

LICENSING (2003 ACT) SUB COMMITTEE

1st August 2005

DIRECTORATE OF FINANCE AND CORPORATE SERVICES

REPORT OF THE HEAD OF LEGAL SERVICES – C.A. JOHN

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1.1. Licence Application for Transitional Premises Licence with variation

Ref.No.: 001716 Wards Coedffranc North
Affected:

Premises Name: Travellers Well
Premises Address: 8 Dynevor Place, Skewen, Neath, W Glam, SA10 6RG

Applicant Name: Mr Kevin Rees
Applicant Address: Travellers Wells, Dynevor Place, Skewen, Neath, West Glamorgan, SA10 6

DPS Name: Mr Kevin Rees
DPS Address: Travellers Wells, Dynevor Place, Skewen, Neath, West Glamorgan, SA10 6

Application Date: 22/06/2005

1.2. Conversion Application

The premises have traded as a Public House for many years, and are entitled to a Premise Licence in respect of the existing licences and conditions.

The relevant licensable activities are presently:-

The sale of alcohol	Monday - Thursday	10.00 - 23.00
	Sunday	Noon - 22.30
	on and off premises	

The above are subject to the provisions and restrictions of the Licensing Act 1964.

1.3. Variation Application

The applicant seeks to extend the licensing activities as follows:-

Supply of Alcohol:	
Monday to Thursday	10.00 - 00.00
Friday & Saturday	10.00 - 01.00
Sunday	10.00 - 00.00

Non Standard Timings

New Years Eve
Bank Holiday Sunday } 10.00 – 01.00
& Monday
30 Event days per annum

Indoor Sporting Events:
As above.

Live Music
Thursday to Saturday 20.00 - 23.10

Non Standard Timings

Bank Holidays Sunday & Monday } 10.00 – 01.00
30 Event days per annum
Christmas Eve 16.00 – 00.00

Recorded Music:
Monday to Sunday 10.00 - 23.10

Non Standard Timings

Bank Holidays Sunday & Monday } 10.00 – 01.00
Event days

Activity like Music/Dance:
Monday to Sunday 20.00 - 23.10

Non Standard Timings

As above.

1.4. Background Information

The premises is situated in Skewen on the main road running from Neath Abbey to Swansea. There are approximately ten other licensed premises within half a mile of the premises. The main railway line is approximately half a mile away. At present the premises does not serve food. The premises occasionally holds functions (approximately 3-4 times per annum) for approximately 80-90 persons.

1.5. Promotion of Licensing Objectives

The following information has been provided by the applicant:

General - all four licensing objectives:

The types of regulated entertainments proposed, re-instate and then enhance the normal pub entertainment, that were previously unregulated, with the benefit to enhance the local facilities for social entertainment and reduce the focus on alcohol.

Staff will be trained on the requirements of the Licensing Act 2003 when they are recruited, and given training in "drugs awareness" as part of their induction.

No new steps have been identified by risk assessment in relation to the four licensing objectives except as below.

I have considered the terms of your licensing policy in preparing this application.

The Prevention of Crime & Disorder:

Providing 30min extension of opening hours at end of sale of alcohol.

No entry or re-entry after 00:00 on Friday, Saturday, Bank Holidays and Event Days.

Personal Licence holder present on the premises whenever they are trading after 20.00.

DPS will become member of Pubwatch as long as it exists.

5 working days notice to police is required in respect of event days.

Public safety:

Function bookings will be limited to 80-90 persons. On certain occasions there is a risk of overcrowding. Capacity of premises including staff and performers is not to exceed 100 persons. At such times DPS will agree in advance with the Police the most effective means of control of numbers.

The Prevention of Public Nuisance:

Live and recorded music to end at 23.10 except for bank holidays, event days, Christmas Eve, New Year's Eve and New Year's Day.

Recorded music volume will be reduced to background level during wind down period.

All windows will be kept closed after 21.00.

The garden will be closed by 22.00.

A notice will be placed prominently at the exits asking customers to leave quietly.

The Protection of Children from Harm:

Restrictions of Licensing Act 2003 will apply.

Photographic proof of age required to be shown by persons who appear to be under 20 years of age wishing to purchase alcohol.

No unusual risks of harm to children have been identified.

1.6. Relevant Representations

Responsible Authorities Representations

Police

See representations attached at Appendix 1.

Interested Parties Representations

No representations.

1.7. Policy Considerations

It is considered that the following policies are relevant to this application:

Statement of Licensing Policy

10.0 Licensing Hours

10.1 The Council, when assessing the licensing hours requested, will

consider the individual merits of an application.

10.3 The applicant within the operating schedule is required to specify the hours when the premises will be open to the public as well as the hours when licensable activities will be provided. A “wind down” period after the sale of alcohol has ceased is considered good practice. However, where there is a significant difference in these times, the reasons for this will need to be clearly specified in the schedule. The Council must, be satisfied that it will not have a negative impact on the licensing objectives.

7.0 Public Safety

7.5 Certain types of premises, due to the nature of activities being provided, may give rise to a significant risk if occupancy numbers are not set. The council following representations will consider setting occupancy limits particularly in respect of the following types of premises:

(i) night clubs/public houses providing regulated entertainment

(ii) theatres

(iii) cinemas

(iv) any other premises where the authority is satisfied that the nature and operation of the premises is such that it requires regulation of numbers at the premises.

8.0 Prevention of Public Nuisance

8.2 The Council will expect operating schedules to demonstrate that suitable and sufficient measures have been identified, and will be implemented and maintained to prevent public nuisance. The extent and nature of these measures will be determined by the style and characteristics of the premises and events.

8.3 The Council may require applicants for premises licences to provide documented noise assessments with a view to minimising noise nuisance.

8.4 Noise from amplified music is a common source of disturbance. In order to minimise the impact in the vicinity, the licensing authority may require a range of measures to be taken. These may include the installation of soundproofing, air conditioning, acoustic and sound limitation devices.

- 8.5 *In premises where regulated entertainment is provided, the licensing authority will require a documented noise assessment for the premises, which must indicate whether there is likely to be any nuisance or disturbance to the local community, and if so, what measures are to be implemented to prevent this.*
- 8.6 *The licensing authority may at its discretion waive the requirement for a noise assessment where it can be demonstrated that the nature, type or location of the premises is such that the likelihood of nuisance arising is negligible.*

Secretary of State's Guidance

The following provisions of the Secretary of State's Guidance appear to be relevant to this application:-

Operating Schedule

- 5.46 *“An operating schedule must also set out the following details:*
the relevant licensable activities to be conducted on the premises;
the times during which it is proposed that the relevant licensable activities are to take place (including the times during each day of the week, during particular holiday periods and during particular seasons, if it is likely that the times would be different during different parts of the year);
any other times when the premises are to be open to the public;
where the licence is required only for a limited period, that period;
where the licensable activities include the supply of alcohol, the name and address of the individual to be specified as the designated premises supervisor;
where the licensable activities include the supply of alcohol, whether the alcohol will be supplied for consumption on or off the premises or both;
the steps which the applicant proposes to take to promote the licensing objectives”.

7.0 Public Nuisance

- 7.41 *Conditions relating to noise nuisance will normally concern steps necessary to control the levels of noise emanating from premises, from simple mechanisms like ensuring that doors and windows are kept closed after a particular time in the evening to more sophisticated mechanisms like sound level inhibitors on amplification equipment or sound proofing. Any conditions necessary to promote the prevention of public nuisance should be tailored to the style and characteristics of premises and the type of activities expected to take place there.*

7.42 *As with all conditions, it will be clear that conditions relating to noise nuisance may in certain circumstances not be necessary where the provisions of the Environmental Protection Act 1990 and of the Noise Act 1996 adequately protect those living in the vicinity of the premises in question. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be necessary.*

7.43 *Where applications have given rise to representations, any necessary and appropriate conditions should normally focus on the most sensitive periods. For example, music noise from premises usually occurs from mid-evening until either late evening or early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. In certain circumstances, conditions relating to noise may also prove necessary to address any disturbance anticipated as customers enter and leave the premises and therefore, in the immediate vicinity of the premises.*

8.0 General

8.2 *The most important aspect of the system of permitted temporary activities is that no authorisation as such is required for these events from the licensing authority. The system involves notification of an event to the licensing authority and the police, subject to fulfilling certain conditions. In general, only the police may intervene to prevent such an event taking place or to agree a modification of the arrangements for such an event; and it is characterised by an exceptionally light touch bureaucracy. The licensing authority may only ever intervene of its own volition if the limits set out in the 2003 Act on the number of temporary event notices that may be given in various circumstances would be exceeded. Otherwise, the licensing authority is only required to issue a timely acknowledgement.*

6.0 Relaxation of Opening Hours for Local, National & International Occasions

6.11 *It should normally be possible for applicants for premises licences and club premises certificates to anticipate special occasions which occur regularly each year – such as bank holidays – and to incorporate appropriate opening hours for these occasions in their operating schedules. Similarly, temporary event notices – in respect of which a*

personal licence holder may give fifty each year – should be sufficient to cover events like Golden Wedding Anniversaries or 21st Birthday parties which take place at premises which do not have a premises licence or club premises certificate. However, with the passage of time exceptional events of local, national or international significance will arise which could not or have not been anticipated. Such events can give rise to the need to vary the conditions of large numbers of premises licences and club premises certificates. In such circumstances, it will be open to the Secretary of State to make a licensing hours order to provide for premises with a premises licence or club premises certificate to open for specified, generally extended, hours on these special occasions. Examples might include a one-off local festival, a Royal Jubilee, a World Cup or an Olympic Games.

6.12 Such events should be genuinely exceptional and the Secretary of State will not consider making such an order lightly. Licensing authorities (or any other persons) approaching the Secretary of State about the making of such an order are advised that they should give at least six months notice before the celebration in question. Before making such an order, the Secretary of State is required to consult such persons as she considers appropriate, and this would generally enable a wide-range of bodies to make representations to her for consideration. In addition, such an order will require the approval of both Houses of Parliament. Six months would be the minimum period in which such a process could be satisfactorily completed.

1.8 Officer's Report

The committee is required to determine this application after taking into consideration the need to promote the licensing objectives and also the guidance issued by the Secretary Of State and the Neath Port Talbot Statement of Licensing Policy.

The basis of the police representation is that the proposal is totally open ended, with no dates, times or information being provided about the international events.

The Licensing Act 2003 states that the Operating Schedule must specify the hours during which the licensable activities are to take place. Also provision is made within the Licensing Act for dealing with unforeseen events by means of a temporary event notice. Further provision is also made for the Secretary Of State to relax opening hours for local national or international occasions

Guidance issued by LACORS indicates that it is for the Licencing

Authority to determine whether it considers this type of proposal acceptable.

The Association of Chief Police Officers ACPO has given guidance to its members and this is reproduced below:-

ACPO REPORT

The general view is that these applications can be accepted by licensing authorities under the Licensing Act 2003. However there are a number of issues that raise concern.

Many of these applications make no attempt to identify how the premises will minimise the potential for crime and disorder during the additional hours.

The request for 25 occasional days per year is excessive when added to the 12 TENS.

It is unthinkable that just by providing notice of the event it should be allowed to go ahead without any provision for veto by police or others.

To maintain a consistent approach across the county ACPO suggest that Constabularies consider the following approach in relation to these applications.

No more than 12 extensions per premises per year (excluding applications made under TENS) should be allowed.

An operating plan covering the additional measures that will be taken to manage crime and disorder on these occasions to be completed.

A minimum of 7 days notice to police and the licensing authority.

An absolute veto for police in respect of any of these occasions.

It is, of course, open to all the other responsible authorities to raise objections if they consider it necessary.

On hearing all representations on the matter, members will need to decide either:-

- 1) To approve the proposal as submitted

2) To amend the proposal as necessary eg. to restrict the number of occasions, or to specify the types of international events that it will apply to.

3) To reject the proposal

Prevention of Public Nuisance

There are a significant number of residential properties in the vicinity of the area. Although there is no history of nuisance with the premises, the provision of regulated entertainment until up to 01.00 is likely to increase the risk of problems with noise from the premises and also with social disturbance affecting residents. Consideration should be given as to whether noise conditions alone can address these matters or whether restrictions on hours are more appropriate.

1.9 Recommendation

That members determine the application after taking into account the representations received.

List Of Background Papers
Application for Premises Licence.

Officer Contact

J Sullivan Principal Officer Licensing
Tel (01639) 686326 email j.sullivan@npt.gov.uk

Wards Affected

Coedffranc North

2.1 Licence Application for Transitional Club Licence with variation

Ref.No.: 001661 Wards Port Talbot
Affected:
Premises Name: Trefelin Workingmans Club
Premises 8-10 Jersey Street, Velindre, Port Talbot, SA13 1YR
Address:
Applicant Name: Mr John Perring
Applicant Trefelin Workingmens Club, 8-10 Jersey Street, Port Talbot
Address:
Application 07/06/2005
Date:

2.2 Conversion Application

The premises have operated as a registered club for many years and are entitled to a club premises certificate in respect of the existing certificate and conditions.

The relevant licensable activities are presently:-

The supply of alcohol	Monday - Saturday	10.00 - 23.00
	Sunday	Noon - 22.30
	on and off premises	

The above are subject to the provisions and restrictions of the Licensing Act 1964.

2.3 Variation Application

The applicant seeks to extend the licensing activities as follows:-

Supply of Alcohol:
Monday to Thursday 11.00 - 00.00
Friday to Sunday 11.00 - 01.00

Plays:
Monday to Thursday 11.00 - 00.00
Friday to Sunday 11.00 - 01.00

Films - times as above

Indoor Sports - times as above

Boxing or Wrestling - times as above

Live Music - times as above

Recorded Music - times as above

Facilities for Making Music - times as above

Facilities for Dance - times as above

Amendments to Restrictions

The application also seeks to provide 45 mins drinking up time.

2.4 Background Information

The premises is a detached property situated adjacent to residential properties. It comprises a bar/games room, TV room and lounge on the ground floor and on the first floor a function room and lounge.

2.5 Promotion of Licensing Objectives

The following information has been provided by the applicant:

General - all four licensing objectives:

The club will require the co-operation and acceptance of responsibility of the committee and its employees.

In addition:-

The committee shall ensure that satisfactory arrangements are in place for effective communications for employees, customers, guests, contractors and where required members of the public.

The committee will take all practical measures to prevent the risk of injury or ill health to staff, customers, guests, contractors and members of the public.

The committee and employees will ensure that satisfactory procedures are introduced for the control and management of all identified risks so far as reasonably practical.

The Prevention of Crime & Disorder:

Disciplinary procedure.

Admission of members procedure.

CCTV.
Door control.
Staff instructed not to serve disorderly persons.

Public safety:

Fire and safety notices.
Club complies with health and safety and fire precautions.
Risk assessment and control procedures.

The Prevention of Public Nuisance:

Signs placed at exits requesting customers to leave in a quiet and orderly manner.

Reasonable steps to be taken to avoid disturbing neighbouring areas when music is played.

The Protection of Children from Harm:

Under 18's/16's accompanied by parents or responsible adults.

Door control.

Adequate number of adults when children are present.

Limitations to certain rooms at certain times.

2.6 Relevant Representations

Responsible Authorities Representations

Police

See copy of representations attached at Appendix 2.

Interested Parties Representations

No representations.

2.7 Policy Considerations

It is considered that the following policies are relevant to this application:

Statement of Licensing Policy

6.0 Crime & Disorder

6.9(ii) CCTV

The provision of CCTV is a very useful tool in monitoring premises to assist in ensuring the safety of patrons and preventing crime and disorder. The council may specify that a suitable system approved by the police and council, covering the interior and exterior of the premises, is installed. This should be properly maintained and fully operational whilst the premises are open. The areas to be covered should normally be entrances, both external and internal and any part of the premises not routinely under visual supervision including beer gardens. CCTV tapes should be kept for twenty-eight days and made available to the police and local authority officers at any time.

8.0 Prevention of Public Nuisance

- 8.2 The Council will expect operating schedules to demonstrate that suitable and sufficient measures have been identified, and will be implemented and maintained to prevent public nuisance. The extent and nature of these measures will be determined by the style and characteristics of the premises and events.*
- 8.3 The Council may require applicants for premises licences to provide documented noise assessments with a view to minimising noise nuisance.*
- 8.4 Noise from amplified music is a common source of disturbance. In order to minimise the impact in the vicinity, the licensing authority may require a range of measures to be taken. These may include the installation of soundproofing, air conditioning, acoustic and sound limitation devices.*
- 8.5 In premises where regulated entertainment is provided, the licensing authority will require a documented noise assessment for the premises, which must indicate whether there is likely to be any nuisance or disturbance to the local community, and if so, what measures are to be implemented to prevent this.*
- 8.6 The licensing authority may at its discretion waive the requirement for a noise assessment where it can be demonstrated that the*

nature, type or location of the premises is such that the likelihood of nuisance arising is negligible.

10.0 Licensing Hours

- 10.1 The Council, when assessing the licensing hours requested, will consider the individual merits of an application.*
- 10.2 It is acknowledged that flexible licensing hours are important to ensure that large numbers of customers leaving premises simultaneously are avoided. This should lead to reduced friction at takeaways, taxi ranks, fast food outlets etc, resulting in less disorder and disturbance.*
- 10.3 The applicant within the operating schedule is required to specify the hours when the premises will be open to the public as well as the hours when licensable activities will be provided. A “wind down” period after the sale of alcohol has ceased is considered good practice. However, where there is a significant difference in these times, the reasons for this will need to be clearly specified in the schedule. The Council must, be satisfied that it will not have a negative impact on the licensing objectives.*
- 10.4 The Council does not intend to introduce any form of zoning within the borough. Experience in other areas has shown that this can give rise to significant movements of people across boundaries seeking premises open later, and therefore could be counter productive to measures designed to support the licensing objectives. However, an important consideration is the number and proximity of residential properties and the council will require stricter noise control measures for premises in predominantly residential areas. It may also impose restrictions on licensing hours where it considers it necessary to avoid nuisance to residents.*
- 10.5 The Council will also consider the potential for nuisance associated with the activities and characteristics of the business and investigate potential steps for reducing the risk of nuisance.*

Secretary of State's Guidance

The following provisions of the guidance appears to be relevant to this application:-

"Drinking up" Time

6.12 It is important to note that "opening hours", the times when premises are open to the public, are not necessarily identical to the hours during which licensable activities may take place. In the case of the sale by retail of alcohol (or supply of alcohol by or on behalf of a club to, or to the order of, a member of a club) for consumption on the premises, it must also be noted that "consumption" of alcohol is not a licensable activity. Accordingly, the authorised period specified in the premises licence, club premises certificate or temporary event notice relates to the period during which alcohol may be sold or supplied. It is therefore permissible for premises to allow the consumption of previously purchased alcohol, within the authorisation, outside the hours authorized for the sale or supply of alcohol.

Noise Nuisance

7.41 Conditions relating to noise nuisance will normally concern steps necessary to control the levels of noise emanating from premises, from simple mechanisms like ensuring that doors and windows are kept closed after a particular time in the evening to more sophisticated mechanisms like sound level inhibitors on amplification equipment or sound proofing. Any conditions necessary to promote the prevention of public nuisance should be tailored to the style and characteristics of premises and the type of activities expected to take place there.

7.42 As with all conditions, it will be clear that conditions relating to noise nuisance may in certain circumstances not be necessary where the provisions of the Environmental Protection Act 1990 and of the Noise Act 1996 adequately protect those living in the vicinity of the premises in question. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be necessary.

7.43 Where applications have given rise to representations, any necessary and appropriate conditions should normally focus on the most sensitive periods. For example, music noise from premises usually occurs from mid-evening until either late evening or early morning when residents in

adjacent properties may be attempting to go to sleep or are sleeping. In certain circumstances, conditions relating to noise may also prove necessary to address any disturbance anticipated as customers enter and leave the premises and therefore, in the immediate vicinity of the premises.

6.1 Officer's Report

The committee is required to determine this application after taking into consideration the need to promote the licensing objectives and also the guidance issued by the Secretary Of State and the Neath Port Talbot Statement of Licensing Policy.

The following observations are made in respect of the representations received:-

Prevention of Crime and Disorder

CCTV

It is submitted that Committee give consideration to specifying the requirements in accordance with the Statement of Licensing Policy.

Prevention of Public Nuisance

The premises are surrounded by residential properties and although there is no history of noise nuisance, the additional hours requested could give rise to problems. Consideration should be given as to whether suitable noise conditions can deal with this or whether restrictions on hours are more appropriate.

With regard to the use of the beer garden, it is submitted that the provision of regulated entertainment is likely to give rise to nuisance. The hours of operation may also give rise to social disturbance.

6.2 Recommendation

Recommendation

That members determine the application after taking into account the representations received.

List Of Background Papers

Application for Premises Licence.

Officer Contact

J Sullivan Principal Officer Licensing

Tel (01639) 686326 email j.sullivan@npt.gov.uk

Wards Affected

Port Talbot

SECTION B – MATTERS FOR INFORMATION	
Report Item	Wards Affected
2.Licensing Act 2003 Applications Determined Between 01/02/05 to 30/04/05	
Description: Transitional Personal Licence Ref.No.: 001342 Name: Mr Neil Isaac Address: 50 Dulais Road, Seven Sisters, Neath, SA10 9ER Application Date: 10/03/2005 Issue Date: 26/04/2005	Seven Sisters
Description: Transitional Personal Licence Ref.No.: 001408 Name: Mr Keith A Woodward Address: 8 Roman Road, Banwen, Neath, West Glamorgan, SA10 9LH Application Date: 30/03/2005 Issue Date: 26/04/2005	Onllwyn
Description: Transitional Personal Licence Ref.No.: 001439 Name: Mrs Beryl Thomas Address: 29 Graig Road, Gwaun Cae Gurwen, Ammanford Application Date: 08/04/2005 Issue Date: 26/04/2005	Gwaun-Cae-Gurwen
Description: Transitional Personal Licence Ref.No.: 001449 Name: Mrs Paula Sonia Davies Address: 10 Baglan Heights, Port Talbot, SA12 8UF Application Date: 12/04/2005 Issue Date: 26/04/2005	Baglan
Description: Transitional Personal Licence Ref.No.: 001450 Name: Mrs Janet Margaret Wigley Address: The Bryncoch Inn, Tyn Yr Heol Road, Bryncoch, Neath, SA10 7EB Application Date: 12/04/2005 Issue Date: 26/04/2005	Bryncoch South
Description: Transitional Personal Licence Ref.No.: 001451 Name: Mr Aldo Proietti Address: Dunes Inn, Wyvern Avenue, Port Talbot,	Sandfields West

West Glamorgan, SA12 7ER Application Date: 13/04/2005 Issue Date: 26/04/2005	
Description: Transitional Personal Licence Ref.No.: 001453 Name: Mrs Eileen Rees Address: Kitty O'Sheas, 6 James Street, Pontardawe, Swansea, SA8 4LR Application Date: 15/04/2005 Issue Date: 26/04/2005	Pontardawe
Description: Transitional Personal Licence Ref.No.: 001462 Name: Mr Harbans Singh Address: Bryncoch Supermarket, 29 Furzeland Drive, Neath, West Glamorgan, SA10 Application Date: 20/04/2005 Issue Date: 26/04/2005	Bryncoch North

Appendix 1

Travellers Well, 8 Dynevor Place, Skewen, Neath. SA10 6RG

Police Representations

I wish to object to the premises application for the Travellers Well, Skewen on the following grounds:

1. Page 8, under proposed variations, item 2, the premises requests to open up to 01:00hrs on 30 occasions per annum at the discretion of the applicant. Paragraph 6.11 of the Guidance Issued under S.182 of the Licensing Act 2003 describes that such variations should be dealt with by means of Temporary Events Notices. This application appears to disregard the guidance notes in an attempt to by-pass the T.E.N. system. Under the terms of this application, there is no right of recourse for any of the consultees, how can this be correct? The Local Authority have an obligation to ensure that licensing objectives are promoted, (see Barker/Cavender p16 para 3.2.2), how can this be ensured when the dates of such occasions is entirely at the discretion of the licence holder. The location of the premises is such that there are dwelling properties adjacent, for which late hours will have impact in respect of public nuisance objectives.
2. Page 8, proposed variations, item 6, requests the removal of all embedded restrictions under the Licensing Act 1964, the Cinematograph (Safety) Regulations 1955 and the Children & Young Persons Act 1933. The Licensing Act 1964 relates to a whole host of regulations concerning the sale of alcohol, e.g. the sale of intoxicants to persons under 18 years, the sale of intoxicants by a person under 18 years, offering alcohol for sale without a licence etc. The restrictions under this Act are safeguards, is the applicant suggesting that all these are removed. How does this sit with the licensing objectives? Similarly conditions under the other two pieces of legislation refer to safety, e.g. the age at which children can work, perform etc, dispensing with these would also be contrary to the licensing objectives.
3. Page 8, proposed variations, item 2 and 3, to permit the sale of alcohol until midnight on all days except Friday, Saturday, Sunday and Monday of bank holiday weekends. However, section M on page 22 requests hours until 01:00hrs for Friday and Saturday. This is a contradiction.
4. Page 12, paragraph c, the times for sporting events are requested until 01:00hrs on Friday and Saturday, beyond the variation requested on page 8. Non standard timings suggest that on "event days" this activity will be extended "in line with the same". What does this mean specifically. To extend this activity on such days would appear to by-pass the T.E.N. system,

and I submit that it is difficult to ensure the promotion of licensing objectives.

5. Page 14, paragraph e, performances limited to 23:10hrs except Christmas Eve, New Years Eve and New Years Day. What time is requested for New Years Eve, it does not appear to be stated, it is not a Bank Holiday. For New Years Day is the time requested until 01:00hrs as it is a Bank Holiday? "Event days" are again mentioned, again this would appear to be outside the T.E.N. system. The reason for restricting live music until 23:10hrs according to the application is to "minimise nuisance", therefore it follows that any occasion when this time is exceeded will increase nuisance, and will therefore be contrary to a licensing objective.
6. Page 15, paragraph f, the times for recorded music are extended for bank holidays and "event days" in line with same. What does this mean? This will have implications for the licensing objectives, and is objected to on the same grounds as previously mentioned regarding T.E.N. system.
7. Page 17, paragraph h, the times are extended for bank holidays and "event days" in line with same. What does this mean? This will have implications for the licensing objectives, and is objected to on the same grounds as previously mentioned regarding T.E.N. system.
8. Page 22, paragraph m, times requested for Friday and Saturday contradict the times outlined on page 8. The thirty discretionary events per annum is outside the T.E.N.s system. The hours as stated for Friday and Saturday cause concern in respect of the public nuisance suffered by neighbours.
9. Page 23, paragraph o, hours for Friday and Saturday are contradictory. Principal of event days is also objected to, and does not afford any "drinking up" time on such days.
10. Page 24, paragraph Q, b, not less than five working days written notice provided to police when event days are planned. This is by-passing the T.E.N. system, does not include any right of objection, nor does it give the Local Authority and notice of events and avoids the T.E.N. fee.
11. Page 24, paragraph Q, c, overcrowding is an issue at all times potentially, a capacity should be stated as part of the premises schedule. What concerns does the DPS have with regard to control of numbers and behaviour, and how does the DPS suggest they are addressed? This paragraph indicates a potential problem, contrary to public safety.
12. Some of the variations regarding requested times are contradictory on

this application. I would be keen to see a copy of the newspaper notice to ascertain its accuracy.

Submitted for your information and consideration.

PC John Williams

Licensing Officer 'G'

Ext 51-207

Direct Line 01639 640207.

E-mail : John.B.Williams@south-wales.pnn.police.uk

Appendix 2

Trefelin Workingmans Club, 8-10 Jersey Street, Velindre, Port Talbot. SA13 1YR

Police Representations

In respect of the conversion and variation for club premises known as Trefelin Workingmens Club, I wish to object to the application for the following reasons:

1. It is proposed that the sale of alcohol will be permitted until midnight Monday until Thursday, and until 01:00hrs Friday to Sunday. Regulated entertainment will be permitted whenever premises are open. These premises are located in a residential area, and by virtue of their location the potential for social disturbance will be high, which will be contrary to the objective of preventing public nuisance. There will be a potential disturbance from the activities as well as from pedestrian and vehicular traffic that will result from the premises closing at such a late hour.
2. The application requests a "drinking-up" time of 45 minutes. This seems excessive, and will extend the hours the premises is permitted to be open until almost 01:00hrs and 02:00hrs Monday - Thursday and Friday - Sunday respectively. This is extremely late for this location.
3. The outside beer garden is to be used for the consumption of alcohol and for provision of recorded music until 22:30hrs. This appears late in respect of the location of the premises.
4. The licensing objectives in respect of prevention of public nuisance does not address how the premises will minimise noise pollution that will result from the activities.
5. CCTV is shown as being in the premises, paragraph O, item b, this should be shown on the plan of the premises with a condition that tapes are kept for 31 days, and be accessible to police or local authority officers.

Submitted for your information and consideration,

PC John Williams
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