



IS-BWYLLGOR DEDDFAU TRWYDDEDU A GAMBLO

10.00 AM - DYDD LLUN, 11 GORFFENNAF 2022

***HYBRID DRWY MICROSOFT TEAMS / HYBRID YSTAFELL
BWYLLGOR 1 A 2***

**RHAID GOSOD POB FFÔN SYMUDOL AR Y MODD DISTAW AR
GYFER PARHAD Y CYFARFOD**

Gweddarlledu/Cyfarfodydd Hybrid:

Gellir ffilmio'r cyfarfod hwn i'w ddarlledu'n fyw neu'n ddiweddarach drwy wefan y cyngor. Drwy gymryd rhan, rydych yn cytuno i gael eich ffilmio ac i'r delweddau a'r recordiadau sain hynny gael eu defnyddio at ddibenion gweddarlledu a/neu hyfforddiant o bosib.

1. Cyhoeddiadau'r Cadeirydd
2. Datganiadau o fuddiannau

Adroddiad gan Bennaeth y Gwasanaethau Cyfreithiol

3. Cais am roi Trwydded Mangre - Bws sefydlog yn Fferm Rheola
(*Tudalennau 5 - 18*)
4. Eitemau brys
Unrhyw eitemau brys yn ôl disgrisiwn y Cadeirydd yn unol ag Adran 100B(4)(b) o Ddeddf Llywodraeth Leol 1972.

K Jones
Prif Weithredwr

**Canolfan Ddinesig
Port Talbot**

Dydd Llun 4 Gorffennaf 2022

Aelodaeth y Pwyllgor:

Cadeirydd: Y Cyngorydd A J Richards

Is-gadeirydd: Y Cynghorydd J Henton

Aelodau: Y Cynghorydd S Paddison

**c.c. Uwch-arolygydd yr Heddlu, Castell-nedd
Prif Swyddog Tân, Castell-nedd**

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Licensing and Gambling Acts Sub Committee

11th July 2022

Report of the Head of Legal Services – Craig Griffiths

Matter for Decision

Wards Affected: Resolven

Application for the Grant of a Premises Licence

Purpose of the Report

1. To consider representations received in respect of the following application made under the Licensing Act 2003.

Premises Name	Static Bus at Rheola Farm
Premises Address	Rheola Farm, Glynneath Lakes, Resolven, Neath, SA11 4DY
Applicant Name's	Trevor Richardson
Applicant Address	Bryncoch Farm, Llandyfan, Ammanford, Carmarthenshire, SA18 2TY
DPS Name	Trevor Richardson

Executive Summary

2. This is an application for the grant of a premises licence under the Licensing Act 2003 by Trevor Richardson. The premises licence will authorise the sale of alcohol on and off the premises.
3. Representations were received in respect of the application from the South Wales Police requesting that additional conditions be attached to the licence.
4. The applicant has agreed to the imposition of the additional conditions and consequently all parties agree that a hearing is unnecessary; final determination of the application needs to be made by the Licensing and Gambling Acts Sub Committee.

Background

5. The Licensing Act 2003 requires that any person wishing to provide licensable activities obtains a premises licence from the Licensing Section.
6. An application for the grant of a premises licence must be advertised in the prescribed manner and allows "Responsible Authorities" or "Other Persons" to submit representations in respect of the application.
7. Where all parties have reached an agreement and amendments have been made to the original application, the Licensing Authority can dispense with the need for a formal hearing; a meeting of the Sub-Committee is still required to consider the amendments.

Licence Application

8. The applicant has included the following information in the application outlining the requested hours of operation and details on how the applicant proposes to promote the 4 licensing objectives.

Opening Hours

Sunday - Thursday 11.00 – 00.00

Friday and Saturday 11.00 - 02.00

Supply of Alcohol (On and Off Sales)

Sunday - Thursday 11.00 – 00.00

Friday and Saturday 11.00 - 02.00

Licensing Objectives

The following information has been provided by the applicant.

General

9. Myself will train staff on aspects of safety and running of this site before employment takes place. Flexible on opening hours.

The prevention of crime and disorder

10. Myself and staff will police all activities on site.

Public safety

11. Fire risk assessment of bus, evacuation area. CCTV at entrance to site. Member of staff always on site.

The prevention of public nuisance

12. Security CCTV and members of staff will police all activities on site to prevent public nuisance.

The protection of children from harm

13. Children will be accompanied by parents on this site as agreed by all who visit this site, this will be enforced.

Relevant Representations

14. South Wales Police
15. The above representation is reproduced at Appendix 1

Officer Report

16. The application is to authorise the sale of alcohol on and off the premises.
17. A representation was received South Wales Police who requested additional conditions be attached to the licence.
18. The applicant has agreed to all the conditions requested.

Legal Impacts

19. There is a right of appeal against the decision to the Magistrates' Court

Risk Management

20. Not Applicable

Consultation

21. Consultation has been undertaken in accordance with the Licensing Act 2003.

Recommendation

22. The members determine the application after considering all relevant representations.

Reasons for Proposed Decision

23. To ensure the licensing objectives as set out in the Licensing Act 2003 are promoted.

Implementation of Decision

24. The decision is for immediate implementation

Appendices

25. Appendix 1 - South Wales Police Representations

List of Background Papers

26. Application for the grant of a premises licence

27. Neath Port Talbot Licensing Policy

<https://www.npt.gov.uk/media/14952/licensing-act-2003-draft-licensing-policy-2021.pdf?v=20210923150929>

28. Secretary of State's Guidance

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

Officer Contact

29. Neil Chapple

Legal Regulatory Manager



Tel (01639) 763050

Email n.chapple@npt.gov.uk

Mae'r dudalen hon yn fwriadol wag

Pencadlys HeddluHeol y Bont-faen
Penybont
CF31 3SUMewn argyfwng ffoniwch **999**
fel arall, ffoniwch **101**Gwefan: www.heddlu-de-cymru.police.uk**Police Headquarters**Cowbridge Road
Bridgend
CF31 3SUIn an emergency always dial **999**
for non-emergencies dial **101**Website: www.south-wales.police.uk

Nick Bailey

Police Licensing Officer,
Neath Police Station. : nick.bailey2@south-wales.police.uk : 01639 640207 : 07971 623816Mr N. Chapple,
Legal Regulatory Services Manager,
Neath Port Talbot Council.
Civic Centre,
Port Talbot.20th June 2022.**Police Observations to application for the Grant of a premises licence
under the Licensing Act 2003.**In relation to the application for a premises licence under the Licensing Act 2003 at
the below-referred licensed premises:

Name: Glynneath Lakes (Rheola Farm)

Address: Rheola Farm, Resolven, Neath, SA11 4DY

The Application is for a premises licence for the following Licensable activity;

Supply of Alcohol: 11.00hrs to 00.00hrs – Sun - Thurs
11.00hrs to 02.00hrs – Fri & SatHours open to the public: 11.00hrs to 00.00hrs – Sun - Thurs
11.00hrs to 02.00hrs – Fri & SatThis application is submitted by Trevor RICHARDSON for the grant of a premises
licence to enable the applicant to sell alcohol for consumption from a static double
decker buss. The bus will be sited adjacent to the lakes at the site and will primarily,
but not exclusively, be for the use of guests that have rented either one of the 5 the
'glamping pods' or the 10 tent pitches.The hours proposed for the supply of alcohol match the opening hors which do not
give the facility for customers to finish their drinks prior to having to leave theMae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg. Byddwn yn ateb
gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

South Wales Police welcomes receiving correspondence in Welsh and English.

Any correspondence received in Welsh will be answered in Welsh and corresponding
in Welsh will not lead to a delay in responding.

premises so I would request that the hours for the supply of alcohol be reduced by 30 minutes to be as follows;

Supply of Alcohol: 11.00hrs to 23.30hrs – Sun - Thurs
11.00hrs to 01.30hrs – Fri & Sat

I draw your attention to Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003. Paragraph 1.4 of the Guidance stated the promotion of the statutory objectives is a paramount consideration at all times.

Section 1.15 of the guidance recommends that licence applicants contact responsible authorities when preparing their operating schedules. South Wales Police actively encourages early engagement and consultation in order to assist applicants, to work in a partnership approach, and in this case I, together with Local Authority Licensing staff, met with the applicant, on 15th June regarding the content of the application and how they planned to operate the premises.

The applicant has explained that the intention is to site a double decker bus at the site, which they have previously licensed in West Wales, on a number of sites within the lakes complex.



Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi. South Wales Police welcomes receiving correspondence in Welsh and English. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

While the prospect of the bus moving around the site at will initially caused some concern, having met with the applicant his explanation has reduced these fears as he demonstrated how much work goes into setting up the bus as a bar.

In terms of the relocation of the bus the applicant has details on the plans where the bus will move to, which is approx. 200-300yds further along the vehicular access road towards the second lake as shown below in the area marked in blue.



Position 1 denotes the primary location for the bus and position 2 denotes the only other planned site for the bus should an event being held at the site that would dictate moving it, such as an organised triathlon race which may need to use the original bus site as a transition area.

From the plumbing and connection to the draught gas supply shown in fig 1 & fig 2 it is clear that any movement of the bus cannot be carried out on a whim, but I would still request that the applicant notify Police & the Local Authority Licensing team, in writing, of any planned relocation at least 7 days prior to it happening and, if it is moved to any position other than point 2, that the Police or Local Authority Licensing have the right to veto such a move if it is felt that the location is not suitable,. I have covered this point in the proposed conditions below.

Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.
South Wales Police welcomes receiving correspondence in Welsh and English.
Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Public Safety:

1. The Premises Licence Holder will give 7 day's notice, in writing, to the local Police Licensing Officer and the Local Authority Licensing Team of any site proposed to relocate the bus to. If the Police, or Local Authority, object and give 48 hours written notice (from receipt of the notification) to the premises licence holder then the relocation will not take place.

The bus itself has been refitted to operate as a bar and café with the ability to serve both hot and cold drinks, as shown in fig 3, with a purpose built bar, seating on the ground floor with the upstairs area being utilised as a seating of briefing areas for the clubs that use the lakes.



The lakes are currently used by several local clubs that provide instruction for young people in canoeing and kayaking, accredited dive schools and the local triathlon club.

The bus itself is going to be sited less than 10m from the side of the nearest lake, which has a shallow access with little or no banking to prevent access. Possibly accessibility to the lake by customers under the influence of alcohol, which would significantly increase the risk of harm, was discussed and the applicant suggested, at our recent meeting that they would impose a curfew after which the lake would be closed to everyone.

This restriction was discussed at length as it was felt that it may actually be too restrictive, and prevent some of the activities that the applicant is looking to prevent. We discussed the need for a risk assessment in relation to water access and as a result I would request the following conditions be imposed;

Public Safety:

2. The DPS shall carryout, and retain a written copy of, a risk assessment outlining the risk of customers from the licensed premises gaining access

Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.
South Wales Police welcomes receiving correspondence in Welsh and English.
Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

to, or using the lakes while under the influence of alcohol. The risk assessment shall outline what measures are in place to mitigate such risks. The document shall be available for inspection on request of the Police or Local Authority Officers.

3. The lakes shall be closed to public use after 9pm, with the exception of people taking part in an accredited and organised diving course that requires a night dive as part of the course.
4. There shall be no alcohol sales to any person taking part in an accredited and organised water sports course until they no longer require access to the lake as part of the course.

The applicant has mentioned CCTV in the operating schedule but has suggested that it only cover the site entrance. I would request that this condition be amended to read as follows;

Prevention of Crime & Disorder:

5. A Digital CCTV system shall be installed, or existing system maintained, at the premises which will be operational at all times when the premises is open to the public & be capable of providing pictures of evidential quality in all lighting conditions particularly facial identification. The CCTV recordings must be correctly timed and date stamped & retained for a period of 31 days and made available for viewing by the Police or an authorised Officer of the Licensing Authority on request.

The system must provide coverage of the following areas:-

- The entrance to the site;
- The entrances and exits to the premises;
- The interior public areas of the premises;
- The external drinking areas of the premises.

I would also request the following condition be added;

6. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show and provide Police or authorised officer recent data or footage with the absolute minimum of delay following a lawful request.

The remaining conditions proposed relating to the licensing objectives are very vague and I would ask that the following be added;



7. The premises licence holder will risk assess the need for door supervisors and provide door supervision between such times and in such numbers as is required by the risk assessment. If used, they shall also display their S.I.A licence in a reflective armband whilst on duty.
8. If used, a daily register of security personnel will be maintained. The register shall show the name, address and licence number of each door supervisor, and the dates and times that they operate. The register must be kept available for inspection by the Police and authorised officers of the Local Authority.
9. An incident recording book shall be maintained at the premises showing details of the date and time of any assaults, injuries, accidents, interventions by staff or ejections, as well as details of the members of staff involved, the nature of the incident and the action/outcome. The book must be kept available for inspection by the Police and authorised officers of the Local Authority.

The Protection of Children from Harm:

10. A refusals record shall be maintained recording the date and the time of all attempts by persons under the age of 18 to purchase alcohol and any other refused sales. The record shall be made available for the viewing by the Police and/or authorised officer of the Local Authority on request and shall contain the reasons for the refused sale.
11. A Challenge 25 policy will apply and Proof of age will be required from any person who appears to be under the age of 25 years who attempts to purchase or consume alcohol. The means of verification should be a form of identification which bears their photograph, date of birth and a holographic mark and should be restricted to:-
 - P.A.S.S Accredited Proof of Age Schemes e.g, Citizen Card,
 - Proof GB
 - Photocard driving licence or passport.
12. Signage shall be displayed in a prominent position within the premises informing of the Challenge 25 policy.
13. Premises to keep up to date records of staff training in respect of age related sales, in written or electronic format, available for inspection on request by an authorised officer. Staff will be trained, before making sales of alcohol, in their responsibilities under the Licensing Act 2003.



I believe that the conditions suggested are proportionate, are in line with this type of premises and will help promote the Licensing Objectives.

The application also proposes that Trevor RICHARDSON become the DPS of the premises. Nothing is known to their detriment so there are no objections to this appointment.

The above information is submitted for your information and consideration.

Yours sincerely,

Nick Bailey

Police Licensing Officer
(On behalf of the Chief Officer of Police)

Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.
South Wales Police welcomes receiving correspondence in Welsh and English.
Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.



Jeremy Vaughan
Prif Gwnstabl | Chief Constable

Heddlu De Cymru
South Wales Police



Mae'r dudalen hon yn fwriadol wag