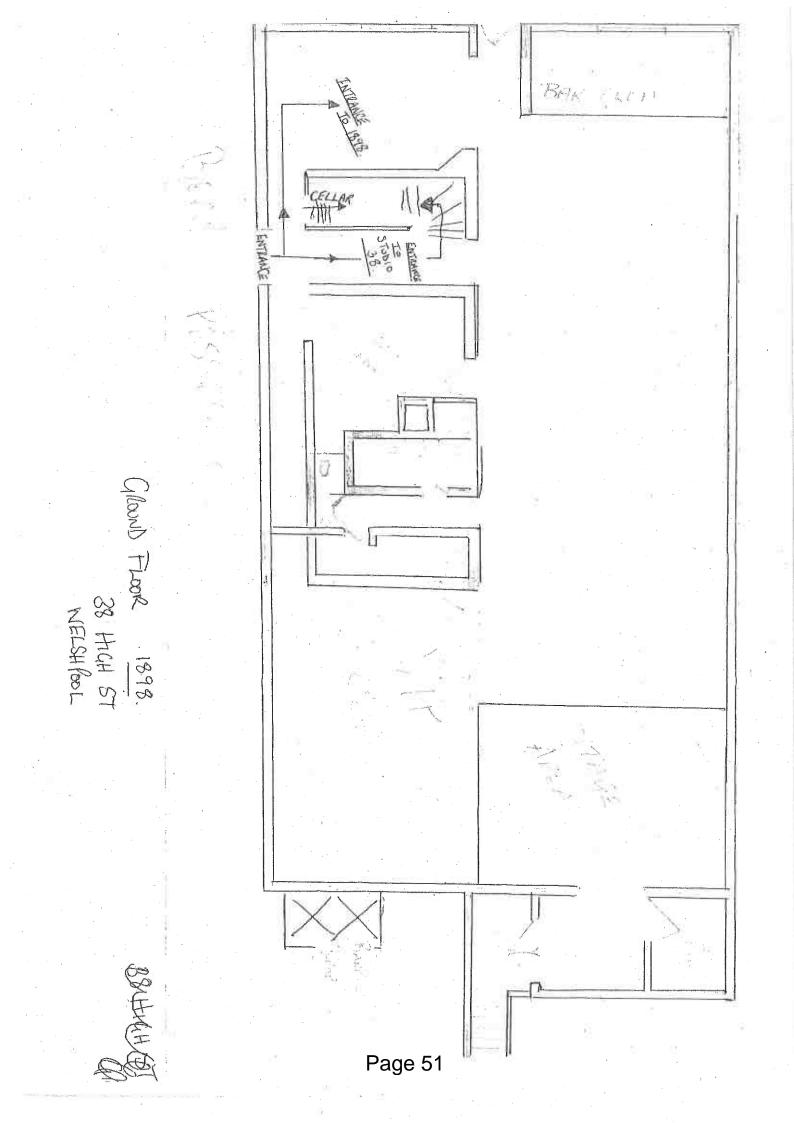
- SIA door staff on duty every Fri + Sat evening, plus any other evening where live /recorded entertoinwent takes place on other doup of the week. - The door staff will be employed from 21.00 hours onwards + there will be 2 door staff for the Girst 100 customers and then 1 for every 50 customers after that Page 47 - An UIBs must be accompanied by an adult after 20.00.



38 HIGH STREET WELSHPOOL STUDIO 38

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Page 50



OTTO UNDEVELOPED? STORES STORES (DERELICT)

38 HIGH ST WELSHBOL SECOND FLOOR

ANNEX C

BREAKDOWN OF LICENSABLE ACITIVITIES (INCLUDING COMPARISON TABLE)

NOTICE OF APP	LICENSING A	CT 2003 PREMISES LICENCE
ame of Applicant: 898 Group LTD	189 37 8 Wel Pov	ne and address of premises: 8 / Studio 38 & 38 High Street Ishpool wys 21 7JL
ddress of Licensing A ne Licensing Officer owys County Council w Maldwyn ,		Representations about this application must be made in writing to the Licensing Authority
rook Street, elshpool, owys. SY21 7PH		at the address opposite by: 21 st JULY 2021
FULL VARIATION TO F	Nature of Appli	ication
12.00 Regulated Entertainmen ndoor only)	– 00.00 (sun) t - 09.00 – 00.30 (Mo - 09.00 – 01.30 (th	urs) i & sat) [plus bank holiday Sundays]
ate Night Refreshment	– 23.00 – 01.00 (m - 23.00 – 02.00 (th	on-weds)
emoval of some outdate	ed Conditions	na da da da seria da Nomenta da seria da se
clusion of some new C	onditions	
	······	Applicant)
ned e		

	K			
	licensable activity	old licence	new licence	Difference(s)
	Sale of alcohol	GROUND FLOOR 09.00 – 00.00 (Sun-thu) 09.00 – 01.30 (fri) 09.00 – 03.00 (sat)	09.00 - 01.00 (mon-weds) 09.00 - 02.00 (thurs) 09.00-03.00 (fri/sat/BH sun) 12.00 - 12.00 (sun)	Mon – weds – ADDITIONAL HOUR (01.00 instead of 00.00) Thurs – ADDITIONAL 2 HOURS (02.00 instead of 00.00) Fri & Sat – much the same. Additional 1.5 hours for Ground Floor on fri but same on sat. Earlier open on sat for upstairs but finish times remain the same) Sun – LESS hours applied for. (open 12.00 instead of 09.00)
		FIRST FLOOR 09.00 – 00.00 (sun-thu) 21.30 – 03.00 (fri &sat)	No distinction between ground and first floor	
		ALL DISTRICTION OF THE OWNER		
	Regulated Entertainment	GROUND FLOOR 09.00-00.00 (Mon-Sun)	09.00 - 00.30 (M-W) 09.00 - 01.30 (thu) 09.00 - 02.30 (F, S & BH	Before, there was a Condition within the Licence that stated – "No public entertainment shall take place simultaneously upstairs as well as downstairs and vice versa". This Condition is applied to be removed so full use can be
×		FIRST FLOOR 09.00 - 00.00 (Sun-thu)	Sun) 12.00 – 12.00 (Sun)	made of the building utilising both up and downstairs.
Page	2	21.30 – 02.00 (Fri & sat)	No distinction between ground and first floor	The times applied for are not an excessive extension. Previously, there was always entertainment permitted 7 days a week on ground floor until midnight and fri & Sat upstairs until 02.00am.
57				NEW Application is for a half hour extension Mon-weds (00.30), 1.5 hour extension on thurs (01.30), half hour extension at the end of the evening 02.30 instead of 02.00. All
				times to start at 09.00 except Sunday (12.00-12.00 – less hours than previous for the ground floor).
		The state of the s		
	Late Night Refreshment	GROUND FLOOR 23.00 - 00.00 (mon-sun)	23.00 – 01.00 (M-W) 23.00 – 02.00 (Th) 23.00 – 02.30 (F. S & BH Sun)	LNR is hot food or drink served between 11pm and 5am. Previously had 23.00-00.00 all week on the ground floor, same on the first floor sun- thurs. But had until 03.00 on fri. sat & bank holiday Sundays.
		FIRST FLOOR		
		23.00 – 00.00 (Sun-Thu) 23.00 – 03.00 (fri & Sat	•	To make the provision of LNR uniform through the building, NEW application requests additional hour mon-weds, additional 2 hours thurs (in line with the entertainment /
		& B/H Sundays)		alcohol hours) with half an hour LESS on fri / sat / Bank hol sun.

Although the Licensable hours for other premises is not a pre-requisite for considering new applications, as reference is made to them in the objections, I have included a list of licensed premises which are in very close proximity to the application premise or are made reference to by the Objectors .

ANNEY O

LICENSED PREMISE	ALC	ENTERTAINMENT	LNR
MOLTO'S	11.00am – 03.00am (Mon-Sun)	11.00am-03.00am (Mon-Sun)	23.00-03.00 (Mon-Sun)
PHEASANT	11.00am - 00.00 (Sun-Thu)	18.00-23.00 (Sun-Thu) INDOOR	23.00 – 01.00 (Sun-Thu)
	11.00am – 01.00 (Fri & Sat)	18.00-01.00 (Fri & Sat) ONLY	23.00 - 01.00 (Fri & Sat)
TALBOT	10.00am - 23.00 (Sun-Thu)	10.00-23.00 (Sun-Thu)	23.00 – 00.00 (Mon-Sun)
	10.00am - 00.00 (Fri & Sat)	10.00-00.00 (Fri & Sat)	
		IN & OUTDOOR (Outdoor Limited to	
		4 events per calendar month)	
GREEN DRAGON	11.00 – 00.00 (Sun-Thu)	20.00 – 01.00 (Fri & Sat)	23.00 – 00.30 (Sun-Thu)
1	. 11.00 – 01.00 (Fri & Sat)		23.00 – 01.30 (Fri & Sat)

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ANNEX D

List of Responsible Authorities

- 1. Carwyn Jones, ENVIRONMENTAL HEALTH (Noise) No objections (additional comments)
- 2. Rod Bowen, POLICE LICENSING OFFICER No objections
- 3. Rhys Mullan, FIRE SERVICE No objections (additional comments re. Fire Risk Assessment)
- 4. Kelly Edwards, TRADING STANDARDS No objections
- 5. PLANNING (PRELIM RESPONSE ONLY) No follow up to this. No Obj.
- LICENSING No objections (additional comments re. taking out further Fire Conditions – agreed with applicant as covered by Fire Risk Assessment)

NO REPLIES

- 1. Home office
- 2. Safeguarding Unit
- 3. Environmental Protection (H&S)



Natalie Jones

From: To: Subject: Carwyn Jones Xatalie Jones Signatures, Welshpool

Natalie

I have been to the premises and have seen the alterations that have been undertaken inside.

With regard to the hours requested on the licence it would be easier to manage and regulate if both floors had the same operational hours therefore I satisfied that this is varied on the licence.

As they have no neighbours next door and the work to block the window to prevent noise this will be an improvement, I am still concerned that it will be hot inside with large amount of people but the applicants have confirmed that they will consider additional ventilation if required. Removing the possibility of people opening the windows for ventilation will significantly reduce the noise levels witnessed under the previous management. As all the noise equipment will be played through the inhouse sound system which is controlled by the owners I have agreed not to request that the noise limiter be fitted to the system however should noise complaint be received and witnessed by environmental health officers a limiter may be part of the mitigation measures that can be utilised to reduce and control noise levels.

I will be visiting the venue to witness the noise prior to the opening night to try and establish the extent of the noise audible outside.

Carwyn Jones

Uwch Ymarferydd Gwarchogi yr Amgylchedd (Gwarchod yr Amgylchedd) Senior Chartered Environmental Health Practitioner (Environmental Protection)

(Gwarchod yr Amgylchedd) – Cyngor Sir Powys

(Environmental Protection) – Powys County Council

0 Manufactorian and the

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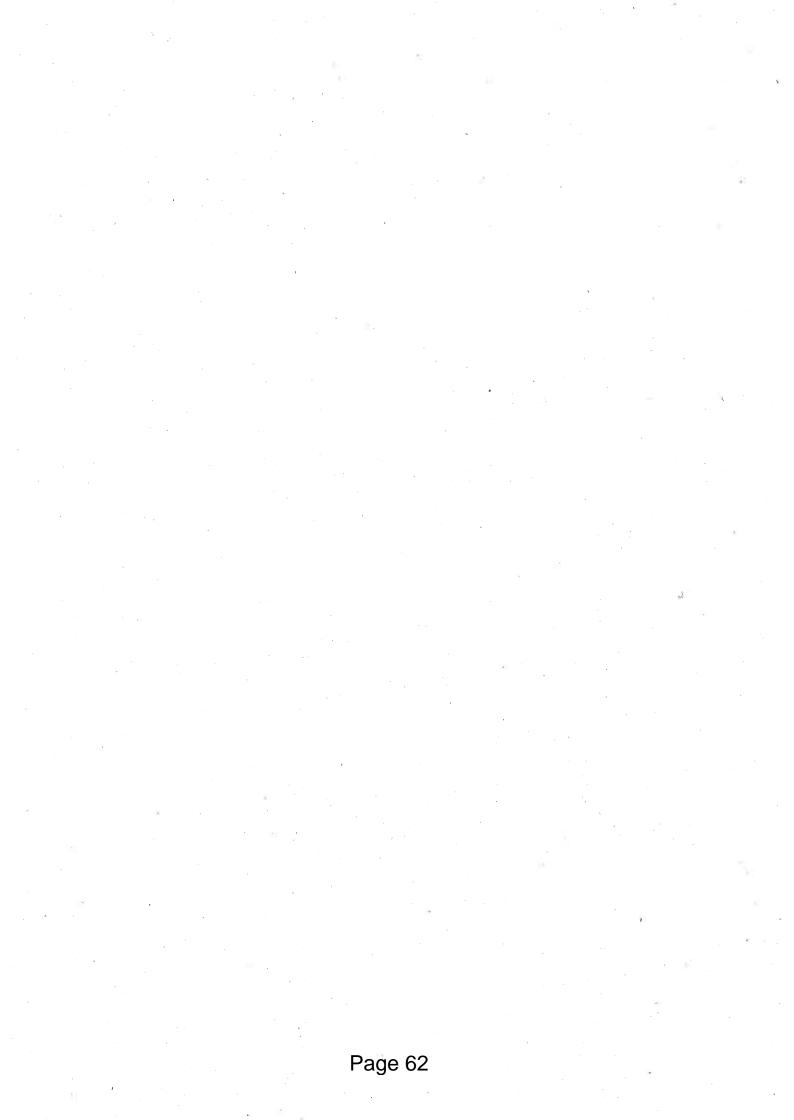
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Er mwyn cyflenwi gwaith Gwasanaeth Iechyd yr Amgylchedd, mae angen prosesu data personol yn unol â'r ddeddfwriaeth berthnasol. Bydd y wybodaeth hon yn cael ei chadw yn unol â'r ddeddfwriaeth, a rhestr cadw gwybodaeth y Cyngor. Os oes gennych unrhyw bryder ynghylch y defnydd a wneir o'ch data personol cysylltwch â'r Swyddog Diogelu Data trwy anfon e-bost at <u>Information.Compliance@powys.gov.uk</u>

<<u>mailto:Information.Compliance@powys.gov.uk</u>> neu ffoniwch 01597 826400. Sylwch fod modd dod o hyd i ragor o wybodaeth am Ddiogelu Data a Phreifatrwydd yn y cyfeiriad gwe canlynol: <u>http://www.powys.gov.uk/privacy</u> P_1 age 61



Natalie Jones

From:	Susan Jones
h	licensing@powys.gov.uk>
Sent:	06 July 2021 15:10
Го:	Nichola Baker
Subject:	FW: [SWYDDOGOL OFFICIAL] Licence Variation @ 38 high street Welshpool
	(formerly Signatures)

SWYDDOGOL OFFICIAL

Good Afternoon,

Having met with the applicants and having completed the appropriate Police checks I am happy to advise that there are NO POLICE OBJECTIONS to this application.

Regards

Rod

SWYDDOGOL OFFICIAL

From: Natalie Jones <natalie.bennett@powys.gov.uk> Sent: 25 June 2021 15:

Subject: RE: Licence Variation @ 38 high street Welshpool (formerly Signatures)

Please find attached FULL VARIATION to Premise Licence at 38 High Street, Welshpool. (to be known as 1898, but previously known as Signatures).

Also attached is the existing licence to show current licensing times permitted and the existing Licensing times. Much of the variation will make the licensing hours uniform between the upstairs and downstairs of the building and will remove outdated conditions and insert new conditions as deemed necessary by Responsible Authorities. Therefore, please include any suggested Conditions (if required) in your formal response to this application.

Please also note a transfer is pending for this premise to the new lease holders (the applicants) from the current Licence holder.

I am also aware that the Site Plans have not come out very well so I will endeavour to sort this and re-send clearer plans by next week.

Page 63

The last date for any Representations to this application is 21st July 2021. Please send any reps to licensing@powys.gov.uk

Kind Regards

Natalie

Natalie Jones Licensing Officer 01597 827389

Mae'r e bost hwn ac unrhyw atodiad iddo yn gyfrinachol ac fe'i bwriedir ar gyfer y sawl a enwir arno yn unig. Gall gynnwys gwybodaeth freintiedig. Os yw wedi eich cyrraedd trwy gamgymeriad ni ellwch ei gopio, ei ddosbarthu na'i ddangos i unrhyw un arall a dylech gysylltu gyda Cyngor Sir Powys ar unwaith. Mae unrhyw gynnwys nad yw'n ymwneud gyda busnes swyddogol Cyngor Sir Powys yn bersonol i'r awdur ac nid yw'n awdurdodedig gan y Cyngor.

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Nid yw'r e-bost hwn nag unrhyw ffeiliau a drosglwyddir gydag ef o angenrheidrwydd yn adlewyrchu barn Heddlu Dyfed-Powys. Bwriedir yr e-bost ar gyfer y person neu'r sefydliad a enwir uchod. Os derbyniwyd yr e-bost hwn trwy gamgymeriad, dylid hysbysu'r anfonydd a dileu'r e-bost oddi ar eich system os gwelwch yn dda. Os na'i fwriadwyd ar eich cyfer chi ac nid chi yw'r cyflogwr na'r asiant sy'n gyfrifol am roi'r e-bost i'r derbynnydd bwriadedig, fe'ch hysbysir gan hyn na chaniateir i chi ddefnyddio, adolygu, lledaenu, dosbarthu na chopio'r e-bost ar unrhyw gyfrif. Archwiliwyd yr e-bost hwn ac unrhyw ffeiliau a drosglwyddir gydag ef am firws. Serch hynny, dylai'r derbynnydd hefyd archwilio'r e-bost a'r ffeiliau sydd ynghlwm am firws oherwydd nid yw Heddlu Dyfed Powys yn derbyn cyfrifoldeb am unrhyw ddifrod a achosir gan unrhyw firws a drosglwyddir trwy gyfrwng yr e-bost hwn.

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Mae Heddlu Dyfed-Powys wedi ymrwymo i ddiogelu?r rhai hynny sydd fwyaf agored i niwed. Rydym yn gweithio gydag eraill i fynd i?r afael ag ymddygiad sy?n tanseilio cymunedau cryf, cydlynol ac rydym yn falch o wasanaethu?r trefi a?r pentrefi mwyaf diogel ar draws Cymru a Lloegr*. Os ydych o fewn Sir Gaerfyrddin, Ceredigion, Sir Benfro neu Bowys a bod arnoch angen ein cymorth, rydym eisiau clywed gennych - mae gofalu amdanoch yn bwysig i ni.

*Troseddau fesul pob poblogaeth o 1,000

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1898 Group Ltd 37/38 High Street Welshpool Powys SY21 7JL Gofynner am/ Please ask for: Rhif Est/Extn. No. Watch Manager R Mullan

E-bost/E-mail:

rt.mullan@mawwfire.gov.uk

[Via e-mail: info@1898group.com]

Fy Nghyf/My Ref:



Eich Cyf/Your Ref:

Dyddiad/Date: 2

20 July 2021

1195

Dear Sirs,

LEGISLATION: LICENSING ACT 2003

APPLICATION FOR: Premises Licence – Major Variation

PREMISES:

'1898' 37/38, High Street, Welshpool.

The Fire Authority has recently been consulted in relation to your application for a Major Variation as required by the Licensing Act 2003. You should note that the granting of a licence does not imply approval of other legislative requirements and does not negate the enforcement of fire safety legislation.

This letter is to inform you therefore of your fire safety obligations; to provide guidance to enable you to meet your fire safety responsibilities with regard to the Regulatory Reform (Fire Safety) Order 2005 ("the Order"); and to assist in the attainment of the licensing objective of public safety.

Responsibility for complying with the Order rests with the 'responsible person'. In a workplace, this is the employer and any other person who may have control of any part of the premises, e.g. the occupier or owner.

If you are the responsible person you must arrange for a competent person to carry out a fire risk assessment which must focus on the safety of all 'relevant persons' in case of fire. It should pay particular attention to those at special risk, such as disabled people, those you know have special needs and children, and must include consideration of any dangerous substance liable to be on the premises. Your fire risk assessment will help you identify risks that can be removed or reduced and will contribute toward the nature and extent of the general fire precautions you need to take.

As part of the assessment you must ensure that an effective emergency plan is prepared. All persons affected should be made aware of the contents and be trained in the action to be taken in case of fire.

The occupant capacity for the premises should be calculated in accordance with the appropriate DCLG Guide relating to your premises, and the Building Regulations Approved Document B, Fire Safety (ISBN 9781859462621).

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LIC 01

Gwasanaeth Tan ac Achub Casolbarth a Gorllewin Cymru

> Mid and West Wales Fire and Rescue Service

Prif Swyddog Tân Chief Fire Officer

Chris Davies OFSM MBA

Y Pencadlys, Heal Llwyn Pisgwydd, Caerfyrddin, Sir Gâr, SA31 1SP postŵtancgc.gov.uk

Headquarters, Lime Grove Avenue, Carmarthen, Carmarthenshire, SA31 1SP mail@mawwfire.gov.uk

Facs | Fax: 01267 220562

Ffdn (Tet) 0370 60 60 699

HOFFIDILYN RHANNU Ydu f y O

Ein Negeseuon Diogelwch Our Safety Messages

Rydym yn croesawu goheblaeth yn y Gymraeg a'r Seesneg - byddwn yn ymateb yn gyfartal i'r ddau ac yn aleb yn eich dewis iaith heb oedl.

Rydym yn croesawu galwartau yn y Gymraeg a'r Saesneg.

We welcome correspondence in Welsh and English - we will respond equally to both and will reply in your language of choice without delay. We welcome calls in Welsh and English,



It will still be necessary to review your fire risk assessment regularly (recommended to be at least once a year) and on the occasion of any of the following:

- There is reason to suspect that it is no longer valid, or
- There has been a significant change to the matters to which it relates.

Where as a result of any such review, changes to the assessment are required; the responsible person concerned shall make them.

Your attention is drawn to the publication, "Guide to Risk Assessment in Small and Medium Places of Assembly" ISBN-13: 978 1 85112 820 4 which provides information for the responsible person about the Regulatory Reform (Fire Safety) Order 2005. This publication is available from The Stationery Office or via the Mid and West Wales Fire and Rescue Service's website https://www.mawwfire.gov.uk/eng/your-safety/business-fire-safety/fire-law-and-guidance-for-business/

A fire risk assessment template that may be suitable for your use is available in the Business Safety section of Mid and West Wales Fire and Rescue Service's website

http://www.mawwfire.gov.uk/English/Safety/Business-Fire-Safety/Pages/Fire-Safety-Law-and-Guidancefor-Business.aspx

A plan meeting the requirements of the Licensing Act 2003 has not been provided with your licence. I am therefore unable to make comment at this time on your suggested maximum occupant capacity of persons who may safely resort to the premises.

In order for the premises Fire Risk Assessment to be deemed suitable and sufficient this information must be included.

Two visits to the premises have been carried out during the consultation period. However due to on-going works, we have been unable to ascertain the final widths of stairs & exit doors. The Fire Authority offers no objections to the granting of a licence, however maximum occupation capacity must be calculated as part of your Fire Risk Assessment (prior to occupation) and provided to the Fire Authority for consideration.

On occupation, a full Fire Safety Audit will be carried out as part of the Mid and West Wales Fire and Rescue Authority's risk-based inspection programme. Should you require any further advice or assistance please do not hesitate to contact me.

Yours faithfully



Watch Manager R Mullan Authorised Fire Safety Inspecting Officer On behalf of the Mid and West Wales Fire and Rescue Authority

Cc Natalie Jones - Licencing Team - Powys County Council [via e-mail: licensing@powys.gov.uk]

Natalie Jones

From:Kelly EdwardsSent:20 July 2021 18:24To:LicensingCc:Natalie JonesSubject:Licence Variation @ 38 high street Welshpool (formerly Signatures)

RE: Licence Variation @ 38 high street Welshpool (formerly Signatures)

Trading Standards is in receipt of an application in respect of the above premises and does not wish to make any representations.

Regards

Kelly Edwards

Swyddog Safonau Masnach (Busnes) Trading Standards Officer (Business)

ctsi

Chartered Trading Standards Practitioner

- Trading Standards Powys County Council, The Gwalia,
- Ithon Road, Llandrindod Wells, Powys, LD1 6AA
- 習 Rhiffion / Tel no. 你愿意意意
- A Cyfeiriad ebost / email
- address: Methodaldepholyvstencet

÷P

Yn agored a blaengar - Open and enterprising

Powys

Cysylltwich a ni yn Gymraeg neu yn Saesneg. Ni fydd cysylltu yn Gymraeg yn arwain at oedi. Contact us in Welsh or in English. Contacting in Welsh won't lead to a delay.

Please note, this advice is subject to revision or amendment in light of new evidence/information. Our opinion is based on the evidence available and only the Courts can interpret statutory legislation with authority. / Noder y gallai'r cyngor hwn gael ei adolygu neu ei ddiwygio yn sgil tystiolaeth/gwybodaeth newydd. Mae ein barn yn seiliedig ar y dystiolaeth sydd ar gael a'r Llysoedd yn unig a all ddehongli deddfwriaeth statudol ag awdurdod.



Environment and a second second

ollow us on





Gwilym Davies Pennaeth Eiddo, Cynllunio a Gwarchod y Cyhoedd Head of Property, Planning and Public

Neuadd y Sir/County Hall Spa Road East Llandrindod

LD1 5LG

Ein Cyf/Our Ref: 21/1228/PRL Dyddiad/Date: 1 July 2021 Llinell Uniongyrchol/Direct Line: 01597 827161 / 01597 827169 E-bost/Email: planning.services@powys.gov.uk

Dilynwch y ddolen ganlynol i'r wefan sy'n rhoi diweddariad ar yr effaith ddiweddaraf ar bob gwasanaeth gan gynnwys y gwasanaeth cynllunio o ganlyniad i COVID-19 - <u>https://cy.powys.gov.uk/coronafeirws</u>

Please refer to the following link to our website which provides an update on the latest impact on all Services including Planning as a consequence of COVID-19 - https://en.powys.gov.uk/coronavirus

Annwyl Syr/Madam,

Natalie Jones

PCC Licensing

Cyfeirnod: 21/1228/PRL Cynnig: Variation of Premise Licence Cyfeiriad y Safle: 1898 (previously Known As Signautures), 38 High Street, Welshpool, Powys SY21 7LJ

Diolch i chi am eich gohebiaeth o ran yr uchod, a dderbyniwyd yn y swyddfa hon ar 01.07.2021. Mae cynnwys eich llythyr yn derbyn sylw.

Croesewir gohebiaeth yn y Gymraeg a'r Saesneg.

Yn gywir,

Richard Edwards Senior Planning Officer Dear Sir/Madam,

Reference: 21/1228/PRL Proposal: Variation of Premise Licence Site Address: 1898 (previously Known As Signautures),38 High Street,Welshpool, Powys SY21 7LJ

Thank you for your correspondence regarding the above, which was received in this office on 1st July 2021. The contents of your letter are receiving attention.

Correspondence welcomed in Welsh and English

Yours faithfully,

Richard Edwards

Diogelu Data a Chyfrinachedd Er mwyn cyflawni ceisiadau, cwynion ac apeliadau'r Gwasanaeth Cynllunio mae angen i'r cyngor brosesu data personol yn unol â'r ddeddfwriaeth gynllunio berthnasol, sydd i'w weld ar wefan gynllunio Llywodraeth Cymru (https://gov.wales/topics/planning/?skip=1&lan g=cy. Bydd y Gwasanaeth Cynllunio'n cadw Gwybodaeth yn unol â'r ddeddfwriaeth ac amserlen cadw'r Cyngor. Os oes gennych bryderon am sut rydym yn defnyddio'ch data personol cysylltwch â'r Swyddog Diogelu Data trwy e-bost

Information.Compliance@powys.gov.uk neu drwy ffonio 01597 826400. Cofiwch y gallwch gael hyd i fwy o wybodaeth am Ddiogelu Data a Chyfrinachedd trwy fynd i:

https://cy.powys.gov.uk/article/653/Defnyddio-Cwcis.

Senior Planning Officer

Data Protection and Privacy In order to deliver the Planning Service (applications, complaints and appeals etc.) it is necessary for the council to process personal data, in accordance with relevant planning legislation, as listed on the Welsh Governments planning website (https://gov.wales/topics/planning/?lang=en. Information held by the Planning Service will be retained in accordance with the legislation and the Councils retention schedule. If you have any concerns regarding the use of your personal data please contact the Data Protection Officer by email at Information.Compliance@powys.gov.uk or by phone at 01597 826400. Please note that further information on the Data Protection and Privacy can be found at the following address: https://en.powys.gov.uk/privacy.

Natalie Jones

The Licensing authority has no reps in respect of this application, there are a number of fire safety conditions that should also be removed from the licence conditions as these matters are enforced by the Fire Authority. Sue Jones

Senior Licensing Officer/Uwch Swyddog Trwddedu

Tîm Trwyddedu - Cyngor Sir Powys Licensing Team - Powys County Council

🖀 (Rhif ffôn / Tel no. 01597 827389

(Cyfeiriad ebost /susan.jones@powys.gov.uk)

Croesawu gohebiaeth yn Gymraeg / We welcome correspondence in Welsh

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From: Natalie Jones <natalie.bennett@powys.gov.uk> Sent: 25 June 2021 15:59 AR UXXX 5X5 9.8x DINY STATES OF GEON V

Please find attached FULL VARIATION to Premise Licence at 38 High Street, Welshpool. (to be known as 1898, but previously known as Signatures).

Also attached is the existing licence to show current licensing times permitted and the existing Licensing times. Much of the variation will make the licensing hours uniform between the upstairs and downstairs of the building and will remove outdated conditions and insert new conditions as deemed necessary by Responsible Authorities. Therefore, please include any suggested Conditions (if required) in your formal response to this application.

Please also note a transfer is pending for this premise to the new lease holders (the applicants) from the current Licence holder.

I am also aware that the Site Plans have not come out very well so I will endeavour to sort this and re-send clearer plans by next week.

The last date for any Representations to this application is 21st July 2021. Please send any reps to – <u>licensing@powys.gov.uk</u>

Kind Regards

Natalie

Natalie Jones Licensing Officer 01597 827389

<u>ANNEX E</u>

List Of Objectors

- 1. **Phil Owen & Diana Barlow**, High Street residents, Welshpool (joint written objection)
- 2. **Derek Painter**, Treasurer of Welshpool Methodist Church, High Street, Welshpool
- 3. Anthony P Harvey, High Street Resident, Welshpool

Additional Written Representations

1. Alison Davies, on behalf of Welshpool Town Council (Mayor)



Application to vary a premises licence under Licensing Act 2003 by 1898 Group Ltd (formerly Signatures) dated 21 June 2021.

Representations of Mr Philip Owen and Ms Diana Barlow - both of *My* High Street Welshpool SY21 7JP (nearby residents likely to be affected by the application) – dated 17 July 2021.

THE LOCATION & DEMOGRAPHIC

The applicant's premises, 37/38 High Street, is a Grade II listed late Georgian building. It is situated in a part of the town where the predominance of commercial High Street premises give way to residential properties. Walking west from the premises you immediately enter an area where the vast majority of the buildings are residential or are part residential and part commercial. The demographic is mixed. There are owner/occupiers who are young families with children, couples of working age, or retired and elderly persons and there are also several rented flats mostly occupied by persons employed in trades and industries in the town. The last available census of the High Street and its immediate vicinity (including Jehu Road) recorded 122 separate dwellings housing 307 occupants. [see Appendix 1. Source: Office of National Statistics].

Recent changes since the granting of the original licence.

1. Residents:

The above figures are extracted from the records of the Office of National Statistics (ONC). The last publicly searchable statistics for High Street, Welshpool (or post code SY21 7JU) are drawn from the 2011 census. The results from 2021 are not yet available but we believe they will show an increase in the number of residential properties and occupants. In particular, we are aware of three new homes to the rear of 12 High Street, a development of flats at the west end of the High Street/Mount Street and the conversion to residential premises of the former 'Mermaid' public house. In addition, several new flats have been let above some commercial premises, such as 'Serendipity' (34 High Street) and 'Lotties' (11 High Street). Consequently, we estimate the number of persons resident in the immediate area of the applicant's premises now to be in the region of 320 and possibly more.

2. Road

Since the granting of the original licence there have been significant changes to the road fronting the property. The main trunk road traffic has been diverted, the pavements have been widened restricting the width of the carriageway and parking areas have been restricted or removed altogether. This was done to restrict the amount of through traffic using Broad Street, High Street and Mount Street and to limit on-street car parking.

THE EXISTING LICENCE

The existing licence was granted in 2006 to the proprietors of 'Churchills' (later 'Signatures'). That business operated for only a few years before closing and the property has stood empty ever since. The business was very different in nature to that proposed by the applicant. It was essentially a wine bar on the ground floor with a small area for dancing and music situated on the first floor of the property, referred to by the existing licence as a "function room". Local knowledge indicates that the wine bar was light and airy, relatively pleasant and well used but that the small dance floor in the function room upstairs was less frequented. The licensing conditions treated the ground floor operations as being separate and distinct from activities on the first floor. This distinction was applied both in relation to permitted hours and permitted activities.

The existing licence, although permissive of entertainment on both floors, imposes a condition that limits actual operation to an "either/or" permission, so at no time was the operator permitted to provide music and dancing on both floors of the premises simultaneously. Furthermore, the existing licence restricts the permitted hours for entertainment on the ground floor to oo:oo (midnight) on all days of the week and imposes a specific condition prohibiting amplified music on the ground floor after oo:oo (midnight). We submit that these restrictions were imposed for good and obvious reasons, which we shall address below. On Sundays, the existing licence does not permit consumption of alcohol on the first floor (night club area) and only before oo.oo on the ground floor (wine bar).

To summarise, the latest hour for entertainment on ground floor is currently 00:00 (midnight) on all days of the week (for maximum permitted numbers of 170); and on the first floor, 02:00 am Friday and Saturday and 00:00 (midnight) on all other days (for maximum permitted numbers of 100). The committee is now being asked to approve a significant extension of permitted hours for amplified music and dancing on both floors of the premises, we have no information as yet on any proposed increase in the permitted numbers.

THE APPLICATION TO VARY AND OBJECTIONS (please note our objections have been made on the basis of the information provided in/with the application – we are willing to meet and discuss our concerns with the applicant particularly if the applicant has additional information that might address some or all of the points below)

The applicant is seeking to remove the distinction between the permitted hours of operation on the ground and first floor. This appears to be because the applicant's business model is very different from that of its predecessor. The new business will operate purely as a night club and late-night drinking establishment. The redacted application we have seen is not very clear. Large parts of it are merely deletions of existing conditions with very scant information (if any) as to what is intended to replace them. We set out below what we understand to be the significant changes sought to the existing licence, together with our objections to them. 1. <u>Application to vary the permitted hours for the supply of alcohol and the provision of regulated entertainment.</u>

OBJECTION: We object to any extension of permitted hours which would allow for the playing of amplified music after 00.00 (midnight) on all nights of the week on the ground floor of the premises. Permitted hours on the first floor should be limited to 00.00 (midnight) on Sunday to Thursday (inclusive) and 02:00 on Fridays and Saturdays, consistent with the current licence. The permitted hours for the supply of alcohol should be consistent with those granted for regulated entertainment. The reason is to reduce the risk of unacceptable late-night noise and disturbance to nearby residential properties.

2. <u>Removal of Condition that after 23.00 the side door only shall be used for</u> entry and exit.

OBJECTION: This is an important condition that was made to protect local residents from noise and disturbance. We strongly suggest that this should be retained and that where possible persons should enter and exit the building after 23:00 hours using only the side passage at the north end, leading them to the rear of the building (the easiest direction to access the taxi rank at the visitor's centre and any car parks). The narrowing of the High Street at the front of the property will now restrict the ability for waiting cars and taxis to simply pull-up outside the premises and increase the risk of cars idling further up the High Street outside residential properties and the accumulation of persons waiting for taxis and lifts.

3. <u>Removal of Condition on the control of the front door before 23:00 to ensure</u> minimal opening.

OBJECTION: This, too, is an important condition designed to protect local residents. Use of the front door would increase the escape of noise and could also create noise and disturbance on the street by any people awaiting entrance or not immediately dispersing after they had left.

4. <u>Request for the removal of the Condition for sound limiters on amplified</u> music.

OBJECTION: The premises were built in 1820 and are Grade II listed. The single glazed Georgian sash windows and the front door are specifically mentioned in the CADW listing and, therefore, cannot be significantly altered. Consequently, the building is not one that can easily be made soundproof. The nearest residential houses are only yards away and many of them are also Grade II listed with similar restrictions. The neighbouring properties are therefore unable to take effective steps to safeguard against noise and disturbance. The bedrooms of these neighbouring properties are mostly facing the street and will be very sensitive to noise emanating from the applicant's premises or caused by persons entering and leaving late at night. If there is audible sound after 23.00, particularly the thudding of amplified bass, it will make it impossible to sleep and is likely to have a negative impact on the health and well-being of residents. The condition imposing noise limiters is an entirely reasonable and necessary one. It is effectively the only safeguard against amplified music that residents have.

5. <u>Removal of Condition prohibiting amplified music on ground floor.</u>

The existing licence was granted on the understanding that the ground floor of the building was to be used as a wine bar and that any amplified music was in the nature of "background music" only. Amplified music for the purpose of entertainment and dancing was limited to the first floor and the dancing area, which appears to have been at the rear of the building, furthest away from the residential properties in the High Street. The window and door areas of the ground floor are of greater size and more susceptible to the escape of noise. Moreover, activities on the ground floor will, it seems, not be restricted to the rear of the building and neither does there appear to be any enclosed inner lobby separating the front of the building from the areas where it is proposed that entertainment may take place. Consequently, without effective sound proofing, the risk of excessive noise is greatly increased. No information has been provided concerning any sound engineers appointed by the applicant or of any steps taken to implement the recommendations of the sound engineer's report (if there is one). It may be that the Environmental Health Officer has more information on this.

 <u>Removal of the Condition restricting public entertainment simultaneously</u> upstairs and downstairs.

OBJECTION: This is a significant and major departure from the existing licence. We repeat the objections contained in paras 3 and 4 (above). Simultaneous musical entertainment on both floors will double both the level of noise and the areas of the building from which that noise can potentially escape.

7. Maximum Permitted Numbers

The existing licence provides for maximum permitted numbers of:

Ground Floor 170 First Floor 100

We understand the applicant will be seeking an increase in the permitted numbers but currently have no information on how many. Our objection assumes that a material increase will be sought by the applicant.

OBJECTION: The premises directly adjoin a predominantly residential area. The area is one that will be very sensitive to late night noise and disturbance. The applicant will have no control over persons after they have left the premises (and neither should they) but the greater the numbers entering and leaving, the greater the likelihood of noise, disturbance and public disorder. We would oppose any application to materially increase numbers beyond those currently permitted.

OTHER CONSIDERATIONS.

Steps taken to promote licensing objectives.

Under the Revised Guidance issued under section 182 of the Licensing Act 2003 (the Guidance), applicants are expected to demonstrate knowledge of the local area when describing the steps they propose to take to promote the licensing objectives.

They are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application.

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

•the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;

• any risk posed to the local area by the applicants' proposed licensable activities; and

• any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.

Para. 8.43 provides that applicants are expected to include positive proposals in their application on how they will manage any potential risks.

It is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises with close proximity to residential premises should consider what effect this will have on their smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective [8.44].

The applicant is, we understand, not local to the area but has previously managed clubs and drinking establishments in London. We are not aware of any steps taken by the applicant to promote the licensing objectives, and none are referred to in the redacted application. In particular, no steps appear to have been taken to consult with neighbours and local residents on the proposed activities. The fact that the applicant appears not to have taken these steps, might indicate a lack of concern about the potential effect on the neighbourhood, or possibly, that the applicant is not familiar with the local area or the steps expected of it, in promoting the licensing objectives.

Public nuisance and proportionality.

As stated, the nature of the proposed operations to be carried out on the premises differs substantially from that carried out at the time the original licence was granted. This is effectively an entirely new proposal for a very different type of business operation. The Guidance makes provision at paras 2.15 - 2.21 and expressly states that any conditions appropriate to promote the prevention of public nuisance should be tailored to *the type, nature and characteristics of the specific premises and its licensable activities*. The area, being a mixed, but predominantly residential one, is highly susceptible to the types of public nuisance associated with premises and operations of the type proposed and, for those reasons, the application to remove the distinction made by the differing conditions imposed on the ground and first floor operations - and the removal of the restrictions on amplified music on the ground floor are opposed. It is submitted that the business model and the nature

of the applicant's proposed activities are entirely inappropriate to the locality in which the premises are situated.

The entire population of Welshpool is currently only 6,725 (source: ONS). The town already has one night club ('Molto' – less than half a mile from the applicant's premises) and several licenced premises. The Guidance provides that 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. Any benefit that is perceived from having a second (two floor) night club in Welshpool is, given the small population and the size of the locality, clearly disproportionate to the negative impact on those who live and work in close proximity to the premises.

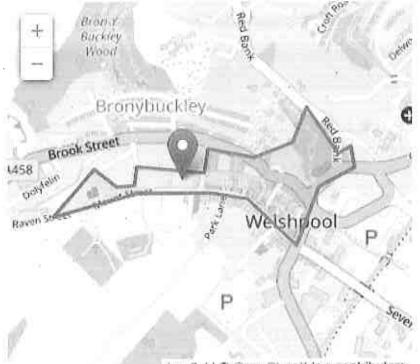
Crime.

The town of Welshpool is one that has comparatively low levels of crime. The most recent statistics for crime occurring in the locality of High Street and within 0.05 of a mile from the applicant's premises were compiled from reported incidents in April 2021. This identifies 47 reported crimes in that month. [see Appendix 2]. The vast majority of crimes are attributed to antisocial behaviour, public order and violence and sexual assault. The majority of these reported crimes occurred in an area around the Cross, Berriew Street and Broad Street. It will be noted that this area contains the nightclub 'Molto' and several other licenced premises. In recent months there appears to have been an increase in some types of crime and antisocial behaviour. In particular, there have been several incidences of vandalism and damage to windows and buildings. There is real concern that lifting existing conditions and restrictions on the licence will lead to an increase in the types of crime and behaviour identified above and import similar incidents to those reported around Molto to the centre of a predominantly residential area.

Police presence.

We understand that no additional police resources will be available. However, we submit that, due to the close proximity of residential houses and the sensitivity of the area, a police presence should be maintained at those times when persons leave the premises after midnight or at other times when there is a risk of noise disturbance, public disorder or damage to properties. If this cannot be funded from local rates then it is appropriate for the applicants to pay a levy to cover these costs.

APPENDIX 1.



Leafiel | © OpenStreetMap contributors

Housing Types

This area contains a mixture of housing types, as detailed below. No single type of dwelling accounts for more than 50% of the dwellings. Please note that the figures may include adjacent streets.

Total	151
Residence in Commercial Building	36
Flat (Converted)	9
Flat (Purpose-Built)	36
Terraced	32
Semi-Detached	17
Detached	21
Housing Types	

Housing Tenure

The area containing High Street, Welshpool, Wales contains a mixture of types of tenure.

29
23
1
1
1
66
1
0
122

Housing Occupancy

This data lists the total number of residents normally resident within each household. The figures do not record under- or over-occupancy.

One Person	53
Two People	37
Three People	18
Four People	10
Five People	4

Six People		0
Seven People	· · ·	0
8+ People	8	0

Total number of dwellings

Gender

	 180
Female	127
Total	307

Age

Across the UK as a whole, the median age is 39. In general, inner city areas show high concentrations of people aged 18-30, suburbs show larger numbers of small children and adults aged 30-50, and rural and small towns are more popular with older workers and retirees. The ages of residents around High Street Welshpool are mixed but with a significant percentage of school aged children of 15 and under and persons in the 45-84 range.

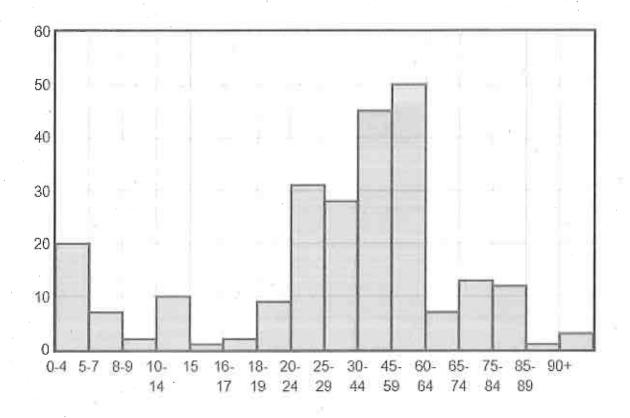
122

Age Groups

0-4		23	
5-7	1	2	
8-9	d	3	
10-14		15	
15		2	

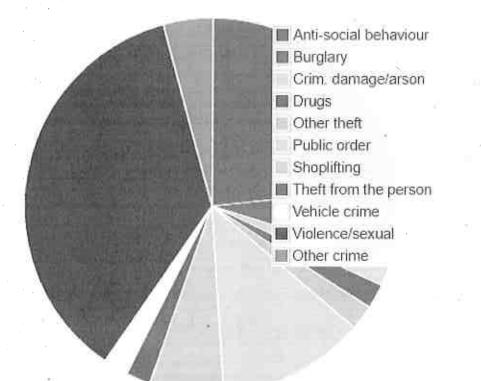
Age Groups

· · · · · · ·			
16-17		6	х
18-19		5	
64			
20-24		32	
25-29		35	
	17		
30-44	H.	74	
45-59		68	
60-64		12	
65-74		21	
75-84		9	
85-89		0	
90+		0	
		·• .	
Total		307	



APPENDIX 2.

Breakdown of the 47 crimes in April 2021 within half a mile of the centre of SY21 7JU.



WELSHPOOL METHODIST CHURCH

Derek Painter (Treasurer) Welshpool Methodist Church High Street Welshpool SY21 7JP Email:

Licencing Officer, Powys County Council, Ty Maldwyn, Brook Street, Welshpool SY21 7PU

20th July 2021

Dear Madam,

1898/Studio 38, 37/38 High Street, SY21 7TL: application for alcohol and entertainment licence

I write on behalf of Welshpool Methodist Church to express our concern about the hours being proposed for the sale of alcohol and for regulated entertainment,

The venue is in close proximity to both the church and a residential area in which a number of our elderly members live. The residential area contains the Town's main retirement home complex, namely William Ainge Court and Alfred Jones Place, and I believe the complex is undergoing further development.

One concern is that of noise and nuisance, with people exiting the premises at early times in the morning, and the potential of disturbing the sleep of the elderly and infirm who live in the retirement home complex.

Another concern is that people leaving the premises, possibly in an inebriated state, are likely to congregate on the steps and platform at the front of our church, leaving litter and or vomit and urine and damaging the flower displays which are in pots at the front of the church.

I believe noise, nuisance and damage was a problem with a similar establishment in Berriew Street.

I request that due consideration is given to the lengths of time proposed for the sale of alcohol and the length of time given for regulated entertainment, particularly regarding the early hours of the morning being requested and the frequency with which the regulated activities are to be allowed. I note that the frequency with which the events are to be allowed was not stated in the application.

Thanking you for your consideration.

Yours faithfully,

Derek Painter



From Anthony P. Harvey

Oak Cottage High Street Welshpool,

E-mail: More and an and a state of the

Licensing Officer, Powys County Council, Ty Maldwyn, Brook Street, Welshpool, SY21 7PH.

July 20, 2021

Dear Madam:

1898/Studio 38, 37/38 High Street, Welshpool, SY21 7TL: application for alcohol and entertainment license

Whilst a new business and the use of a building which has been empty for some considerable time are both to be welcomed I write to express concerns about the hours being proposed for both the sale of alcohol and regulated entertainment. This is based on the fact that the venue is situated in what is primarily a residential area and is geographically close to the Town's main retirement home complex (William Ainge Court and Alfred Jones Place) which is currently under-going further

considerable development. The concerns revolve around the number of people exiting the premises at closing time, that being in the early hours of the morning, and the possible effects of drunkenness. Over the years the town has had problems in Berriew Street with people exiting the night club there for the same reasons.

exiting the high citto there for the same results to: the length of time being I would therefore ask that due consideration is given to: the length of time being proposed for the sale of alcohol and regulated entertainment with special reference to the proposed closing in the early hours of the morning; the frequency with which events are going to be allowed (not stated in the application) in terms of the numbers of days in which regulated entertainment is allowed in any week and/or month; the days of the week; and the security which is going to operate at the venue particularly at exiting time.

My thanks for your consideration of these points, Inthony P. Harvey

Natalie Jones

From: Sent: To: Cc: Subject:

Follow Up Flag: Flag Status: Kimberly Davies **Addition (Sector Control of Control of**

Follow up Flagged

Categories:

Natalie

Dear Natalie

Welshpool Town Council is very supportive of businesses in Welshpool; however, there are some areas of concern regarding the Licensing application for this business mainly due to the hours set out in the application and particularly the hours for the sales of alcohol. This is a location that includes a good number of residential properties and is close to the current development of further supported living accommodation off Jehu Road.

In the granting of any licence to this business we ask that current residents and businesses, and ongoing local development is considered

Kind regards

Alison Davies - Welshpool Town Council Planning Committee Chairman

Applicant:

1898/Studio 38, 37/38 High Street, Welshpool, SY21 7TL

Licensing Officer, Powys County Council, Ty Maldwyn, Brook Street, Welshpool SY21 7PH

ALCOHOL

ALCOHOL.		
Monday - Wednesday	09.00	01.00
Thursday	09.00	02.00
Friday, Saturday, Bank Holiday Sunday	09.00	03.00
Sunday	12.00	00.00
REGULATED ENTERTAINMENT INDOORS		(a) :
Monday - Wednesday	09.00	00.30
Thursday	09.00	01.30
Friday, Saturday, Bank Holiday Sunday	09.00	02.30
Sunday	12.00	00.00
LATE NIGHT REFRESHMENTS		
MondayWednesday	23.00	01.00
Thursday	23.00	02.00
Friday, Saturday, Bank Holiday Sunday	23.00	02.30

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