

**LICENSING (2003 ACT) SUB COMMITTEE**

**20<sup>th</sup> September 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**

Ref.No.: 002126 Wards Trebanos  
Affected:  
Premises Name: Colliers Arms  
Premises 154 Swansea Road, Trebanos, Pontardawe, SA8 4BU  
Address:  
Applicant Yvonne Dyson  
Name:  
Applicant Colliers Arms, 154 Swansea Road, Pontardawe, Trebanos,  
Address: Swansea, SA8 4B  
DPS Name: Yvonne Dyson  
DPS Address: Colliers Arms, 154 Swansea Road, Pontardawe, Trebanos,  
Swansea, SA8 4B  
Application 25/07/2005  
Date:

### **1.2. Conversion Application**

The premises have traded as a public house for many years and are entitled to a premises licence for the sale of alcohol with the previous permitted hours becoming conditions of the new licence. The relevant licensable activities are presently :-  
The Sale of Alcohol Monday to Saturday 10:00 - 11:00pm  
Sunday Noon - 10:30pm  
(on and off premises)

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

### **1.3. Variation Application**

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

Non-standard Timings:

A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.

A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday

weekend.

A further additional hour every Christmas Eve.

A further additional hour every Boxing Day.

To reflect existing New Year's Eve/Day hours.

**Opening Hours - Standard Timings:**

Monday - Thursday 11.00 - 00.30

Friday & Saturday 11.00 - 01.30

Sunday 11.00 - 00.30

**Non-standard Timings:**

A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun

Bank Holiday and every August Bank Holiday weekend.

A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.

A further additional hour every Christmas Eve.

A further additional hour every Boxing Day.

To reflect existing New Year's Eve/Day hours.

**Live Music:**

Monday - Thursday 11.00 - 23.00

Friday 11.00 - 00.00

Saturday 11.00 - 00.00

Sunday 11.00 - 23.00

**Recorded Music:**

Monday - Thursday 11.00 - 00.00

Friday & Saturday 11.00 - 01.00

Sunday 11.00 - 00.00

**Non-standard Timings:**

A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun

Bank Holiday and every August Bank Holiday weekend.

A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.

A further additional hour every Christmas Eve.

A further additional hour every Boxing Day.

To reflect existing New Year's Eve/Day hours.

Facility like Music/Dance:

Monday - Thursday 11.00 - 23.00

Friday & Saturday 11.00 - 00.00

Sunday 11.00 - 23.00

#### **1.4. Background Information**

Provided by the applicant:-

Public House located in the village of Trebanos on Swansea Road. Externally the pub has a small car park with parking for around 8 cars. There is an outside drinking area located to the side and the rear of the pub. The pub is lit externally at night. Internally the pub is largely open plan with an area for a pool table and a raised seating area. There are ladies and gents toilets and a small currently unused kitchen area. There is one cigarette machine and one AWP located within plain view of the bar. All fire fighting equipment is serviced annually. There is emergency lighting and all exit are indicated via illuminated signage.

#### **1.5. Promotion of Licensing Objectives**

The following information has been provided by the applicant:

##### **General - all four licensing objectives:**

Following an assessment of the premises and its surrounding area the following is proposed:

30 minute "drinking up" time will allow appropriate dispersal, use of lavatories etc.

In order to further the licensing objectives the licensee reserves the right to move the fire appliances, AWP machines, cigarette machines

and or any other similar objects temporarily in a fixed location which may impact on the ability of individuals on the premises to use exits or escape routes without impediment.

### **The Prevention of Crime & Disorder:**

Most customers are local.

Illumination is provided to the exterior areas of the pub.

The licensees/staff monitor customers behaviour especially during busy periods.

We operate a zero tolerance policy to drugs and the users of drugs.

### **Public Safety:**

The pub is equipped with emergency lighting and illuminated exit signs.

All fire fighting equipment is serviced annually.

All portable electrical appliances are tested annually.

Mechanical extraction is provided in the trade area.

The pub promotes a licensed raxi service to facilitate its customers making onward journeys.

Accident / incident book on site for staff and public.

Staff are aware of the needs of disabled customers and offer assistance when required.

### **The Prevention of Public Nuisance:**

There are no opening windows in the bar area and all entrance doors have internal lobbies.

When required, staff organise taxis to transport customers home and customers are seen off the premises and encouraged to disperse at closing.

The public house is a semi detached property and noise transfer to the

neighbouring property is minimal.

All windows are double glazed.

**The Protection of Children from Harm:**

Children are not permitted unless accompanied by an adult.

Children must depart the premises by 21.00.

Children are restricted to the raised seating area.

The AWP is located within plain view of the bar servery.

The cigarette machine is located within plain view of the bar servery.

Nudity or partial nudity are not permitted at any time.

**1.6. Relevant Representations:**

**Responsible Authorities Representations**

Police

See Appendix 1.

Environmental Health

See Appendix 2.

**1.7. Interested Parties Representations**

See Appendix 3.

**1.8. Policy Considerations**

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

Statement of Licensing Policy

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*

- 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.*

## **1.9. Officer's Report**

Public nuisance is the concern of all representations made in respect of this premises. The environmental health officer and residents refer to existing problems with noise nuisance from the premises. It is necessary therefore for effective restrictions and or conditions to be considered to prevent nuisance arising.

## **1.10. 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**

Trebanos



Opening Hours - Standard Timings:

Monday	08.00 - 01.30
Tuesday & Wednesday	08.00 - 00.30
Thursday - Sunday	08.00 - 01.30

Films:

Monday - Wednesday	08.00 - 23.00
Thursday - Sunday	08.00 - 23.30

Live Music:

Monday - Sunday	12.00 - 23.30
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Non-standard Timings:

12.00 - 00.00 indoors only for: Christmas Eve, Christmas Day & Boxing Day.

Recorded Music:

Monday - Sunday	12.00 - 23.30
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Non-standard Timings:

12.00 - 00.00 indoors only for: Christmas Eve, Christmas Day & Boxing Day.

Facilities for Making Music:

Times as above.

Facilities for Dancing:

Times as above.

Non-standard Timings:

12.00 - 00.00 indoors only for: Christmas Eve, Christmas Day & Boxing Day.

Late Night Refreshment:

Monday	23.00 - 01.00
Tuesday & Wednesday	23.00 - 00.00
Thursday - Sunday	23.00 - 01.00

#### **1.14. Background Information**

Provided ny applicant:-

A two storey building of solid brick constructions with a timber and slate roof, thought to be over 100 years old, situated on the north eastern end of the town of Pontardawe.

It comprises of bar, lounge, meeting room, club room, ladies and gents conveniences and various store rooms, including barrel and bottle stores.

Also a beer garden is situated directly to the rear of the building.

### **1.15 Promotion of Licensing Objectives**

The following information has been provided by the applicant:

#### **General - all four licensing objectives:**

To ensure that at all times there will be an effective and responsible manager on duty on the premises, when it is open for licensable activities.

To ensure that staffing levels are adequate to maintain a safe environment.

To participate in schemes which are designed to maintain and improve the licensing objectives (e.g. Pubwatch).

#### **The Prevention of Crime & Disorder:**

To ensure that all staff are aware that those who are heavily intoxicated or disorderly are to be managed in such a way that they will not be a harm to staff, patrons or themselves.

To ensure that staff do not permit entry or where they have entered shall not serve anybody who is heavily intoxicated or seems to be under the influence of drugs.

To provide notices as appropriate, relating to underage drinking etc.

#### **Public Safety:**

To ensure that means of escape in the event of fire or other emergency

To impeditment the provision of effective CCTV in and around the premises.

To provide toughened or plastic drinking vessels if patrons consume drink outside the premises (where appropriate).

### **The Prevention of Public Nuisance:**

To ensure that staff are made aware of the steps that are to be taken should there be any disorderly conduct on the premises e.g, to ask the disorderly persons to leave the premises, but at the same time, alert the relevant authorities.

To ensure that noise from amplified music does not have an adverse impact on those living and working in the vicinity of the premises e.g. closing windows and doors. Reducing the volume level in the later part of the evening.

### **The Protection of Children from Harm:**

To ensure that staff are aware that it is prohibited to sell alcohol to children.

To ensure that staff are aware that it is prohibited to sell tobaccos to children.

To ensure that any child on the premises is accompanied by a responsible adult.

To request proof of age where there is any doubt as to the age of anyone at the premises.

## **1.16. Relevant Representations:**

### **Responsible Authorities Representations**

#### Police

See Appendix 4.

#### Environmental Health

See Appendix 5.

## **1.17. Interested Parties Representations**

No representations.

## **1.18. Policy Considerations**

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

### Statement of Licensing Policy

#### **6.0 Crime & 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.*

6.7 *The Council will also take account of relevant strategies, and action plans as appropriate. These may include:*

*(a) The Neath Port Talbot Community Plan / Community Safety Strategy.*

*(b) Safer Clubbing*

*(c) Best Practice on Test Purchasing*

*with a view to specifying conditions and or making requirements for premises.*

*(d) National alcohol harm reduction strategy*

*(e) Voluntary codes of practice relating to drinks promotion, drugs etc.*

*Applicants will need therefore to have given consideration to these matters in their operating schedule dependent on the style and characteristics of the premises/events.*

6.8 *The Council will consider attaching conditions to licences and permissions to deter and prevent crime and disorder, both inside and immediately outside the premises. These will include conditions drawn from the model pool of conditions relating to Crime and Disorder at Appendix 1 and any other conditions it considers appropriate.*

6.9 *The Council considers that certain types of premises are likely to require additional measures or conditions due to the nature, type and mode of operation. These would include premises, which sell alcohol and cater mainly for the 16-25 age group and provide regulated entertainment, or premises which provide events or entertainment mainly for children.*

*In order to ensure the safety of patrons and other persons in the vicinity of the premises, the council suggests that operating schedules give consideration to the following measures and may require any or all of these measures to be implemented in the interests of minimising crime and disorder.*

*(i) Door Supervisors*

*The need for door supervisors is normally a matter, which is considered and determined by the applicant within the operating schedule. However, where an applicant has made no provision for providing door supervisors, but it is considered that they are essential to meet the crime and disorder or public safety objective the council may specify that the premises must provide registered door supervisors. The council may also require a duty log / register of door supervisors be kept for the premises. Where door supervisors are provided they must be licensed by the Security Industry Authority. Generally one door supervisor per 100 persons would be required to be present on the premises. However, additional supervisors may be necessary in certain situation, e.g. where there is a significant number of very young persons, or where there is a potential for boisterous or excitable behaviour, e.g. stag nights; football matches; celebrity visits. Applicants are advised to give consideration to these matters within the operating schedule as well as the days and hours of operation of the door supervisors.*

*(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.*

*(iii) Glasses/Bottles*

*Applicants should, where appropriate be able to demonstrate that they have adequate procedures in place to prevent glasses and bottles being brought into or out of the premises, and there is provision for regular collection of glasses and bottles. The use of toughened drinking vessels and plastic bottles should be considered. Where the consumption of alcohol is likely to be in the open air, e.g. in beer gardens or outside events, toughened or plastic vessels should be used.*

*(iv) Drugs*

*Applicants are expected to be able to demonstrate that they can comply with Home Office Guidance “Safer Clubbing” and have an agreed protocol with the council and the police for dealing with illegal drugs found on their premises. Matters likely to be required may include: - condition of entry to all premises, drugs amnesty boxes, CCTV coverage, log of all seizures, stop and search policy, and the availability of free water.*

- 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

**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.*

**1.19. Officer's Report**

The Police representations express concern at the hours sought in view of the location of the premises, and the perceived impact on crime and disorder.

The issue of public nuisance is also identified by both the Police and the Environmental Health Officer.

Appropriate conditions/restrictions are proposed to deal with all the

issues raised.

**1.20. 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**

Pontardawe

### **1.21. Licence Application for Transitional Premises Licence**

Ref.No.: 002230 Wards Briton Ferry  
Affected: East

Premises Name: Rose And Crown  
Premises Address: 21 Bethel Street, Briton Ferry, Neath, SA11 2HQ

Applicant Name: Mr Gareth Davies

Applicant Address: Rose and Crown, 21 Bethel Street, Briton Ferry, Neath, SA11 2HQ

DPS Name: Mr Gareth Davies

DPS Address: Rose and Crown, 21 Bethel Street, Briton Ferry, Neath, SA11 2HQ

Application Date: 27/07/2005

### **1.22. Conversion Application**

The premises have traded as a public house for many years and are entitled to a premises licence for the sale of alcohol with the previous permitted hours becoming conditions of the new licence. The relevant licensable activities are presently:-

The Sale of Alcohol Monday - Saturday 10:00am - 11:00pm  
Sunday Noon - 10:30pm  
(on and off premises)

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

### **1.23. Variation Application**

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

Supply of Alcohol:  
Monday - Friday 18:00 - 00:00  
Saturday & Sunday 16:00 - 00:00

Opening Hours - Standard Timings:  
Monday - Friday 18:00 - 00:20  
Saturday & Sunday 16:00 - 00:20

Live Music:

Friday & Saturday 18:00 - 00:00

Sunday 16:00 - 00:00

Recorded Music:

Monday - Friday 18:00 - 00:00

Saturday & Sunday 16:00 - 00:00

Performance of Dance:

Friday & Saturday 18:00 - 00:00

Sunday 16:00 - 00:00

Facilities for Making Music - times as above

CD Player

Amplifier

Four Speakers

Facilities for Dance - times as above

#### **1.24 Background Information**

No details provided by applicant.

#### **1.25 Promotion of Licensing Objectives**

The following information has been provided by the applicant:

##### **General - all four licensing objectives:**

##### **The Prevention of crime & disorder:**

Effective and responsible management of premises training and supervision of staff.

The layout of equipment within premises.

Management policy for people who become intoxicated or disorderly.

Age verification.

Disorder management.

**Public safety:**

Effective management of premises.

Fire precaution.

Testing of appliances etc.

**The Prevention of Public Nuisance:**

Steps taken to ensure that fire doors are kept closed.

Ensure patrons leaving do not disturb nearby residents.

Ensure taxis/minibuses do not disturb nearby residents.

Empty bottles are not disposed of at night.

**The protection of children from harm:**

Proof of age cards or other identification.

Limit the hours children are present.

Exclude or limit children when certain activities are taking place.

Require that children are accompanied by an adult.

**1.26. Relevant Representations:**

**Responsible Authorities Representations**

Environmental Health

See Appendix 6.

**1.27. Interested Parties Representations**

No representations.

## **1.28. Policy Considerations**

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

### Statement of Licensing Policy

- 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

#### ***Prevention of 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.*

### **1.29. Officer's Report**

The Environmental Health Officer expresses concerns in respect of public nuisance due to the location of the premises and the hours sought.

His recommendation should be considered for attaching as restrictions /conditions to any licence issued following hearing of all submissions.

### **1.30. 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**

Briton Ferry East

## **1.22. Licence Application for Transitional Premises Licence**

Ref.No.: 002251 Wards Dyffryn  
Affected:  
Premises Name: Hope And Anchor Public House  
Premises Address: Hope & Anchor Hotel, New Road, Neath Abbey, Neath,  
West Glamorgan, SA1  
Applicant Name: Mr Neil Graham Greenway  
Applicant Address: The Hope & Anchor, New Road, Neath Abbey, Neath,  
SA10 7NG  
DPS Name: Mr Neil Graham Greenway  
DPS Address: The Hope & Anchor, New Road, Neath Abbey, Neath,  
SA10 7NG  
Application Date: 29/07/2005

## **1.23. Conversion Application**

The premises have traded as a public house for many years and are entitled to a premises licence for the sale of alcohol with the previous permitted hours becoming conditions of the new licence.

The relevant licensable activities are presently :-

The Sale of Alcohol	Monday to Saturday	10:00 - 11:00pm
	Sunday	Noon - 10:30pm
	(on and off premises)	

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

## **1.24. Variation Application**

Supply of Alcohol:

Monday - Thursday 11.00 - 00.00

Friday & Saturday 11.00 - 01.00

Sunday 11.00 - 23.30

Seasonal Variations:

Christmas Eve - 1 additional hour

New Year's Eve - From commencement of hours on New Years Eve until

completion of hours on New Years Day.

Non-standard Timings:



On the occasion of televised broadcasts of Welsh, English and British sporting events - for a period commencing 30 minutes prior to the event starting, during the event and until a period of 30 minutes following the end of the event.

Opening Hours - Standard Timings:

Monday - Thursday 11.00 - 00.30

Friday & Saturday 11.00 - 01.30

Sunday 11.00 - 00.00

Seasonal Variations:

As above.

Non-standard Timings:

As above.

Live Music:

Thursday - Sunday 20.00 - 23.00

Recorded Music:

Monday - Thursday 11.00 - 00.30

Friday - Saturday 11.00 - 01.30

Sunday 11.00 - 00.00

Restrictions requested to be lifted:

### **1.25. Background Information**

Provided by applicant:-

Detached Public House in Neath Abbey.

Accommodation consists of Bar, Lounge Bar, Games Room & Beer Garden.

Toilets to Ground Floor, Kitchen to First Floor

Large Car Park.

### **1.26. Promotion of Licensing Objectives**

The following information has been provided by the applicant:

#### **General - all four licensing objectives:**

The premises has a well documented Management and Staff

Training policy.

All staff are fully conversant with the Premises Operating Policies, compliance of which is a condition of employment.

### **The Prevention of Crime & Disorder:**

The premises has CCTV coverage of 6 camera, with a 14 day retention of images by way of video tapes.

The premises has a comprehensive drugs policy, which includes staff training on the identification of common controlled drugs, symptoms of drug use and indications of drug misuse and residue. As part of the policy, staff are instructed to carry out regular checks of all public areas including toilets (and external drinking areas).

Any door supervisors employed at the premises, must be registered by the Security Industry Authority.

The premises has a transport policy and a local Taxi Company is recommended for use by customers.

The premises has a glassware policy and plastic containers are supplied for use outside the premises.

The consumption of alcohol in open containers purchased inside the premises is only permitted in designated areas within the perimeter of the property. No open containers are supplied for on-street drinking.

The premises has a comprehensive proof of age policy and notices are displayed in prominent areas informing customers that they may be required to produce relevant proof of age documents.

The premises operate an informal good neighbour scheme and all staff are aware of the requirement to telephone neighbouring licensed premises to alert them to any persons ejected or likely to cause problems to other licensed premises.

### **Public Safety:**

The premises fully comply with the requirements of the Fire Service having regard to alarms, firefighting equipment, fire escape routes and staff training.

The premises has a Disability Policy, which includes staff training on the provision of facilities for disabled persons and also the safe evacuation of such persons in the event of an emergency.

### **The Prevention of Public Nuisance:**

The premises are aware of its responsibilities to its neighbours, local residents and the wider community.

During periods when amplified music

is played, all windows and external doors will be kept closed to minimise disruption.

The use of outside drinking areas will cease at 23.00. Customer will not be permitted to use the area after this time.

All staff have received training in relation to noise and the importance of "good neighbourliness".

Notices have been placed at all exterior doors and the car park reminding exiting customers of their responsibilities.

### **The Protection of Children from Harm:**

Access for children to the premises is as follows:

Children under 12 years - 11.00 - 20.00 (Lounge Unlimited Access).  
An adult over the age of 21 years must accompany all children under the age of 18 years.

The premises has a comprehensive age policy and all staff have received training with regard to acceptable proof of age documentation.

All staff have been trained in relation to offences which may be committed under the Licensing Act 2003, in particular those relating to the sale and consumption of alcohol by persons under the age of 18 years.

## **1.27. Relevant Representations:**

### **Responsible Authorities Representations**

#### Police

See Appendix 7.

#### Environmental Health

See Appendix 8.

## **1.28. Interested Parties Representations**

No representations

## **1.29. Policy Considerations**

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

### **6.0 *Crime & 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.*

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*

***Prevention of 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.*

### **1.30. Officer's Report**

Prevention of public nuisance is the main concern with this application.

The proposal for external music and also music to extended hours is considered by the Environmental Health Officer as likely to give rise to nuisance and social disturbance.

Restriction on hours and appropriate conditions can be considered to deal with these matters.

### **1.31. 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**

Dyffryn



Films:  
Monday to Thursday 16.00 - 23.00  
Friday 15.00 - 24.00  
Saturday 12.00 - 01.00  
Sunday 12.00 - 24.00

Boxing or Wrestling:  
Friday 19.00 - 23.00

Live Music:  
Friday 19.00 - 23.00  
Saturday 16.00 - 24.00  
Sunday 16.00 - 23.00

Non-standard Timings:  
Christmas Eve 19.00 - 23.30  
Boxing Night 19.00 - 00.30  
New Year's Eve 19.00 - 01.30  
New Year's Night 19.00 - 23.30

Recorded Music  
Thursday 18.00 - 21.00  
Friday 19.00 - 23.00  
Saturday 18.00 - 24.00  
Sunday 16.00 - 23.00

Non-standard Timings:  
Christmas Eve 19.00 - 23.30  
Boxing Night 19.00 - 00.30  
New Year's Eve 19.00 - 01.30  
New Year's Night 19.00 - 23.30

Performance of Dance:  
Tuesday 19.00 - 23.00

Facilities for Dancing:  
Tuesday 19.00 - 23.00  
Thursday 19.00 - 21.00  
Friday 19.00 - 24.00  
Saturday 19.00 - 01.00  
Sunday 19.00 - 24.00

Non-standard Timings:  
Christmas Eve 19.00 - 23.30  
Boxing Night 19.00 - 00.30  
New Year's Eve 19.00 - 01.30



New Year's Night 19.00 - 23.30

### **2.3. Background Information**

Provided by applicant:-

Rugby football club, to which extensive renovations completed in mid 1990's. Building consists of three main rooms - bar, lounge and function hall. All three rooms serviced by individual bars.

### **2.4. Promotion of Licensing Objectives**

The following information has been provided by the applicant:

#### **General - all four licensing objectives:**

Where deemed necessary by the club's management committee, professional doormen will be hired to provide security back up to committee members.

CCTV cameras are in place throughout club premises.

#### **The Prevention of Crime & Disorder:**

Clubhouse is equipped with CCTV system.

Where deemed necessary by the clubs management committee SIA licensed doormen will be hired to provide security back-up to committee members.

All functions organised for club members.

Two pool tables available along with dart board.

All functions organised for club members

Two pool tables available along with dart board.

All rooms have capacity limits - which are stringently enforced.

No happy hours. Plastic glasses used during busy functions.

### **Public Safety:**

Emergency exits throughout building - regularly checked and kept clear.

Strict adherence to safety capacities.

Fire alarms under service contract and regularly tested by Dyfed Alarms.

Building fully equipped with emergency lighting

First aid equipment available.

all areas available for public access are on one level - no steps.

Building equipped with signs to indicate evacuation points.

Functions have manned doors at all times to maintain safety and order.

### **The Prevention of Public Nuisance:**

Music slowed down and volume reduced for last hour of functions to minimise any disturbance.

Music stopped fifteen minutes before licensed bar closure time to ensure all present depart in orderly and timely fashion.

Committee present to ensure all present depart in as quiet a manner as possible

Door/exit areas of clubhouse have notices posted asking those present to depart in quiet and orderly fashion.

**The Protection of Children from Harm:**

Strict policy on underage drinking - if staff have doubts then they do not serve individual in question.

No happy hours.

No children in premises unless supervised by adult. All children to leave by 9pm.

No children are admitted to functions where any licensable activities

take place.

All windows are blacked out if adult entertainment taking place.

Manning of doors.

## **2.5. Relevant Representations:**

### **Responsible Authorities Representations**

#### Police

See Appendix 9.

#### Environmental Health

See Appendix 10.

## **2.6. 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 The Council considers that certain types of premises are likely to require additional measures or conditions due to the nature, type and mode of operation. These would include premises, which sell alcohol and cater mainly for the 16-25 age group and provide regulated entertainment, or premises which provide events or entertainment mainly for children.*

*In order to ensure the safety of patrons and other persons in the vicinity of the premises, the council suggests that operating schedules give consideration to the following measures and may require any or all of these measures to be implemented in the interests of minimising crime and disorder.*

*(i) Door Supervisors*

*The need for door supervisors is normally a matter, which is considered and determined by the applicant within the operating schedule. However, where an applicant has made no provision for providing door supervisors, but it is considered that they are essential to meet the crime and disorder or public safety objective the council may specify that the premises must provide registered door supervisors. The council may also require a duty log / register of door supervisors be kept for the premises. Where door supervisors are provided they must be licensed by the Security Industry Authority. Generally one door supervisor per 100 persons would be required to be present on the premises. However, additional supervisors may be necessary in certain situation, e.g. where there is a significant number of very young persons, or where there is a potential for boisterous or excitable behaviour, e.g. stag nights; football matches; celebrity visits. Applicants are advised to give consideration to these matters within the operating schedule as well as the days and hours of operation of the door supervisors.*

*(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.*

*(iii) Glasses/Bottles*

*Applicants should, where appropriate be able to demonstrate that they have adequate procedures in place to prevent glasses and bottles being brought into or out of the premises, and there is provision for regular collection of glasses and bottles. The use of toughened drinking vessels and plastic bottles should be considered. Where the consumption of alcohol is likely to be in the open air, e.g. in beer gardens or outside events, toughened or plastic vessels should be used.*

## **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.*

7.6 *The council following representations may also impose occupancy limits when it considers it appropriate for other reasons, e.g. to minimise crime and disorder.*

## **Prevention of Public Nuisance**

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

### **Prevention of 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.*
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- 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.*

### **2.8. Officer's Report**

Police representations relate to crime and disorder, public safety and prevention of public nuisance. The hours of operation are questioned. In view of the location of the premises and the potential for social and music nuisance. The environmental health officer expresses concern particularly in relation to music proposed for outside the premises.

Recommendations are made by the police and environmental health officer with a view to mitigating the issues raised.

All need to be considered and assessed as to their suitability for attaching to any licence issued, after hearing all submissions.

**2.9. 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 Licencing

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

**Wards Affected**

Gwauncaegurwen