

LICENSING & GAMBLING ACTS SUB COMMITTEE
5TH AUGUST 2008

DIRECTORATE OF FINANCE AND CORPORATE SERVICES

REPORT OF THE HEAD OF LEGAL & DEMOCRATIC SERVICES
– D.MICHAEL

INDEX OF REPORT ITEMS

PART 1–Doc.Code: LICAS-050808-REP-FS-DM

SECTION A – MATTERS FOR DECISION			
Report Item		Page Nos	Wards Affected
1.0 Application for Premises Licence			
Reference Number	008173	1- 6	Trebanos
Name Address	Trebanos RFC Trebanos Swansea SA8 4BN		
2.0 Application for Premises Licence			
Reference Number	008107	7-11	Alltwen
Name Address	Butchers Arms Alltwen Hill Alltwen Pontardawe SA8 3BP		
3.0 Objection Notice To Temporary Event Notices			
Reference Number	008305 - 008312	12-14	Glynneath
Name Address	Crown Inn High Street Glynneath SA11 5BR		
Appendices 1-3		15 – 29	

1.1 Application for Premises Licence-

Ref.No.:	008173	Wards Affected:	Trebanos
Premises Name:	Trebanos RFC		
Premises Address:	Trebanos, Swansea, SA8 4BN		
Applicant Name:	Mathew Evans		
Applicant Address:	2, The Grove, Trebanos, Swansea, SA8 4BP		
DPS Name:	Mathew Evans		
DPS Address:	2, The Grove, Trebanos, Swansea, SA8 4BP		
Application Date:	23/08/08		

1.2 Licence Application

Opening Hours

Sunday to Thursday 08.00 – 00.30
Friday & Saturday 08.00 – 01.00

Supply of Alcohol

Sunday to Thursday 08.00 – 00.00
Friday & Saturday 08.00 – 00.30

Plays: Indoors

Monday to Sunday 10.00 – 23.30

Films: Indoors

Monday to Sunday 10.00 – 23.30

Indoor Sporting Events

Monday to Sunday 10.00 – 23.30

Live Music: Indoors

Monday to Sunday 10.00 – 23.30

<u>Recorded Music: Indoors</u>	
Monday to Sunday	10.00 – 23.30
<u>Performances of Dance: Indoors</u>	
Monday to Sunday	10.00 – 23.30
<u>Activity like Music/Dance: Indoors</u>	
Monday to Sunday	10.00 – 23.30
<u>Facilities for Music: Indoors</u>	
Monday to Sunday	10.00 – 23.30
<u>Facilities for Dancing: Indoors</u>	
Monday to Sunday	10.00 – 23.30
<u>Facilities like Music/Dance: Indoors</u>	
Monday to Sunday	10.00 – 23.30
<u>Late night refreshment: Indoors</u>	
Sunday to Thursday	23.00 – 00.00
Friday & Saturday	23.00 – 00.30

On New Year’s Eve the above activities will be permitted until the start of permitted hours on New Year’s Day.

1.3 Background Information

The use of the premises is as a rugby clubhouse and currently holds a club premises certificate.

1.4 Promotion of Licensing Objectives

General

The D.P.S reserves the right to move fire appliances, AWP machines, cigarette machines and/or other similar objects which may adversely impact on the ability of individuals on the premises to use exits or escape routes.

Items shown on the plan which are not required by the plans regulations are for administrative purposes only and do not form part of the licence. These

items may be moved at the discretion of the premises licence holder or DPS. The current location of the fire safety equipment and other equipment is also shown on the plan, items may be moved following a fire risk assessment.

The Prevention of Crime and Disorder

The premises will adhere to a zero tolerance policy with respect to drugs.

There will be no irresponsible drinks promotions that encourage excessive drinking.

A member of staff will make regular walks of all public areas of the premises.

Public Safety

Emergency lighting, fire appliances, fire alarms/systems and certificates will be maintained to the satisfaction of the relevant responsible authority.

When asked, staff will arrange for taxis to collect customers

An accident/incident book will be maintained on site and incidents recorded.

The Prevention of Public Nuisance

Notices to be displayed at the exits to the premises requesting customers to leave in a quiet and orderly manner so as to minimise impact on local residents.

There to be no consumption of alcohol in the external areas of the premises after 22.00 hours.

Doors and windows will be closed with the exception of access and egress during periods of regulated entertainment.

No live music is to be provided after 2300 hours unless the applicant obtains an acoustic report from a suitably qualified acoustics engineer and implements any works necessary to the satisfaction of Environmental Health.

Any recorded music provided after 2300 hours is to be at a background level only to be agreed with Environmental Health.

The Protection of Children from Harm

No unaccompanied children will be permitted on the premises

A proof of age scheme will operate requiring persons to provide recognised photographic identification as required.

1.5 Relevant Representations

Responsible Authorities

Mr Tony John - Environmental Health Officer, Neath Port Talbot CBC

The Environmental Health Officer's representation is reproduced at appendix 1. The Environmental Health Officer recommends that a condition be attached to the licence that "entertainment noise shall be inaudible inside any noise sensitive property."

Interested Parties

None

1.6 Policy Considerations

Licensing Policy

8.1 Licensed premises, especially those operating late at night and in the early hours of the morning can cause a range of nuisances impacting on people living, working or sleeping in the vicinity of the premises. The Council wishes to maintain and protect the amenity of residents and businesses from potential consequence of the operation of licensed premises. However it also recognises the economic, social, and cultural importance that such premises provide, and will endeavour to ensure that a reasonable balance is maintained.

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.

Secretary Of States Guidance

2.33 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It is important to remember that the prevention of public nuisance could therefore include low-level nuisance perhaps affecting a few people living locally as well as major disturbance affecting the whole community. It may also include in appropriate circumstances the reduction of the living and working amenity and environment of interested parties (as defined in the 2003 Act) in the vicinity of licensed premises.

2.34 Conditions relating to noise nuisance will normally concern steps necessary to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time in the evening to more sophisticated measures like the installation of acoustic curtains or rubber speaker mounts. Any conditions necessary to promote the prevention of public nuisance should be tailored to the style and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid unnecessary or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues.

1.7 Officer Report

The premises currently holds a club premises certificate authorising licensable activities in accordance with those applied for in this application. The purpose of this application is to change the nature of the business from a members club to a public house.

The existing club certificate will be surrendered if the new premises licence is granted.

The applicant has agreed to the condition recommended by the Environmental Health Officer.

1.8 Recommendation

Approval subject to the condition recommended by the Environmental Health Officer.

List of Background Papers

Application for Premises Licence.

Officer Contact

J Sullivan Licensing Manager

Tel (01639) 763056 email j.sullivan@npt.gov.uk

Wards Affected

Trebanos

2.1 Application for Premises Licence

Ref.No.:	008107	Wards Affected:	Alltwen
Premises Name:	Butchers Arms		
Premises Address:	Alltwen Hill, Alltwen, Pontardawe, SA8 3BP		
Applicant Name:	British Country Inns 4 PLC		
Applicant Address:	Ampney House, Falcon Close, Quedgeley, Gloucester, GL2 4LS		
DPS Name:	Michael Davey		
DPS Address:	7, St Mawes Road, Perton, South Staffordshire		
Application Date:	12/6/08		

2.2 Licence Application

Opening Hours

Sunday to Thursday 10.00 – 00.30
Friday & Saturday 10.00 – 01.00

Christmas Eve 10.00 – 01.30
New Years Eve 10.00 – 02.30

Supply of Alcohol

Monday to Thursday 11.00 – 00.00
Friday & Saturday 11.00 – 00.30
Sunday 12.00 – 00.00

Christmas Eve 11.00 – 00.30
New Year's Eve 11.00 – 01.30

Late Night Refreshment: Indoors

Sunday to Thursday 23.00 – 00.00
Friday & Saturday 23.00 – 00.30

Christmas Eve 23.00 – 00.30
New Year's Eve 23.00 – 01.30

2.3 Background Information

Public house, including bar/dining area and patio, recently undergone a refurbishment.

2.4 Promotion of Licensing Objectives

General

The directors and operational management of the applicant, and the premises supervisor have all been in the licensing trade for many years.

The Prevention of Crime and Disorder

Zero tolerance of drug and alcohol abuse

Zero tolerance of physical and verbal abuse of customers and staff

Public Safety

Appropriate warning signs and procedures regarding health and safety are in place.

Where special events take place sufficient/extra staff will be employed to ensure the safety of customers and staff

Sufficient illumination of external areas

The Prevention of Public Nuisance

External lighting gives sufficient illumination of exits/entrances to the premises

Customer profile is mature – a large proportion of customers use the premises for food

The Protection of Children from Harm

The children will be allowed on the premises unless accompanied by an adult

No cigarette machine on the premises.

2.5 Relevant Representations

Responsible Authorities

Mr Tony John - Environmental Health Officer, Neath Port Talbot CBC

The Environmental Health Officer's representation is reproduced at appendix 2. The Environmental Health Officer recommends that a condition be attached to the licence that "entertainment noise shall be inaudible inside any noise sensitive property."

Interested Parties

None

2.6 Policy Considerations

Licensing Policy

8.1 Licensed premises, especially those operating late at night and in the early hours of the morning can cause a range of nuisances impacting on people living, working or sleeping in the vicinity of the premises. The Council wishes to maintain and protect the amenity of residents and businesses from potential consequence of the operation of licensed premises. However it also recognises the economic, social, and cultural importance that such premises provide, and will endeavour to ensure that a reasonable balance is maintained.

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.

Secretary Of States Guidance

2.33 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It is important to remember that the prevention of public nuisance could therefore include low-level nuisance perhaps affecting a few people living locally as well as major disturbance affecting the whole community. It may also include in appropriate circumstances the reduction of the living and working amenity and environment of interested parties (as defined in the 2003 Act) in the vicinity of licensed premises.

2.34 Conditions relating to noise nuisance will normally concern steps necessary to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time in the evening to more sophisticated measures like the installation of acoustic curtains or rubber speaker mounts. Any conditions necessary to promote the prevention of public nuisance should be tailored to the style and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid unnecessary or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues.

2.7 Officer Report

The premises currently holds a licence authorising the supply of alcohol in accordance with the hours applied for in this application. The existing licence will be surrendered if the new premises licence is granted.

The applicant has agreed to the condition recommended by the Environmental Health Officer.

2.8 Recommendation

Approval subject to the condition recommended by the Environmental Health Officer.

List of Background Papers

Application for Premises Licence.

Officer Contact

J Sullivan Licensing Manager

Tel (01639) 763056 email j.sullivan@npt.gov.uk

Wards Affected

Alltwen

3.1 Objection Notice To Temporary Events Notice

Ref.No.:	008305-008312	Wards Affected:	Glynneath
Premises Name:	Crown Inn		
Premises Address:	High Street, Glynneath		
Premises User:	John Hughes		
Address:	21 Gelli Cae Bryn, Glynneath, SA11 5ED		
DPS Name:	John Hughes		
DPS Address:	21 Gelli Cae Bryn, Glynneath, SA11 5ED		
Notice Date:	23/8/08		

3.2 Notice

The premises currently has a premises licence authorising the sale of alcohol on Friday and Saturday evening until 00.00 hours and recorded music until 23.00 hours.

The Temporary Event Notice is to extend the hours for sale of alcohol and regulated entertainment on Friday and Saturday nights until 0130 hours. The premises user has submitted eight temporary event notices to cover Friday and Saturday nights. The first notice is proposed to take effect on the weekend of the 8th August 2008 and continue for every weekend until the weekend of the 26th September.

3.3 Background Information

A Temporary Event notice must be served on the Licensing Authority and the Police. Only the Police can object to this notice and only on the grounds that it will undermine the crime prevention objective.

3.4 Objection Notice

An objection notice has been lodged by the Police and is reproduced at appendix 3

3.5 Policy Considerations

Licensing Policy

Crime and Disorder

- 6.2 The Council acknowledges that licensed premises, especially those offering late night/early morning entertainment, alcohol and refreshment for large numbers of people, can be a significant source of crime and disorder problems. The Council expects the licensing trade to fully co-operate and play its part in minimising crime and disorder.
- 6.6 In addition to the requirements that the Council promote the licensing objectives, it also has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the County Borough. The Council is required therefore to have particular regard to the likely impact of licensing on crime and disorder. The nature or type of premises, its location, the hours of operation, its impact on the area, the operation and management of premises are all significant factors, which can impact on crime and disorder. All applications for licences or certificates including renewals and variations will be expected to have addressed these matters within the operating schedule

3.6 Officer Report

The purpose of the hearing is to consider the objection notice lodged by the Police in respect of eight temporary event notices given by the premises user/designated premises supervisor.

After hearing representations from the premises user and the Police, members are required to decide whether to give the premises user a counter notice if they consider it necessary for the promotion of the crime prevention objective. The issue of a counter notice means that the temporary events notices become invalid and the proposed extended hours for sale of alcohol and provision of regulated entertainment cannot go ahead.

3.7 Recommendation

That members determine whether to issue a counter notice.

List of Background Papers

Temporary Event Notice

Neath Port Talbot Licensing Policy

Officer Contact

J Sullivan Licensing Manager

Tel (01639) 763056 email j.sullivan@npt.gov.uk

Wards Affected

Glynneath



Mr Tony John From **Oddi wrth**
Tel Ffôn Tel Ffôn
01639 685630 Date **Dyddiad**
13/06/2008 Your Ref **Eich Cyf**
Our Ref **Ein Cyf**
TJ/140367

Memorandum **Memorandwm**
To At

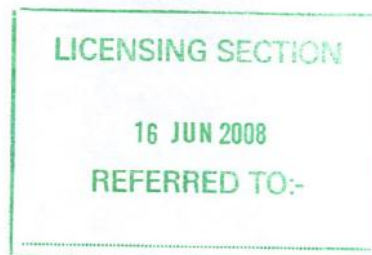
TO: Licensing Section FAO Jim Sullivan

SUBJECT: Licensing Application received for a Premise Licence for The Butchers Arms, Alltwen.

I have the following comments to make relating to the application listed –

1. I have spoken with the applicant and had confirmed that there will be no amplified musical entertainment on the premise except for background music which he has been advised does not require a licence. The reference to a noise limiter on the proposed plan is an error.
2. My only concern is the possible disturbance to local residents from patrons using the outside area and we have verbally agreed that the use will be curtailed by 22.30. I recommend that this be made a condition of the licence.

Mr Tony John
Environmental Health Officer





NGL

Mr Tony John From Oddi wrth
Tel Ffôn
01639 685630 Date Dyddiad
08/07/2008 Your Ref Eich Cyf
Our Ref Ein Cyf
TJ/141278

Memorandum Memorandwm

To At

TO: Licensing Section FAO Jim Sullivan

SUBJECT: Licensing Applications received for a Premise licence – Trebanos RFC.

I have the following comments to make relating to the applications listed –

1. In accordance with the recommendations of the Institute of Acoustics document – The Control of Noise from Pubs and Clubs I recommend that any licence granted be conditioned that entertainment noise shall be inaudible inside any noise sensitive property. This will ensure that no public nuisance is caused by entertainment noise.

Mr Tony John
Environmental Health Officer



LICENSING SECTION
24 JUL 2008
REFERRED TO:-



South Wales Police **Heddlu De Cymru**

Port Talbot Police Station,
Station Road,
Port Talbot,
"G" BCU.

Wednesday 23rd July 2008.

Mr J M Sullivan,
Principal Licensing Officer,
Neath Port Talbot Council.
Civic Centre,
Port Talbot.

Sir,

**Police Objections to Temporary Event Notices under
Section 100 & 107 of the Licensing Act 2003.**

I am in receipt of 8 Temporary Event Notices dated 23rd July 2008 intending to extend
licensable activities at the below-referred licensed premises:

Name: Crown Inn
Address: High Street,
Glynneath,
SA11 5BR.

Premises Licence No 002081

Cont'd.

As you are aware Mr John Luther Hughes d.o.b. 11/01/1946 of 21 Gelli Cae Bryn, Glynneath the Designated Premises Supervisor (DPS) for the Crown Inn has submitted the above-referred Temporary Event Notices in order to extend licensable activities for a "Birthday Party" on the following times, days and dates:

1. Saturday 9th August 2008 – 00:00 – 01:30 hours.
2. Sunday 10th August 2008 – 00:00 – 01:30 hours
3. Saturday 16th August 2008 – 00:00 – 01:30 hours
4. Sunday 17th August 2008 – 00:00 – 01:30 hours.
5. Saturday 23rd August 2008 – 00:00 – 01:30 hours.
6. Sunday 24th August 2008 – 00:00 – 01:30 hours.
7. Saturday 30th August 2008 – 00:00 – 01:30 hours.
8. Sunday 31st August 2008 – 00:00 – 01:30 hours.
9. Saturday 6th September 2008 – 00:00 – 01:30 hours.
10. Sunday 7th September 2008 – 00:00 – 01:30 hours.
11. Saturday 13th September 2008 – 00:00 – 01:30 hours.
12. Sunday 14th September 2008 – 00:00 – 01:30 hours.
13. Saturday 20th September 2008 – 00:00 – 01:30 hours.
14. Sunday 21st September 2008 – 00:00 – 01:30 hours.
15. Sunday 28th September 2008 – 00:00 – 01:30 hours.
16. Sunday 28th September 2008 – 00:00 – 01:30 hours.

In the recent Upper Neath Valley Partnerships and Communities Acting Together (PACT) meeting held in the Glynneath area. Residents have complained about Anti-Social Behaviour at High Street, Glynneath and problems with persons drinking and being rowdy outside the public houses fronting onto High Street, Glynneath.

Cont'd

The Glynneath Neighbourhood Police Team monitored the situation and as a result of their observations concerning the Crown Inn I wrote to you on the 11th June 2008 (See Appendix A).

The Neighbourhood Officers have continued to monitor licensed premises in the area and it would appear the above-referred applicant and licensed premises are carrying out un-authorised licensable activities in contravention of Section 136 of the Licensing Act 2003:

The unauthorised licensable activities observed are as follows:

At approximately 01:20 hours on Sunday 22nd June 2008 officers visited the licensed premises and upon their approach could hear loud music emanating from inside.

The officers entered the front door of the premises and saw in the region of 60 to 70 persons' drinking, playing pool and socializing. The interior lights were on and loud music was playing from a sound system. The officers observed alcohol being served at the bar and the transaction and money being put through a till.

The officers spoke to the Designated Premises Supervisor Mr Hughes and a female person who they believe is his wife and asked to inspect the summary of their licence.

The licence was placed over the bar and stated that permitted hours of sales of alcohol were until midnight.

Cont'd

The officers informed Mr Hughes that he was in breach of his licence by being open to members of the public at this time and by continuing to sell alcohol an hour and twenty minutes past his licence.

At approximately 00:15 hours on Saturday 19th July 2008 Glynneath Neighbourhood Officers observed 19 persons inside the premises consuming alcohol, the till was on and the side door of the premises was open.

At approximately 00:30 hours on Sunday 20th July 2008 Glynneath Neighbourhood Officers noted that the front door of the premises was wide open and persons entering the licensed premises, there was also a number of revellers outside the premises.

The officers spoke to the applicant Mr John Luther Hughes and he was reminded that his licence only entitled him to serve alcohol until 00:30 hours. The officers informed him that they would be returning to the area later and patrolled to the Resolven area.

At approximately 01:05 hours later that same day and date the officers returned to the Crown Inn Public House where they noted a male person who was clearly intoxicated enter the premises via the open front door.

At this time music was being played excessively loud inside the premises and the noise could clearly be heard from a considerable distance at High Street, Glynneath.

The officers entered the premises via the open front door and saw that alcohol was still being served and the till was active and that approximately 50 – 60 persons were inside the premises with no person giving the impression they were leaving.

Cont'd

The officers were then approached by Mrs Hughes who began to ask the officers why they were being targeted at that time of the night and stating that it was the only chance to make any money.

The officers pointed out the requirements of the premises licence to Mrs Hughes but she remained adamant that they were struggling and they could not turn away good trade. The officers informed her that she was putting her licence in jeopardy at which point she flew into a rage and told the officer he did not know the village and she knew best.

Mrs Hughes later shouted at the officers **“OH FUCK OFF”**.

In their conversation with Mrs Hughes the officers noted that she appeared to have been drinking as her words were slightly slurred, she was non cooperative and was unwilling to see what she was condoning was contrary to the terms of her licence. South Wales Police Occurrence 62080255619 refers. (Statement of Police Sergeant 3471 RIDD attached – See Appendix B).

The following occurrences have been recorded against the premises:

62080247322 timed at 02:15 hours on 13/07/2008 - Report of a Disturbance.

62080013025 timed at 17:20 hours 13/03/2008 - Report of Underage drinking and drugs.

62070362870 timed at 00:16 hours 26/10/2007 – Report of Anti Social Behaviour.

62070356373 & 62070356358 timed at 01:35 & 01:43 hours 21/10/2007 – Reporting Robbery / Assault – No Complaint subsequently made.

62070345087 timed at 03:07 13/10/2007 – Report of 6 persons fighting outside in street.

62070344660 timed at 22:40 12/10/2007 – Report of Person injecting himself with drugs inside premises.

Cont'd

Appendix 3

62070280670 timed at 13:19 28/08/2007 - Person reporting common assault at Neath Police Station incident alleged to have taken place on 25/08/2007. Later refused to make a formal complaint.

62070247462 timed at 14:18 hours 05/08/2008 – Resident complaining about premises and applicant.

62070237683 timed at 00:17 30/07/2007 – Report of Persons fighting outside premises.

62070234422, 62070234364, 62070234409 & 62070234364 of 27/07/2007 – Relates to reports of Anti Social behaviour and persons scuffling outside premises.

62070226256 timed at 00:13 22/07/2007 – Report of alcohol being served to under age persons.

62070195132 on 30/06/2007 – Common Assault no formal complaint.

62070167743 on 10/06/2007 Theft of mobile phone

62070146864 on 25/05/2007 – Assault.

62070126251 & 62070126240 on 12/05/2008 – Reports of persons who had previously been fighting inside premises now causing problems outside.

62070049438 on 25/03/2007 – Assault.

62070012671 & 62070012373 on 02/03/2007 – Two persons' arrested for possession of controlled drugs following the execution of a warrant at the premises.

There are no Security Personnel or door staff employed at the premises.

Cont'd

The above occurrences show that the presence and behaviour of some of these persons whilst congregating outside and leaving the premises continues to cause fear and intimidation to residents and other members of the public using High Street, Glynneath.

It is respectfully suggested that the above clearly indicates the Licence Holder, Designated Premises Supervisor (Mr Hughes) and his wife are blatantly contravening Section 136 of the Licensing Act 2003.

In addition to the above the Police feel that in permitting this type activity and behaviour the License Holder and the Designated Premises Supervisor are clearly not promoting the licensing objectives namely:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

It is envisaged that during the summer holiday period there will be an increase in persons visiting and congregating in the local pubs that are open the longest further contributing to further Anti-Social Behaviour, disorder and nuisance.

The above information is submitted for your perusal and consideration.

Yours Faithfully



Gareth Jones

Police Constable 2166
Licensing Officer

APPENDIX A

24 JUL 2008

2008/07/24 10:00

South Wales Police  **Heddlu De Cymru**

Licensing Officer,
Community Safety Department,
Port Talbot Police Station,
Station Road,
Port Talbot,
"G" BCU.

Thursday 11th June 2008.

Mr J M Sullivan,
Principal Licensing Officer,
Neath Port Talbot Council,
Civic Centre,
Port Talbot.

Sir,

The Crown Public House, High Street, Glynneath.
Unauthorised licensable activities. Contrary to Section 136 of the Licensing Act 2003.

In the recent Upper Neath Valley Partnerships and Communities Acting Together (PACT) meeting held in the Glynneath area. Residents have complained about anti social behaviour at High Street, Glynneath and problems with persons drinking and being rowdy outside the public houses.

The Glynneath Neighbourhood Police Team is monitoring the situation and it would appear the above-referred Licensed Premises is carrying out unauthorised licensable activities in contravention of Section 136 of the Licensing Act 2003:

The unauthorised licensable activities appear to be taking place mainly on Friday evenings, Saturday and Sunday afternoons and evenings and being carried out as follows:

Persons are purchasing alcohol inside the premises and are going outside the front of the premises and are congregating in large numbers drinking from glasses and bottles and in doing so are obstructing the adjacent pavements and even spilling out onto the road way. The presence and behaviour of some of these persons are causing fear and intimidation to residents and other members of the public using High Street, Glynneath.

APPENDIX A

This activity clearly indicates the Licence Holder is using the public highway (High Street, Glyneath) at the front of the premises as an extension of the licensed premises and as a result is contravening Section 136 of the Licensing Act 2003.

In addition to the above it is felt that in permitting this type activity and behaviour the License Holder is clearly not promoting the licensing objectives namely:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

Yours Faithfully

Gareth Jones
Police Constable 2166
Licensing Officer

24 JUL 2008

RESTRICTED (when complete)**WITNESS STATEMENT**

(CJ Act 1967, s.9; MC Act 1980, ss.5A (3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1)

Occurrence **62080255619**

URN

Statement of **JONATHAN RIDD**

Age if under 18: 'Over 18'

Occupation Sergeant 3471

Which language would you prefer to give your evidence in:	English
Which language would you prefer to give your oath in:	English
Is the victim or witness considered vulnerable or intimidated:	No
Does the victim or witness require special measures in court:	No (If yes submit MG2)

This statement (consisting of _____ page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it, which I know to be false, or do not believe to be true.

Signature: _____ 

Date:

I am Police Sergeant 3471 Ridd of the South Wales Police currently based at Glynneath Police Station with the Neath and Dulais Valley Neighbourhood Policing Team.

At 01:20 hours on Sunday 22nd June 2008 I was on full uniformed duty in company with Police Constable 4762 Jenkins. At this time we alighted from our police vehicle at the junction of Lancaster Close with High Street to conduct a licensing visit at The Crown Public House which is positioned on this junction. Upon exiting the vehicle I could hear loud music emanating from inside The Crown. PC Jenkins and I walked to the front of the premises where I could see that the curtains were drawn across the windows and the front door was open. PC Jenkins and I entered the premises where around the bar area I saw in the region of 60 to 70 persons drinking, playing pool and socializing. The interior lights were on and loud music was playing from a sound system. I observed alcohol being served at the bar and the transaction and money being put through a till.

I spoke to the licensee John Hughes and a female person who I believe is his

wife and asked to inspect the summary of their license. The license was placed over the bar and stated that permitted hours of sales of alcohol were until midnight. I informed the licensee that he was in breach of his license by being open to members of the public at this time and by continuing to sell alcohol an hour and twenty minutes past his licence.

Mr. and Mrs Hughes replied by stating that this was the only time that they do any real business and could I look the other way. Mr. Hughes then added that he heard a lot of things and would be willingly to provide information if they were allowed to continue. I informed them that would be submitting a report of what I had observed to the Licensing Officer.

At 01:10 hours on Saturday 19th July 2008 I was on full uniformed duty in company with Police Constable 4762 Jenkins. At this time we attended outside The Crown Public House with the intention of conducting a licensing visit. The front door was closed and the curtains drawn across the two ground floor windows which though through gaps light could be seen inside. The side door situated in Lancaster Close was closed also. Suspecting that there were licensing breaches occurring inside I tried the side door and it opened without resistance. I turned left from the door and entered the bar area where I counted 20 persons of drinking age consuming alcohol and playing pool. There was no music playing but the till was on and displayed three numbers on the LCD screen. There were three persons leaning against the bar with pints in front of them.

I informed the landlady Mrs. Hughes that she was breaching her licence by being still open for business and she replied that her customers were going to leave shortly.

At 00:30 hours on Sunday 20th July 2008 I was on full uniformed duty in company with Police Constable 4762 Jenkins on static observations in a marked police vehicle at the junction with Gellidawel Road and High Street. From this position which faces The Crown Public House I could see that there were approximately a dozen persons outside sitting on the benches drinking alcohol. I also observed the front door to the public house was open and could hear loud music blaring into the street from inside. I saw a man stagger across the High Street and enter The Crown through the open door.

PC Jenkins and I alighted from the police vehicle in order to speak to a male

person sitting at one of the benches about an unrelated matter. Whilst speaking to the man PC Jenkins and I were approached by the licensee John Hughes. I finished speaking to the man and joined PC Jenkins in speaking with John Hughes. PC Jenkins pointed out to Hughes that his licence only allowed him to have customers on his premises until at the latest half past twelve and that he needed stop serving alcohol and start shutting the pub. Hughes responded by saying that he was doing any harm and then asked us not to be so awkward. PC Jenkins then told Hughes that we were going to Resolven and on our return would be checking his establishment again.

At 01:05 hours PC Jenkins and I returned to outside of The Crown Public House where I saw a male person in a pale blue denim jacket who was clearly inebriated by the manner in which he walked enter through the open front door of The Crown.

PC Jenkins and I entered through the same door and I observed approximately 50 to 60 persons inside drinking alcohol, listening to the loud music and playing pool. Alcohol was being served at the bar and I observed three transactions in which money was received and passed through the till.

As we stood at the doorway observing this we were approached by the landlady who said to the pair of us,

"Why are you targeting us all the time?"

I replied,

"Because you are regularly breaching the terms of your licence."

The landlady then said,

"But this is the only time we get to make any money."

I replied,

"That is not my concern if you need to stay open later go through the proper channels and apply for extended hours. Right now you are acting irresponsibly and basically are running an after hours club. You are going to lose your licence if you carry on like this."

The landlady retorted,

"You haven't had any complaints have you, you don't know what's best for the village we been doing this for 13 years I know the village."

The landlady appeared slightly drunk and I can evidence this by the fact that she was slurring her words, that her eyes were glazed and that her breath

smelled of alcohol. The landlady became angry and started shouting in a scornful manner into the pub,

“The sergeant says you’ve got to go, the Sergeant says you’ve got to go. Everyone out the Sergeants closing the pub.”

I felt that her attitude and demeanour were irresponsible and could have incited trouble. PC Jenkins and I decided that it was best to leave and as we walked away I looked over my shoulder and saw and heard the Landlady shout from about 10 yards away,

“Oh fuck off.”