



## **IS-BWYLLGOR DEDDFAU TRWYDDEDU A GAMBLO**

**10.00 AM - DYDD LLUN, 12 CHWEFROR 2024**

### **CYFARFOD AML-LEOLIAD - SIAMBR Y CYNGOR PORT TALBOT A MICROSOFT TEAMS**

1. Cyhoeddiadau'r Cadeirydd
2. Datganiadau o fuddiannau
3. Cais am adolygiad o drwydded safle (*Tudalennau 5 - 72*)
4. **Eitemau brys**  
Unrhyw eitemau brys yn ôl disgrisiwn y Cadeirydd yn unol ag Adran 100BA(6)(b) o Ddeddf Llywodraeth Leol 1972 (fel y'i diwygiwyd)
5. **Mynediad i Gyfarfod - Gwahardd y Cyhoedd**  
Yn unol ag Adran 100A(4) a (5) o Ddeddf Llywodraeth Leol 1972, bod y cyhoedd yn cael eu gwahardd ar gyfer yr eitemau busnes a ganlyn a oedd yn ymwneud â datgelu gwybodaeth eithriedig yn ôl pob tebyg fel y'i diffinnir ym Mharagraff 13 o Ran 4 o Atodlen 12A o'r Ddeddf. uchod ac yn unol â rheoliad 14 o Reoliadau Deddf Trwyddedu 2003 (Gwrandawriad) 2005.
6. Atodiad 8 - Esemptiad o dan baragraff 13 Rhan 4 o Atodlen 12A 100BA(2) a (7) o Ddeddf Llywodraeth Leol 1972

**K.Jones**  
**Prif Weithredwr**

**Aelodaeth y Pwyllgor:**

**Cadeirydd: A.J.Richards**

**Is-gadeirydd: Y Cyngorydd J.Henton**

**Aelodau: S.Paddison**

c.c. Superintendent of Police, Neath  
Chief Fire Officer, Neath

**Appendix 8 to this report only: Not for publication pursuant to Section 100BA (2) & (7) of the Local Government Act 1972 and the undermentioned Exempt Paragraph 13 of Part 4 of Schedule 12A to the above Act. In all the circumstances of the case, pursuant to Regulation 14 of the Licensing Act 2003 (Hearing) Regulations 2005, the public interest in maintaining the exemption, is considered to outweigh the public interest in disclosing the information.**

**NEATH PORT TALBOT COUNCIL**

**Licensing and Gambling Acts Sub Committee**

12th February 2024

**Report of the Head of Legal Services – Craig Griffiths**

**Matter for Decision**

**Wards Affected:** Glynneath Football Club

**Application for the Review of a Premises Licence**

**Purpose of the Report**

1. To consider an application by South Wales Police for the review of the premises licence for Glynneath Town Football Club

Premises Name	Glynneath Town Football Club
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Premises Address	12 High Street, Glynneath, Neath, SA11 5BR
Premises Licence Holder Name	Glynneath Town Football Club Ltd
DPS Name	Mr Christopher Foote
Applicant Name	Mr Nicholas Bailey
Applicant Address	South Wales Police, Western BCU, Neath Police Station, Gnoll Park Road, Neath, SA11 3BW

## **Executive Summary**

2. This is an application under the Licensing Act 2003 for a review of the premises licence for Glynneath Town Football Club.
3. The application for review has been submitted by South Wales Police on the grounds of the prevention of crime and disorder, public safety and the protection of children from harm.
4. Additional representations were received from Legal Regulatory Services (Licensing), Environmental Health and a local resident.

## **Background**

5. At any stage following the grant of a premises licence, a responsible authority may ask the licensing authority to review the licence because of a matter(s) arising at the premises in connection with any of the four licensing objectives.
6. When a licensing authority receives an application for a review from a responsible authority, it must arrange a hearing; the arrangements for which must follow the provisions set out in regulations.
7. Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:

- Modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition).
- Exclude a licensable activity from the scope of the licence.
- Remove the designated premises supervisor.
- Suspend the licence for a period not exceeding three months;
- Revoke the licence.

## **Grounds for Review**

(The following is information taken directly from the application for review)

8. On behalf of the Chief Officer of Police I formally make an application for the review of the Premises Licence of Glynneath Town Football Club (premises licence number 0149) 12 High Street, Glynneath, Neath in the County Borough of Neath and Port Talbot.
9. The grounds for the review are as follows:
10. It is the belief of the Police that there has been a significant, and prolonged failure of the management of the premises to promote the licensing objective of preventing crime and disorder and that the current Designated Premises Supervisor has failed to take the necessary steps to address the issues that have been highlighted to him during engagement with responsible authorities and which should have been obvious to him, as an operator of a premises within the night time economy.
11. We believe that the examples highlighted below demonstrate that there needs to be significant change at the premises to ensure that the licensing objectives are promoted and the customers attending there remain safe.
12. The licence for this premises was transferred in February 2021 during the period of the Covid crisis and lockdown which lasted, in one form or another, until 19th July 2021 when all Covid restrictions were lifted.
13. Since Mr FOOTE took over as DPS there have been 31 reported incidents relating to the premises.

14. Six relate to the Covid breaches, eight relate to alcohol related violence and ten relate to reports of underage drinking/sales/events at the premises.
15. Incident 1
16. Eight days after Glynneath Town Football Club Ltd taking over the licence and running of the premises reports began to be received of Covid breaches at the premises, with complaints being received on 10th February & 13th February, and further reports were received on 1st May, 8th May, 15th May, 2 on the 30th May and 20th June.
17. On 5th May 2021 I wrote to the then DPS following a visit about a number of covid breaches and the steps needed to rectify the issues identified. (attached as Appendix 1) On 7th May 2021 an application was received to vary the DPS to Mr Chris FOOTE, who remains the DPS to this date.
18. On 25th May 2021 following another visit, where a number of Covid breaches were again discovered, a Covid Improvement Notice was issued by Neath Port Talbot Council. (attached as Appendix 2) giving the operators 7 days to put appropriate measures in place.
19. On 16th November 2022 a report was received on an event having taken place at the premises at which there was a high number of underage children present and I again spoke with Mr Harris and warned him that events such as this would cause the premises problems if they continued.
20. On 1st August 2022 staff at the premises reported finding a knife with what was described as a 6 – 8 inch blade, hidden under a sink in one of the toilets at the premises. While I was grateful that the item was found by staff the question must be asked how did the knife get into the premises unnoticed.
21. On 29th January 2023 an assault was reported that occurred at the premises requiring the injured party to attend Morriston A&E to have stiches in a facial wound. The victim reporting having been drinking alcohol at the premises and standing at the bar waiting to be served again when he was assaulted by 3 other males. The victim was 17 years of age. On receipt of this report, I spoke with Mr Johnny Harris and, as I knew there was a sophisticated system at the premises, requested that he make CCTV footage available to assist the investigation. None was supplied despite another request also being made by the investigating officer.

22. A check of the licence conditions showed that there is no condition relating to a requirement for CCTV to be held or supplied on request, so there is no consequence to not supplying footage if requested.
23. I believe that all of these incidents show a disregard for the regulations that were in place at the time and which were designed to keep people safe to the extent that they undermine the licensing objective Public Safety.
24. Incident 2.
25. On the 16th February 2023 a report was received that the following Friday & Saturday (17th & 18th February) there were to be two 17th birthday parties held at the venue. I rang Mr Harris and spoke to him while he was at work. I again outlined the risks of holding such events and backed this up by sending Mr Harris a letter (attached as Appendix 3) again warning him against holding such events. He assured me, as outlined in the letter, that the only party booked was a 50th Birthday party.
26. Despite this assurance on the 17th February (one of the dates suggested for a 17th Birthday party) officers attended the report of a collapsed female having a cardiac arrest. What they in fact found was a large event at the club getting out of hand and a young female having been carried out of the premises in a collapsed state. The female, and her friends, who were all spoken to, was in a group of 15 and 16 year old girls attending the event.
27. They recounted that they had all been inside and all admitted drinking alcohol actually saying, 'well we weren't drinking pop were we'. They stated that the collapsed girl had 'gone off with some boy they didn't know' and minutes later after she returned appearing to be very drunk, she collapsed and they called an ambulance. She was carried out of the premises and taken to side of the road opposite to await the arrival of an ambulance.
28. It is evident from the footage of officers attending that a large proportion of those attending appeared younger than 18, with a number actually being spoken to and identified as being under 18, with some admitting to being as young as 15 (attached as Appendix 4).

29. Footage included in Appendix 8 – Body Worn Video entitled ‘2202 170223 PCSO 57202 Conversation with Chris Foote’ will show staff asking officers, through an open window, can you get rid’ of the people outside and later telling officers that they’re checking ID’s inside so what happens outside isn’t their responsibility. They are reminded by officers that the sole reason the people have come to the club is for their event.
30. The same member of staff then went on to say that they’d bought bands off friends or people who were 18 demonstrating, I believe, that they premises management had no control over the sale of bands or idea of how this was being done and they clearly had no idea of how many might turn up.
31. Footage included in Appendix 8 – Body Worn Video entitled ‘2215 170223 PC8264 Shows numbers and conversation with Chris Foote will show the DPS Mr Foote admitting that there was an organised party taking place which, from the footage, contradicts Mr Harris’s assurance that it was a 50th Birthday party. The footage will also show cover the issues of door staff not being employed as they can only use ‘proper door staff’ which they have to pay for and which he claims he can’t get.
32. He then also appears to admit that there were no ID checks taking place, other than at the bar and the reason given is that he’d been told by Licensing that only trained door staff can ID people.
33. I can categorically say that at no point have ether I, or colleagues from the Local Authority Licensing Team, ever told Mr Foote that he could not check a customer’s ID before they enter his premises. The only conversation I have ever had with him about what he can and cannot do regarding searching people prior to entry, as this is a role carried out by staff licensed by the Security Industry Authority (SIA).
34. The exchange, I believe, demonstrates that the main consideration when running of these events is reducing costs & generating profit rather than the safety of those attending and that either he does not understand how far his authority extends as the DPS of a premises or that he is trying to deflect responsibility when talking to the attending officers, for not doing something onto Licensing staff, who are not present to contradict him, about a subject matter that the Police officer he was talking to about a subject the officer would not have expert knowledge about.
35. Footage included in Appendix 8 – Body Worn Video entitled ‘2204 170223 PCSO 57202 advised 17+ event’ will show a PCSO establishing



that the method of advertising was via Facebook and that the event advertised as a 17+ event and was called 'Half Term Madness' once again, clearly not a 50th Birthday Party.

36. A time and date of 21st February was arranged to meet Mr Harris at the premises 10.30am between myself, Mr Harris and Mr Malough of the Local Authority Licensing Team, to view the footage captured on the premises CCTV of both the assault on the 29th January 2022 and to demonstrate that there had not been any underage parties over the previous weekend.
37. When the appointment was being made over the phone by Council staff Mr Harris asked a member of the NPT Licensing team, whether he actually had to supply CCTV as a result of the request I had made. He was told that as there was no condition requiring it, he would not be in breach of a licence condition if he did not supply any footage.
38. On our arrival Mr Harris said that he didn't know how to operate the CCTV system but did know the password and that he was happy for me to look at the footage if I knew how to access it on the hard drive. On looking at the CCTV hard drive it became apparent that there was no footage stored at all. When I looked at the system operating logs it showed that the system had been reformatted at 10am that morning, overwriting any footage that had been previously recorded.
39. I told Mr Harris about this and explained that as this was now the second occasion that CCTV footage had not been available, that I suspected that it had been done deliberately to remove any incriminating footage showing the possibility of underage sales at the premises he claimed vehemently that this was not the case and said that it must have been a power surge or something similar, as he wouldn't know how to do anything like that.
40. A condition relating to the use of CCTV at the premises and a requirement to retain footage for a set period of time and a requirement to supply footage on request (as outlined below) while not guaranteeing that footage would be supplied, would put in place repercussions should something similar happen again.
41. The events held on 17th which was attended in such numbers, by children, many of whom admitted to officers that they were under 18 and who had paid on the door to enter, without challenge about their age, and the disorder and disruption caused to a significant number of people in

the vicinity that night, I believe undermines both of the licensing objectives of preventing crime and disorder and of protecting children from harm.

42. The fact that on officers attendance found that both doors of the premises were locked preventing either ingress or egress, and which results in people asking officers for help to get out of the front door shows that, had anything untoward happened inside the venue there was no means of escape which, I believe, undermines the licensing objective of public safety as it created an environment in which there was no means of escape from the building without someone inside unlocking doors or electric shutters first.
43. Incident 3
44. 3. On 22nd October 2023 officers attended a report of 50+ people fighting outside the premises. While there was no fight outside when they attended, (occ: 2300358980). A number of people had been ejected due to issues with then being underage which had led to the noise and nuisance which had resulted in the call to Police.
45. When I spoke with Mr Harris after the event I did establish that a 17+ event had been run at the premises, organised by a member of Glynneath Rugby Club, and which started at 7.30pm There were no SIA door staff at the event and ID checks were allegedly carried out by bar staff.
46. At about 9pm the previous evening Police staff had earlier driven past the beer garden and recorded footage to show that there were a number of people in the outside area and confirming that the premises was busy. (attached as Appendix 5).
47. PC Wallen, at my request, sent a request and an upload link for footage from both the door and the upstairs bar area to Mr Harris, which he did. To date no footage has been uploaded or supplied by either the DPS or the Premises Licence holder. There is no condition requiring footage be supplied on request so he would not be in breach of a licence condition if he does not supply any footage. This is the third occasion that CCTV footage has not been supplied following a request by Police.
48. Having experienced the problems after their event in February, (mentioned above) one would expect that robust measures would be in place to prevent any trouble, or disruption to local residents from those

attending any subsequent event. Clearly from the calls that were received this was not the case and I believe that the decision not to employ SIA door staff for the event would itself, given what has happened previously, would undermine the licensing objective of preventing crime and disorder.

49. This decision, when considered with the fact that they once again handed over control of their premises to a third party and the end result of the evening being emergency calls about fighting, means that the behaviour of those attending, the failure of the premises management to put robust control measures in place combine, I believe, to undermine the licensing objective of preventing crime and disorder.
50. Incident 4
51. On 27th October 2023 Police were alerted to another underage event taking place at the premises and on attendance found crowds, estimated to be between 300 – 400 young people either having just left or leaving the premises. It transpires that a 16+ event was being held at the venue organised, marketed as a 'Halloween event' and run, by Mr Keaton Davies, who is believed to be the stepson of the DPS, Mr Chris Foote.
52. On officers' attendance it became clear that neither Mr Foote nor Mr Harris had been present at the event and that, in effect, the premises had been handed over to Mr Davies to run his event. It was clear that there was no proper control over the ticket sales and that a lot more than expected had turned up. The event was initially ticket only but, during discussions after the event, at my meeting with Mr Harris, it became clear that these sales were initially slow so it then became a 'pay on the door' event which attracted people from as far afield as Swansea, Ystradgynlais and even Cardiff.
53. There was no SIA door staff provision at all, and when a member of staff was asked by a PCSO how many had attended they were told that the clicker had got to 371 before it got too busy to keep count any more. When I asked Mr Harris what the capacity of the premises was he stated that he thought it was 150. This would mean that the event was being run at more than double the capacity of the premises as Mr Harris understood it to be. I have included some screenshots from the extensive Body Worn Video captured by the attending officers to show just how busy it was (attached as Appendix 6).
54. Pc Wallen also re-entered the upstairs function room after it had been cleared to check the room over and had found that the fire escape stairs,

leading to the ground floor, had been blocked and was being used as a storage area. I have taken screenshots from the footage which are attached as Appendix 7) This, when considered alongside the overcrowding witnessed, poses a very serious risk of restricting the number of people able to exit the room in an emergency and is a staggering breach of the licensing objective of promoting public safety and would, I believe had the fire service discovered it, resulted in a prohibition notice being served on the premises.

55. Mr Harris admitted that the event had quickly got out of control and Mr Foote had attended as soon as he was contacted by staff who were telling him how crowded it had become. Mr Harris showed me footage from the night on his mobile phone that showed the beer garden from the main gate to the door of the premises from just before the doors opened, which was severely overcrowded. He also showed me footage from about 30 minutes later the upstairs function room showing from the bar into the room and I could not see any free space with people queuing at the bar at least 5 - 6 people deep. It was clear that it was not possible for staff to effectively ID check anyone and there was no evidence seen on the footage, that I saw, to show that they were.
56. I have attended courses on 'Public Safety at Events' and a 'Large Events Course' which deal with the safety concerns and control measures normally seen at large festival or concerts and at such event the responsible organisers normally calculate for between 2.5 – 3 people per square metre for safety. What I saw on both the beer garden, and upstairs function room cameras far exceed that, with my estimate being a minimum of 5 – 6 people per square metre, approximately double the limit considered to be safe.
57. I have, during my 40 year Police career, worked in many situations involving large crowds ranging from crowds at football matches, demonstrations in excess of 130,000 people, the 2012 Olympics and riots. I have worked at stadiums across the UK including the Principality, Wembley and many Premierships grounds across London, and I have received training in crowd dynamics, so that I can recognise a potentially crush situation when I see one.
58. What I saw on the footage was one small step away from a 'crush situation' with little or no control measures in place and no one qualified, or able to deal with the situation should it have deteriorated which is could

have done for a variety of reasons. I believe, that this constituted a breach of the licensing objective of promoting public safety.

59. It was also another occasion where the management team of the premises have handed over control of the premises to someone who has no formal connection with the club and when they have again chosen to step away completely from the event as if this absolves them of any responsibility for what happens at it.
60. PC Wallen, at my request, sent a request and an upload link for footage from both the door and the upstairs bar area to Mr Harris, which he did. To date no footage has been uploaded or supplied by either the DPS or the Premises Licence holder.
61. There is no condition requiring footage be supplied on request so he would not be in breach of a licence condition if he does not supply any footage. This is another occasion that CCTV footage has not been supplied following a request by Police.
62. The event held on 27th, less than a week after the previous problem event, was attended by a large percentage of people who, again, admitted to officers that they were under 18 and who had paid on the door to enter, without apparent challenge, the overcrowding within the premises combined with the failure of the management team to ensure that anyone under the age of 18 attending the premises does not have access to alcoholic drinks, purchased or smuggled in, undermines the licensing objectives of preventing crime and disorder and of protecting children from harm.
63. Having experienced the problems after their previous events, one would expect that robust measures would be in place to prevent any trouble, or disruption to local residents from those attending any subsequent event. Clearly from what was captured on the Body Worn Video footage this was not the case and I believe that the decision not to employ SIA door staff for the event, to once again give over control of their premises to a third party, given what has happened previously, combine to undermine the licensing objectives of preventing crime and disorder and of protecting children from harm.
64. Footage included in Appendix 8 – Body Worn Video entitled ‘2042hrs 271023 Arrival at scene’ will show the numbers of people outside the premises, the overcrowding inside the premises and the disruption to the local residents by the event. The overcrowding is shocking and it is clear

that there is no one from the premises management team on site to oversee the event is a failure of the management of the premises.

65. The further footage captured by Pc Wallen of the fire escape and how it was blocked, included in Appendix 8 – Body Worn Video entitled ‘2216hrs 271023 Fire exit concerns’ show just how perilous the situation of the upstairs function room actually was and meant that the only method of escape for an already overcrowded room, was via the main doors and stairs. I believe that this undermines the licensing objective of public safety.
66. Incident 5
67. Just five days later, a report was received about yet another underage event at the premises, this time when officers attended, although it was again clear that an event was taking place, they found that both the front and back doors were locked, preventing them gaining access to the premises. The attending officers felt that this was a clear tactic to prevent officers quickly entering the premises, as I believe, they were aware that there were already going to be repercussions about what they were doing because of the previous event 5 days earlier.
68. Eventually, after hammering on the door for some time, the officers were let in by a member of staff. They estimate that when they entered there were between 100 – 150 people in the premises, some with drinks in their hands, and with empty bottles strewn everywhere. The bar staff said that they had been checking ID’s at the bar before serving anyone, while also saying that they would have needed ID to get in initially.
69. Officers asked a number of people inside the premises, who they suspected of being under 18 and who were either drinking what appeared to be alcohol, or had alcoholic drinks on the table in front of them for ID and only one person was able to provide proof of age, despite staff saying they were checking everyone’s ID.
70. Once again there were no SIA door staff working so it is not clear who would have been checking ID’s other than bar staff. Enquiries revealed that the person organising the Halloween event was a student at Ysgol Maes y Derwyn and was a party for years 12 & 13 (age range 16 – 18).
71. Once again it appears that the premises had been handed over to the organiser with the only ‘staff’ of the premises present being bar staff. When I spoke with Mr Harris about the safety of having both doors

locked, he stated that it had been done to prevent the overcrowding seen at previous events and, 'as a former fireman', he was well aware that doors could be locked as long as someone was present who had access to unlock the doors if needed.

72. I am unsure whether this is actually the case and I'm sure this would have been great comfort to anyone had there been a fire at the premises. Having all of the exit doors of the premises locked preventing easy escape from the building in the event of an emergency, in my opinion, undermines the licensing objective of public safety.

73. PC Wallen, at my request, sent a request and an upload link for footage from both the door and the upstairs bar area to Mr Harris, which he did. To date no footage has been uploaded or supplied by either the DPS or the Premises Licence holder. There is no condition requiring footage be supplied on request so he would not be in breach of a licence condition if he does not supply any footage. This is yet another occasion that CCTV footage has not been supplied following a request by Police.

#### 74. CONCLUSIONS

75. Despite the issues identified in this application it is only fair to review how, if at all, the management of this premises have breached their obligations under the licensing act.

- Are people under the age of 18 allowed into the premises – Yes
- Is the premises allowed to hold events for persons under 18 - Yes
- Are the DPS or Premises Licence Holder duty bound by a licence condition to supply CCTV footage to Police on request – No
- Do the management team commit any offence by handing over control of their premises to an untrained third party – No
- Is there clear evidence that person under 18 have been able to purchase alcohol at the premises – No
- Is the premises duty bound by a licence condition to employ SIA door staff – No

76. What is clear however is that although the management of the premises have not breached any licence conditions they have, I believe, they clearly have not promoted the licensing objectives as well as they should,

or could have done which has resulted in many children being put at risk at the premises. Some have become victims of assault, some had suffered issues as a result of alcohol consumption and while I have no evidence to definitively prove alcohol sales to persons under 18 there are enough people who have attended these events who have admitted to Police that they have consumed alcohol in the premises that I believe that we can assume that, while I accept some may have smuggled alcohol in, not every one of them smuggled alcohol into the premises at events held there. A situation made easier by there being no SIA door staff present.

77. I believe that the measures in place to prevent alcohol sales, i.e. the age verification policy, was not robustly implemented, sometimes by choice and on other occasions by the fact that, due to the numbers attending it was practically impossible to enforce. Even these occasions do not excuse the sales as the premises should never have been that crowded in the first place.
78. Looking at the above questions it becomes clear that if action is not taken to put robust measures in place at the premises, then the scenes that we have witnessed and about which I make reference, will continue to happen without sanction to members of the premises management as they are not breaching any condition of their licence in doing what they have done.
79. Let me also make it abundantly clear that the issues at the premises appear to be when they hold underage events or regulated entertainment and not the normal business. In my professional experience events such as this cannot be run without an overwhelming number of staff and with robust control measures properly enforced, none of which apply in this case. It is also my professional advice, when sought, that events such as these will inevitably lead to issues as soon as social media advertising becomes involved as the organisers then cease to have control of marketing their own event.
80. Section 11.10 of the Section 182 guidance states that it is good practice for responsible authorities to engage with licence holders, give them early warning of their concerns and and the need for improvement, and where possible they should advise the licence or certificate holder of the steps, they need to take to address those concerns.
81. To give the licence holder every opportunity to avoid a review being submitted, I met with him to explain that a review was being considered



and the remedial measures that would be sought during such a review to see whether he was prepared to instigate the changes himself, removing the need for a review, but his only question was whether, at the review, we would be seeking a revocation of the premises licence.

82. In fact, since the meeting he has had the CCTV requests mentioned in points 3, 4 & 5 above, and has not submitted the footage requested, indicating to me that without the changes to the conditions outlined we will be no further forward.
83. Mr Harris has confirmed that premises bar staff were working on the nights in question when it is believed that there were numerous sales of alcohol to people under the legal age, which brings me to question the training they have received or their willingness to apply it if they have received proper training, in which case all staff need to be receive fresh training and this may take some time.
84. It is clear that 'in house training' where staff are shown as they work what is required that Mr Harris said his staff receive has not worked and a more formal approach to training is needed, potentially from an outside provider. This however will take time and I would therefore ask that the committee to consider how much time would be needed to ensure this is done when considering their decision.
85. As a result of this position, I am left with no other option than to submit this review and ask the Committee to consider whether the measures requested are proportionate and will enable, if followed, the premises to operate without undermining the licensing objectives in the future.
86. I am not aiming to penalise a business and make it incur a financial penalty or a reduction in its trade but I believe that if all of the changes suggested, which are designed to support the four licensing objectives, and which I believe are necessary, are adopted by the Premises Licence Holder, that the premises should be able to continue to operate, but with a significantly higher level of oversight by the new DPS, a professional security team and a set of robust conditions that leave the DPS with a clear understanding of what is expected of them, which in turn will lead to a much lower risk to those attending as customers.
87. The Video footage contained with Appendix has not been served with this application in accordance with GDPR due to the number of children captured on the footage. The footage will be made available for a private

viewing before any hearing and made available for viewing at any subsequent committee hearing.

88. Recommendations

89. It is the view of the Chief Officer of Police that these premises pose enough risk to those attending the venue and that they are undermining the licensing objectives of Preventing Crime & Disorder, Protecting Children from Harm and of Public Safety by virtue of the following actions, or failures of the premises management in terms of;

- handing over control of the premises to unqualified people leaving events run with no input from either the DPS or PLH.
- by failing to ensure that anyone under the age of 18 attending the premises does not have access to alcoholic drinks, purchased or smuggled in.
- by failing to ensure that there is adequate supervision of the premises when licensable activity is taking place.
- by allowing significant overcrowding, they are failing to provide a safe environment for those attending the venue including significant numbers of children.
- by failing on a number of occasions to provide CCTV footage requested because, it is believed, the lack of CCTV footage then hides their own failures to promote the licensing objectives.
- By failing to ensure that the staff that are employed at the premises have sufficient training in the sale of age related products.
- that there is no control of ingress, egress, or the behaviour of their customers either inside or in the immediate vicinity of the premises when attending events promoted by the premises.

90. We believe that these failures warrant consideration of significant changes at the premises as outlined below;

91. The current DPS, Mr Chris Foote, does not appear to exert sufficient control at the premises and by handing over control of his premises to young people, apparently unconnected with the football club to run events as they see fit, does not appear to be bother about having much oversight of what actually happens at the premises and as a result the Police take

the view that he does not have sufficient control of the day to day running of the premises to be considered effective & request that he be removed as DPS.

92. Having looked carefully at the premises licence conditions, of which excluding the mandatory conditions it is clear that, a number of new conditions need to be added as none of the actions outlined in the evidence above actually breach a licence condition. I would therefore request that all conditions, other than the mandatory conditions be replaced with the following.
93. No open glasses or bottles should be brought into or out of the premises by customers.
94. No entry/re-entry from 45 minutes before the last permitted hours.
95. Prominent, clear, and legible notices shall be displayed at all exits requesting patrons to respect the needs of local residents and leave the premises and the area quietly.
96. 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 is restricted to:-
  - P.A.S.S Accredited Proof of Age Schemes e.g,Citizen Card,
  - Proof GB
  - Photocard driving licence or passport.
97. 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 exterior perimeter of the premises

- The entrances and exits to the premises;
- The interior public areas of the premises;

98. The Premises Licence Holder will ensure that 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 and is capable of dealing with any request from South Wales Police or the Licensing Authority to download CCTV recordings in a recordable format either to USB, to an on-line evidence facility or to disc.
99. Recordings shall be made available immediately for viewing on request by police or authorised officer of the licensing authority and a copy must be supplied within [72 hours / 5 days] of any lawful request.
100. An anti-drugs policy agreed with the police must be implemented and in operation at all times whilst the premises are open to the public. A drugs drop- safe is to be installed and maintained in accordance with police requirements and provision made for random searches and drug testing procedures of patrons in accordance with police requirements.
101. Whenever regulated entertainment is provided at the premises a minimum of 2 SIA registered door supervisors will be on duty from 30 minutes before the advertised start time of the entertainment and until 30 minutes after the end of the regulated entertainment.
102. At all other times, 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. They shall also display their S.I.A licence in a reflective armband whilst on duty.
103. 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.

104. When regulated entertainment is provided the premises licence holder shall operate and maintain a counting system to monitor the number of persons entering and exiting the premises to ensure that maximum numbers are not exceeded.
105. The premises shall maintain a log of all incidents occurring at or in the vicinity of the premises. This will include details of any disorder, assaults, theft, possession/supply of illegal substances and persons ejected or refused entry to the premises. The log shall record the date and time of the incident, the personnel involved and reporting the incident, the action taken and, where appropriate, the outcome of the incident. This must be kept available for inspection by the police and the licensing authority at all reasonable times.
106. All entries in the incident log must be made prior to premises staff, including SIA door staff, leaving the premises and the incident log must not be removed from the premises. The incident log must not be removed from the premises other than by authorised Police or Council staff.
107. The premises licence holder shall ensure that all windows and doors are kept closed whilst regulated entertainment is being provided.
108. The premises licence holder shall cooperate with the police in carrying out any crime reduction or detection operation at or in connection with the premises e.g., use of drugs detection dogs, drugs itemiser.
109. No persons under the age of eighteen are permitted in the premises when regulated entertainment is taking place.
110. The Premises Licence Holder will at the end of each calendar month provide copies of the Incident Book and Refusals Log to South Wales Police
111. Respectfully submitted for consideration of the Licensing Committee.

## **Current Licence**

### 112. Supply of Alcohol

Monday to Sunday: 10:00 - 00:00

### 113. Films

Function Room Only

Monday to Sunday: 10:00 - 00:00

114. Indoor Sporting Events

Snooker Hall Only

Monday to Sunday: 10:00 - 00:00

115. Live Music

Snooker Hall & Bar

Thursday to Sunday: 12:00 - 23:00

Function Room

Monday to Sunday: 10:00 - 00:00

116. Recorded Music

Bar & Function Room

Monday to Sunday: 10:00 - 00:00

117. Performance of Dance

Function Room Only

Monday to Sunday: 10:00 - 00:00

118. Anything of Similar Description

Function Room Only

Monday to Sunday: 10:00 - 00:00

119. Provision for Making Music

Function Room Only

Monday to Sunday: 10:00 - 00:00

120. Provision for Dancing

Function Room Only

Monday to Sunday: 10:00 - 00:00

121. Provision of Late-Night Refreshment

Function Room Only

Monday to Sunday: 10:00 - 00:00

122. Opening Hours

Monday to Sunday: 10:00 - 00:30

123. Conditions attached to the licence (in addition to the mandatory conditions)

124. The Designated Premises Supervisor, Door Supervisor or nominated responsible person must ensure that drunk and or disorderly persons are not allowed access or are removed from the premises.

125. Disabled persons must be made aware of the arrangements for their evacuation in case of emergency.

126. All staff must be trained and aware of the emergency evacuation procedure.

127. Ensure that all windows and doors are kept closed whilst amplified music is being played.

128. Provide prominent signs throughout the premises and at all exits requesting patrons to leave in a quiet and orderly manner so as to minimise impact on local residents.

129. Make appropriate arrangements to avoid noise/disturbance from the disposal of empty bottles.

130. A documented procedure must be in place to verify the age of person who appear to be under eighteen years of age to prevent them gaining access to the premises and or purchasing alcohol. The means of verification should be restricted to:-

(1) Accredited Proof of Age Scheme's e.g. Portman, Validate

(2) Photocard driving licence or passport.

131. A sign indicating that the admission of children is restricted in accordance with the specified requirements must be conspicuously displayed on or immediately outside the premises in order that it can be viewed prior to entry into the premises.
132. No live music to be played on the ground floor until acoustic works have been undertaken to the satisfaction of the Environmental Health Department so as to ensure that the live music shall be inaudible inside any noise sensitive premises.

### **Relevant Representations**

133. Peter Malough - Legal Regulatory Officer. Representations attached at Appendix 9.
134. Calum Lewis - Environmental Health Officer. Representations attached at Appendix 10, 11, 12, 13 and 14.
135. Local Resident (name and address redacted). Representations attached at Appendix 15.

### **Officer Report**

136. Body worn CCTV footage provided by the Police will be available for pre-viewing at the licensing office and at the Licensing and Gambling Committee hearing only.

### **Equality Impact Assessment**

137. Not Applicable

### **Legal Impacts**

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

### **Risk Management**

139. Not Applicable



## **Consultation**

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

## **Recommendation**

141. That members determine the application after considering all relevant evidence.

## **Reasons for Proposed Decision**

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

## **Implementation of Decision**

143. The decision is for immediate implementation.

## **Appendices**

144. Appendix 1 - Covid Visit SWP letter to DPS on 05/05/21.

145. Appendix 2 - Covid Improvement Notice issued by LRS on 25/05/21.

146. Appendix 3 - SWP Warning letter re: underage drinking on 16/02/23.

147. Appendix 4 - Screenshots from an event on 17/06/23.

148. Appendix 5 - Screenshots from an event on 21/10/23.

149. Appendix 6 - Screenshots from an event on 27/10/23.

150. Appendix 7 - Screenshot re: fire safety from event on 27/10/23.

151. Appendix 8 - SWP bodyworn video footage [Not for publication]

152. Appendix 9 - Representations from LRS

153. Appendix 10 - Representations from Environmental Health.

154. Appendix 11 - Video from Environmental Health

155. Appendix 12 - Video from Environmental Health

156. Appendix 13 - Noise Abatement Notice served by EH on 15/09/21.

157. Appendix 14 - Witness Statement by EH Officer dated 27/11/23.

158. Appendix 15 - Representation from Local Resident (redacted)

## **List of Background Papers**

159. Review Application

160. Neath Port Talbot Licensing Policy

<https://www.npt.gov.uk/1689>

161. Secretary of State's Guidance

<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

162. Neil Chapple

Legal Regulatory Manager

Tel (01639) 763050

Email [n.chapple@npt.gov.uk](mailto:n.chapple@npt.gov.uk)

**Pencadlys Heddlu**

Heol y Bont-faen  
Penybont  
CF31 3SU

Mewn argyfwng ffoniwch **999**  
fel arall, ffoniwch **101**  
Gwefan: [www.heddlu-de-cymru.police.uk](http://www.heddlu-de-cymru.police.uk)

**Police Headquarters**

Cowbridge Road  
Bridgend  
CF31 3SU

In an emergency always dial **999**  
for non-emergencies dial **101**  
Website: [www.south-wales.police.uk](http://www.south-wales.police.uk)

Nick Bailey,  
Police Licensing Officer,  
Neath Police Station.  
[nick.bailey2@south-wales.pnn.police.uk](mailto:nick.bailey2@south-wales.pnn.police.uk)  
Direct Dial: 01639 640207  
Mobile: 07891 623816

Ms Rebecca JAMES,  
Designated Premises Supervisor,  
Glynneat5h FC.  
12 High Street,  
Glynneath,  
SA11 5BR.

5<sup>th</sup> May 2021

Dear Ms James

**The Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020**

Following a visit to your premises to provide updates and support about the re-opening, what the regulations mean and what is expected from premises there were a number of areas that we discussed which I need to make you aware of as they need addressing;

1. The sale of alcohol are via **table service only** & there can **no sales at the bar**.

There is no allowance within the regulations that allow for this to happen due to low staffing levels so whether you have 1 member of staff or 10 all sales must be by table service only. This means that if a premises cannot achieve this it should not be operating.

2. The requirement for social distancing measures remains as before at 2m so all gaps between customer groups **must** be 2m.

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.



The guidance does suggest that, *where possible*, these gaps should also apply to the groups of 6 if from different households. When we looked around your beer garden the tables under the gazebo need to be spaced out more to achieve this. The remaining tables did meet the 2m gaps required.

3. The regulations state that any music played **must** be at background levels.

This means that if anyone has to raise their voice to be heard above the music it is too loud. There were reports from the weekend that this was not the case at your premises. You must ensure that this is adhered to whenever the premises is open for business.

All of the issues highlighted above are breaches of either the regulations or guidance but the major concern was the sale of alcohol at the bar which **must stop immediately**. This is a breach of the Regulations and could result in prosecution or a fine.

There will be further visits to your premises and it will be very disappointing should these issues be found still to be happening.

If you have any questions or would like any further advice or help please contact me on either of the above number.

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.  
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**Notice**

The Health Protection (Coronavirus, Restrictions) (No. 5) (Wales) Regulations 2020 as amended – Regulation 26, Schedule 8, Paragraph 1

Public Health (Control of Disease) Act 1984

## Premises Improvement Notice

**Part A: Recipient**

Name: **Glynneath Town Football Club Limited (Company No. 12998973)**

**Jonathon Harris (Director), Dafydd John Davies (Director), Jon Llewellyn (Director) Christopher Foote (Designated Premises Supervisor)**

Address: **12a High Street, Glynneath, Neath**

Postcode: **SA11 5BR**

**Part B: Relating to**

Address of premises subject to this Notice: **Glynneath Town Football Club, 12a High Street, Glynneath, Neath (the “Premises”)**

Postcode: **SA11 5BR**

**Part C: Basis for Service**

This Premises Improvement Notice (the “Notice”) is served under Schedule 8(1) of The Health Protection (Coronavirus, Restrictions) (No. 5) (Wales) Regulations 2020, as amended (the “Regulations”).

I, **Neil Chapple**, designated as a relevant person for the purposes of the Regulations by Neath Port Talbot County Borough Council, consider that you are a person(s) responsible for the Premises stated in Part B and that you have not complied with your obligations imposed under regulation 16 and/or 17 of the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020 as amended, to minimise the risk of exposure to coronavirus at the premises.

**Part D: Risk of Exposure**

The basis for my decision is that you have not complied with the requirements imposed on you under Regulation 16 and/or 17 of the Health Protection (Coronavirus Restrictions) (No.5) (Wales) Regulations 2020 as amended, specifically:

1. **Have a person controlling entry to the Premises.**
2. **Require customers to be seated in the Premises in any place other than at a bar:**
  - i. **when ordering food or drink;**
  - ii. **when being served with food or drink; and**
  - iii. **when consuming food or drink.**
3. **Take all reasonable measures to minimise the risk of coronavirus at regulated premises, specifically, ensuring that customers do not participate in a gathering which takes place:**
  - i. **Indoors, or outdoors in regulated premises, which consists of more than 6 people unless all the persons participating in the gathering are members of the same household.**

---

**Part E: Action Required** This Premises Improvement Notice requires that within 72 hours of service of this Notice

Ensure that :

1. A person is controlling access to the Premises, at all times the Premises is open to the public.
  2. Customers are seated in the Premises, anywhere other than at a bar
    - i. when ordering food or drink;
    - ii. when being served with food or drink; and
    - iii. when consuming food or drink.
  3. Persons do not participate in a gathering which consists of more than 6 people unless all the persons participating in the gathering are members of the same household.
- 

**Part F: Consequences of Non-compliance**

Failure to comply with this Premises Improvement Notice, without reasonable excuse, is an offence under Regulation 42, Schedule 8 and punishable by a fine on summary conviction in a Magistrates' Court

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**Part G: Challenging This Compliance Notice**

There is a right to appeal against this Premises Improvement Notice to the Magistrates' Court. An appeal can be made:

- By way of complaint for an order, and in accordance with the Magistrates' Courts Act 1980; and
- Within 7 days after the day that this notice is issued.

A Magistrates' Court may allow an appeal outside of the time limit stated above where they are satisfied that there is a good reason for the failure to appeal before the expiry of the stated period.

A Magistrates' Court may suspend the effect of this Notice pending the determination of an appeal.

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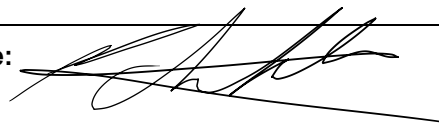
**Part H: Publicising This Notice**

Once served, a copy of this Premises Improvement Notice and a statutory sign will be affixed in a prominent position near every entrance to the Premises (to which the notice applies). A copy will also be published on the Council's website. The Notice and statutory sign must remain in place while the Notice has effect and anyone who, without reasonable excuse, removes, obscures or damages the Notice or sign commits an offence.

---

**Part H: Officer**

**Signature:**



**Name:** Neil Chapple

**Title:** Legal Regulatory Manager

**Date:** 25/05/2021

**Contact address:**

Legal Regulatory Services, Neath Port Talbot County Borough Council, Port Talbot Civic Centre, SA13 1PJ

**Office email:** [LRS@npt.gov.uk](mailto:LRS@npt.gov.uk)

**Office telephone:** 01639 763050

1001230

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**Notes****5. Appeals**

1. A person to whom a Premises Improvement Notice or premises closure notice is issued may appeal to a Magistrates' Court against the Notice.

2. An appeal must be made:

- a) By way of complaint for an order, and in accordance with the Magistrates' Courts Act 1980; and
- b) Within 7 days after the day the notice is issued.

3. But a Magistrates' Court may allow an appeal to be made after the expiry of the period mentioned in sub-paragraph (2)(b) if satisfied that there is a good reason for the failure to appeal before the expiry of that period (and for any delay in applying for permission to appeal out of time).

4. A Magistrates' Court may suspend the effect of a Premises Improvement Notice or premises closure notice pending the determination of an appeal.

5. On an appeal against a Premises Improvement Notice or premises closure notice, a Magistrates' Court may:

- a) Confirm the decision to issue the Notice;
- b) Direct that the Notice is to cease to have effect;
- c) Modify the Notice;
- d) Make such other order as the Court considers appropriate.

6. If the Magistrates' Court directs that a Notice is to cease to have effect or modifies a Notice, it may order the Local Authority for the area in which the premises in question are situated to compensate the person responsible for the premises for loss suffered as the result of the issue of the Notice.

7. An appeal by either party against the decision of a Magistrates' Court on an appeal under this section may be brought to the Crown Court.

8. On an appeal to the Crown Court, the Court may:

- a) Confirm, vary or reverse the decision of the Magistrates' Court;
- b) Remit the case to the Magistrates' Court to dispose of in accordance with directions given by the Crown Court.

Any person who without reasonable excuse, removes, obscures or damages a notice or sign required to be displayed under Schedule 8 of the Health Protection (Coronavirus, Restrictions) (No. 5) (Wales) Regulations 2020 as amended, commits an offence and may be issued with a fixed penalty notice or may be liable to a fine on conviction.

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**Advice**

If you do not understand the contents of this Notice or would like to know more about it, please contact the Local Authority. If you would like to receive independent advice about the contents of this Notice, your rights and obligations, then please contact Citizens Advice, a Housing Aid Centre, Law Centre or solicitor firm.

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Mae'r dudalen hon yn fwriadol wag



**Pencadlys Heddlu**

Heol y Bont-faen  
Penybont  
CF31 3SU

Mewn argyfwng ffoniwch **999**  
fel arall, ffoniwch **101**  
Gwefan: [www.heddlu-de-cymru.police.uk](http://www.heddlu-de-cymru.police.uk)

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Nick Bailey,  
Police Licensing Officer,  
Neath Police Station.

[nick.bailey2@south-wales.police.uk](mailto:nick.bailey2@south-wales.police.uk)

01639 640207

07971 623816

Mr Jonathan Harris,  
Company Director,  
Glynneath Town Football Club Ltd.  
12 High Street,  
Glynneath,  
SA11 5BR.

16<sup>th</sup> February 2023.

Dear Mr. Harris,

**Reports of Issues at Glynneath FC**

Firstly, apologies for disturbing you at work but I felt it was important that we spoke about the reported issues at the club before the weekend.

Secondly, as I said during our phone conversation any reports of underage drinking at licensed premises warrant a discussion with either the Designated Premises Supervisor or the Premises Licence Holder and as you are the majority shareholder of the company that holds the premises licence, I thought you would be the best person to speak to.

The reality may be very different but the information about years 10 & 11 attending your events has come from a local secondary school and has not been verified, but I would rather make sure that if any of the students think they can get served at the football club, measures are already in place to prevent that happening.

If they are not the consequences can be very severe as Sect 146 (1) of the Licensing Act 2003 creates the offence of sale of alcohol to children and says;

*A person commits an offence if he sells alcohol to an individual aged under 18.*

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



It would also be an offence of breaching your premises licence conditions, namely Annex 2, condition 7 which says

*A documented procedure must be in place to verify the age of person who appears to be under eighteen years of age to prevent them gaining access to the premises and or purchasing alcohol. The means of verification should be restricted to:-*

- ( a ) Accredited proof of age schemes e.g. Portman*
- (b) Validate, Photocard driving licence or passport*

I must admit to being relieved when we spoke about birthday parties this weekend, that you were able to reassure me that there was only a ladies 50<sup>th</sup> Birthday party upstairs and no 17<sup>th</sup> birthday parties have been booked, as I had been led to believe.

We have spoken many times in the past about the issues that birthday parties for people 18 and under have caused venues in the past and the last thing I would want to see is if the football club become victims of behaviour of youngsters attending a party at your venue.

I must warn you that the penalty for breaching either of the issues I have identified could be very severe for the football club and as you have made great strides in making it a vibrant premises, in an area with little else similar, I would hate to see that work undermined or penalised.

I am sure you, as you said during our conversation, that you will work tirelessly to make sure you do not serve any underage customers and I hope you have a good weekend at the club that goes off without incident.

I would also be grateful if you could, as you indicated, ensure that either you or, someone on your behalf, liaise with Pc Cranny to arrange collection of the CCTV that has been requested before it is overwritten.

If you have any questions or would like any further advice please contact me on either of the above numbers.

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.  
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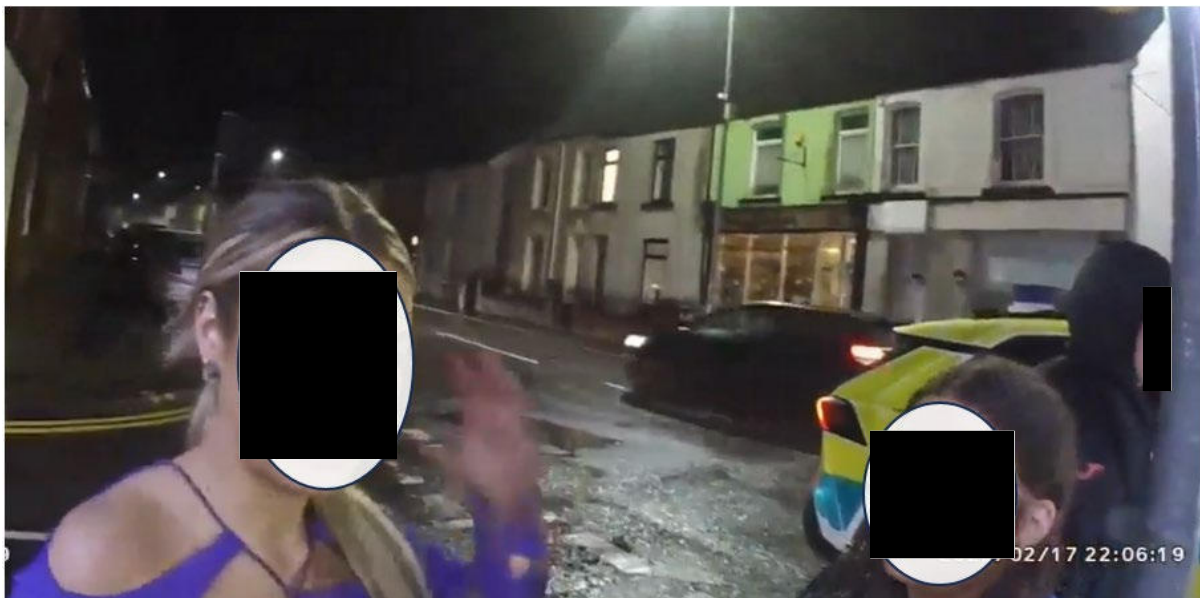


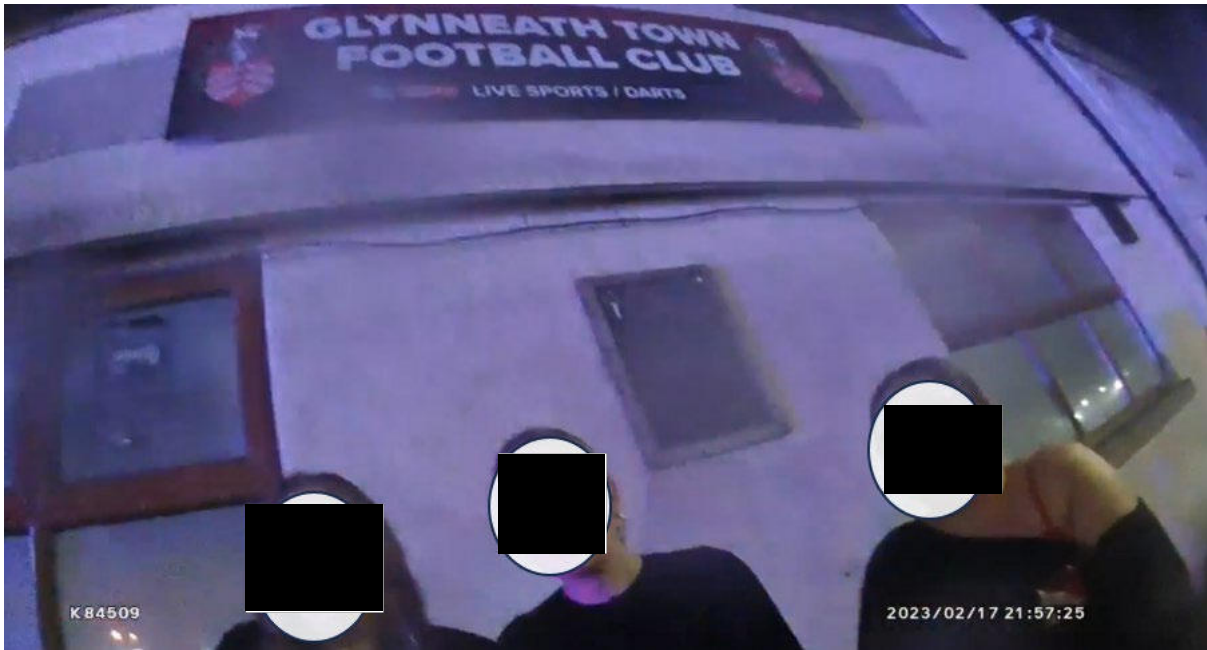
Screenshots of Event 17/06/2023

15 year old collapsed girl being carried out of the football club.



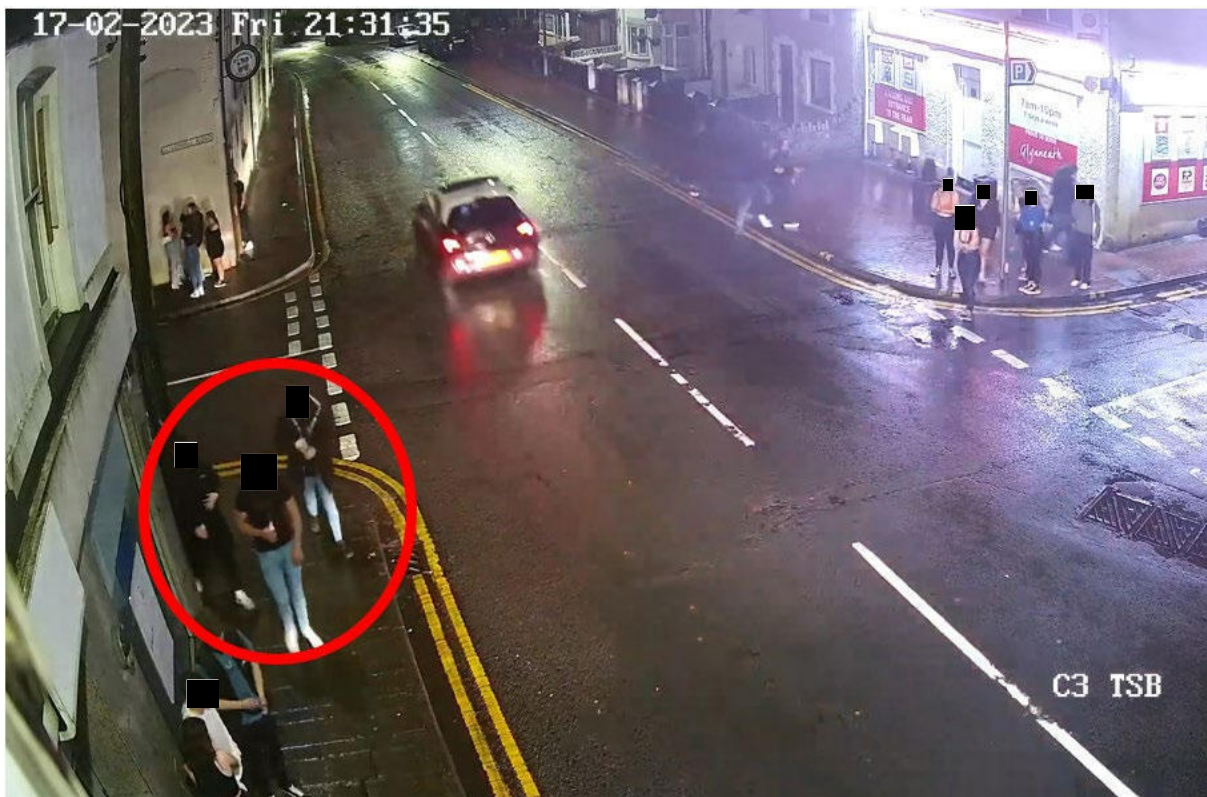
Both girls were friends with the collapsed girl, admitted having been drinking with her in the football club and both admitted being 15 years old





Three girls admitted paying to enter and aged, from left to right, 17, 16 & 17

The scene on a Friday night in the village of Glynneath



Three people walking from direction of the football club

17-02-2023 Fri 21:52:55



C3 TSB



2023/02/17 22:15:28

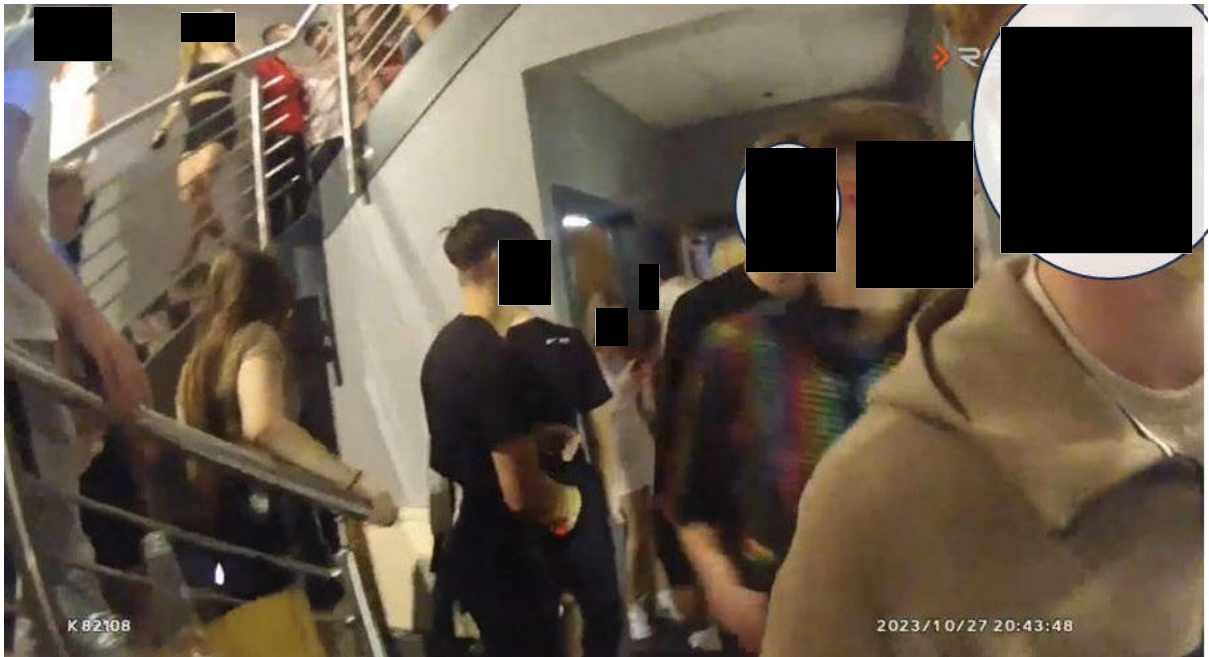
Mae'r dudalen hon yn fwriadol wag

# Drive By of Event on 21/12/23

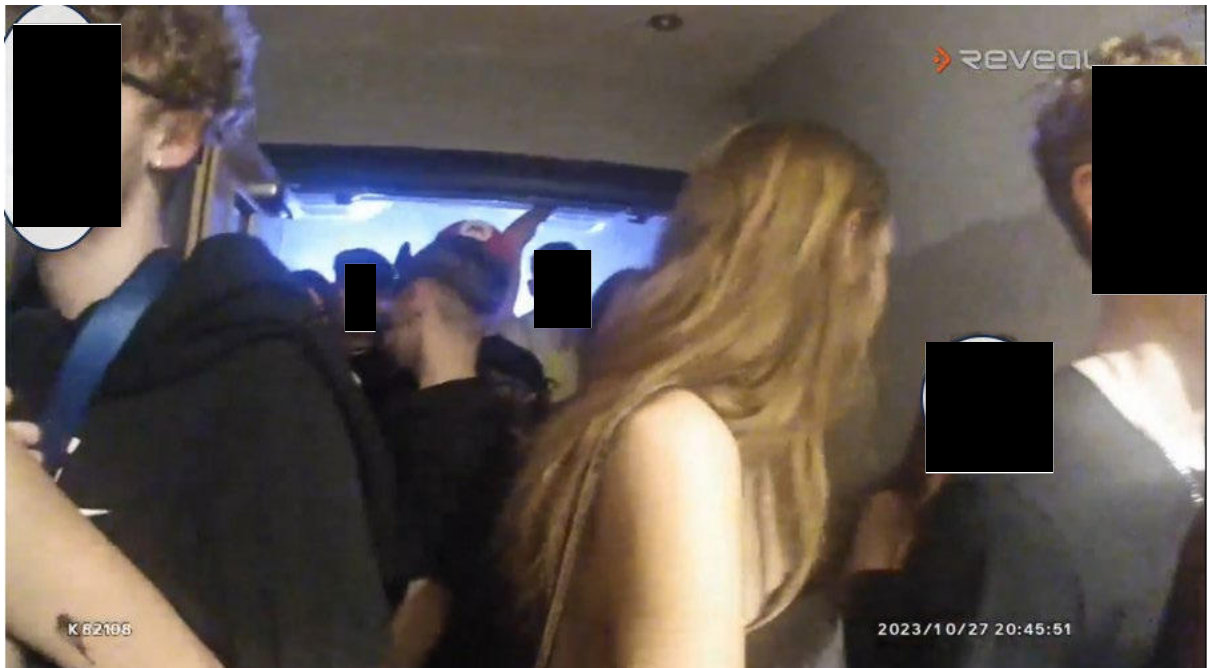
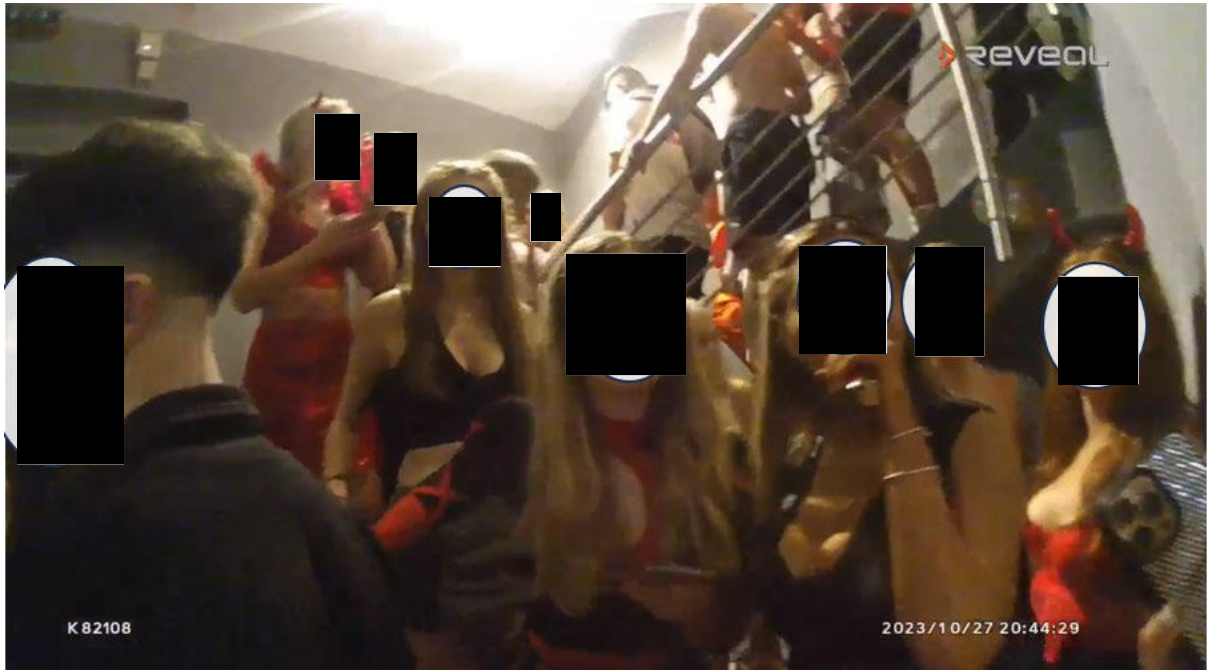


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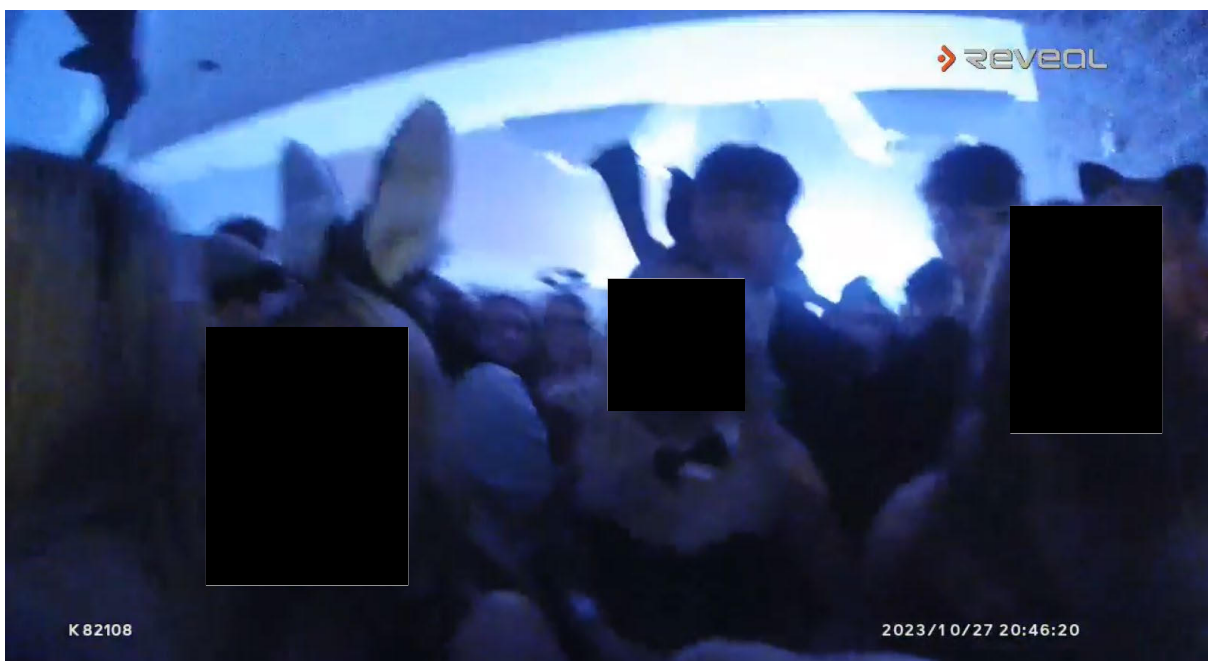
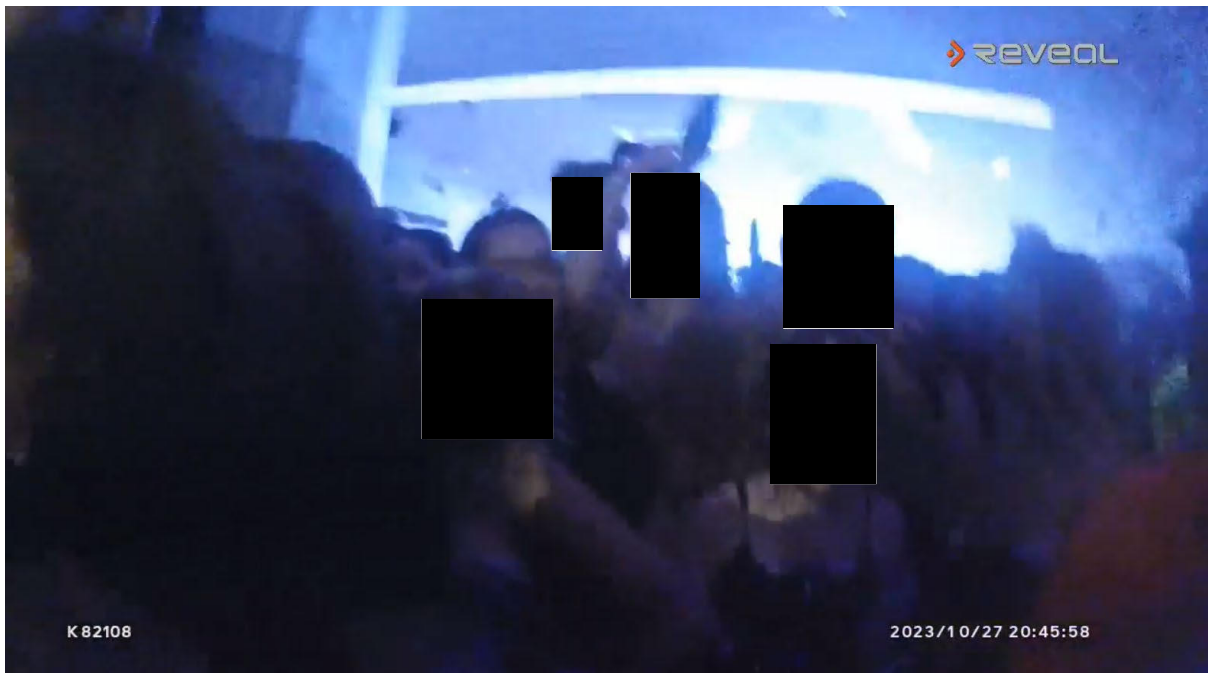


Tudalen41



Tudalen42

Inside the Function Room



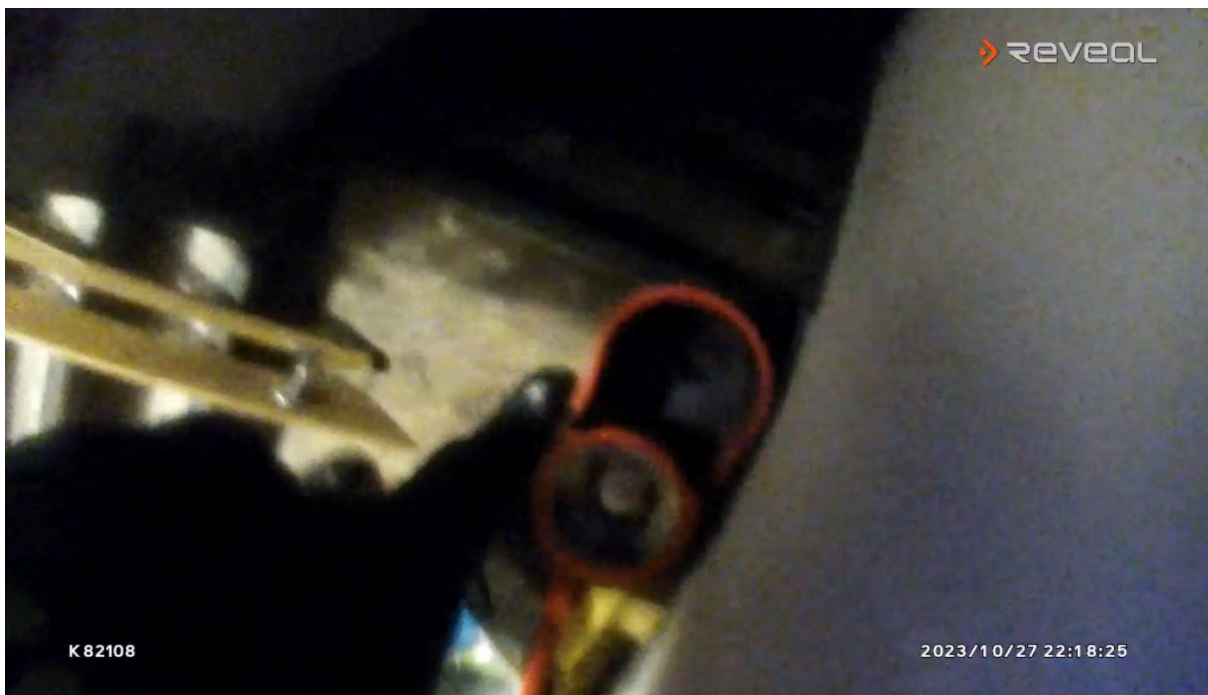
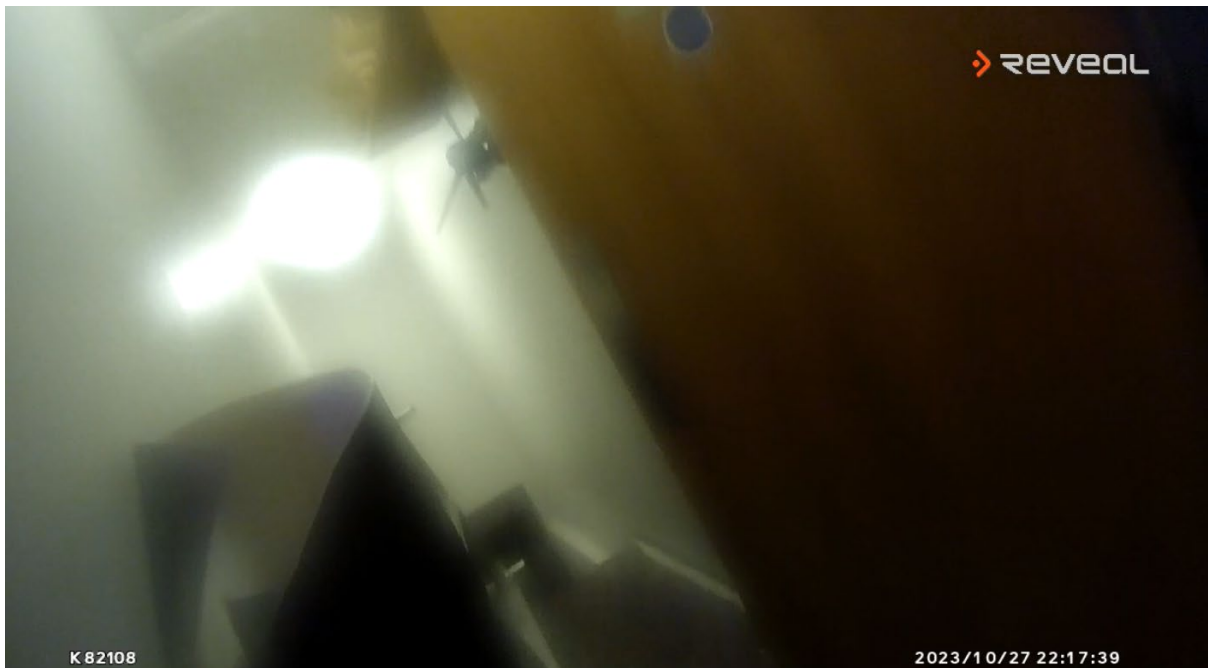
PC WALLEN: "They've had an event on tonight, to say the place is overcrowded is an understatement. I do question some of the individuals here, but it's proving it. However there's in excess of three to four hundred people here."

Individuals spoken to outside admitted travelling to the event from Swansea, Ystradgynlais & even as far as Cardiff.

Mae'r dudalen hon yn fwriadol wag

# Fire Exit from Upstairs Function Room

PC WALLEN explains that he's going to have a look at the Fire Exit and the member of staff behind the bar says, after admitting that it's his first shift and that he believes the area is used for storage "Be careful because I tripped on those stairs earlier OK"



Due to the area being so dark PC WALLEN then has to use his torch for safety which reveals the exit door...



Tudalen46

## Neil Chapple

---

**From:** Peter Malough  
**Sent:** 15 January 2024 14:25  
**To:** Sarah Bartle  
**Subject:** Review Application - Glynneath Football Club

Dear Sir / Madam

An application has been made by South Wales Police to Review the premises licence of Glynneath Football Club, 12 High Street, Glynneath, SA11 5BR.

The application outlines the reasons for this Review and why this affects the licensing objectives.

The premises is situated on the main road through Glynneath with residential properties surrounding it and has held a licence for many years. The existing licence holders are Glynneath Town Football Club Ltd who took over in February 2021 and the current Designated Premises Supervisor (DPS) is Mr Christopher Foote who took over in May 2021.

Reading the Review application it is clear the incidents that occurred during the end of October and beginning of November illustrate the failings of the licence holder and DPS to manage the premises properly. The recent spate of complaints resulted in issues at 3 consecutive events (21<sup>st</sup> October 2023, 27<sup>th</sup> October 2023 and 1<sup>st</sup> November 2023) all of which have been highlighted within the Review. The police also acknowledged that during these events customers (who were under 18) admitted they entered the premises without being challenged about their ages.

Due to the number of incidents taking place within that short period of time I attended the premises with Nick Bailey to meet with one of the directors of Glynneath Town Football Club Ltd, Mr Jonathan Harris. At the meeting Mr Harris recognised that the premises was "out of control" particularly on the 27/10/2023 as you had customers attending the premises from all over South Wales and they were just overwhelmed.

Mr Harris agreed that things needed to change and accepted that these "young person" events were the main cause for all the issues at the premises and suggested they would not be happening again.

I would agree that having events that draw in a younger crowd are very challenging to control and this Review will ensure that these events cannot take place unless properly managed with specific accountability for the licence holders and DPS.

Looking at the complaints received to the Legal Regulatory Section I can confirm since February 2021 to January 2024 15 complaints have been logged which have been made by residents, Police and Environmental Health. These have ranged from Covid issues, anti-social behaviour issues, alleged underage drinking and noise nuisance.

In dealing with these complaints Glynneath Town Football Club have been sent letters, emails as well as having a number of onsite meetings to try and resolve the matters reported. Some of these complaints have been unable to be fully substantiated due to the lack of CCTV available to investigate. It has also become apparent during these meetings how the lack of trained SIA registered door supervisors has affected the management of this premises.

The Licensing Act 2003 Guidance outlines that it is good practice for responsible authorities to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence holders of the steps they need to take to address those concerns.

As outlined above there has already been significant engagement with this premises and I feel sufficient advice has already been given to try and steer this premises in making the necessary improvements required. Unfortunately

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the failings from the most recent events mean that this Review application is the best course of action to deal with the incidents that have taken place.

The police have proposed a number of conditions which they believe will assist in promoting the licensing objectives which I support and agree with. Condition number 17 is significant as it states that no persons under the age of eighteen are permitted in the premises when regulated entertainment is taking place.

In order to comply with this condition the applicant will have to have a robust age verification policy in place whenever they decide to put on regulated entertainment. This will be enforced by the Challenge 25 policy condition which the police have proposed but I think it is important that the licence holders demonstrate they understand what is being asked of them and how they will implement this.

The deregulation of the live and recorded music means that any conditions attached to a licence that relate to regulated entertainment do not apply between 08:00 -23:00 hours unless they have been re-imposed at a licence Review hearing; I believe due to the issues highlighted by this Review the below condition should also be attached to the licence:-

*By virtue of s177A of the Licensing Act 2003, the conditions of the Premises Licence relating to regulated entertainment shall be in force between 08:00 and 23:00 hours*

If this condition is imposed it would mean that all conditions relating to regulated entertainment attached to the licence are enforceable at all times and not just after 23:00 hours.

The public safety matters raised in the Review are also concerning particularly regarding fire safety as it has been outlined that the fire escape in the function room leading to the ground floor had been blocked and was being used as a storage area. This is clearly a major cause for concern, particularly with the admissions made of overcrowding which in itself seriously undermines the licensing objectives and no doubt questions why no one in the management team was able to identify this as a potential issue.

I will add that there have been occasions when we have visited this premises out of hours and there have been no issues with anti-social behaviour, noise nuisance or under age. It is clear when this premises does have events that involve a younger audience they find it very difficult to manage and as a consequence has caused major issues for the police as well as negatively impacting the local community.

To summarise I fully support the application made by the police as the conditions requested would become legal requirements and ensure the premises is accountable for compliance to these measures. The Review also acts as a further warning to the licence holders that improvements are not only necessary but essential to support the promotion the licensing objectives.

Regards

Peter Malough

Uwchswyddog Rheoleiddio Cyfreithiol - Senior Legal Regulatory Officer

Gwasanaethau Rheoleiddio Cyfreithiol - Legal Regulatory Services

Cyfarwyddiaeth Gwasanaethau Corfforaethol & Cyllid / Finance & Corporate Services Directorate

Rhif Ffôn / Tel No. 01639 763050

We welcome correspondence in Welsh and will deal with Welsh and English correspondence to the same standards and timescales.



Croesewir gohebiaeth yn y Gymraeg a byddwn yn ymdrin â gohebiaeth Gymraeg a Saesneg i'r un safonau ac amserlenni.

If you would like to use Welsh when dealing with the Council please click [here](#)

Os hoffech ddefnyddio'r Gymraeg wrth ddelio â'r Cyngor os gwelwch yn dda cliciwch [yma](#)



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Mae'r e-bost hwn ac unrhyw ffelliau a drosglwyddir gydag ef yn gyfrinachol ac at ddefnydd yr unigolyn neu'r corff y cyfeiriwyd hwy atynt yn unig. Os ydych wedi derbyn yr e-bost hwn mewn camgymeriad, dylech hysbysu'r person a anfonodd yr e-bost ar unwaith. Hefyd, sylwer nad oes unrhyw sicrwydd nad yw'r e-bost hwn neu unrhyw ymgysylltiad yn rhydd o firws ac nad yw chwaith wedi'i ryng-gipio na'i newid.

Mae'r dudalen hon yn fwriadol wag

# Environmental Health Statement

## Glynneath Football Club

The Environmental Health department of Neath Port Talbot County Borough Council support this application to review the licence of Glynneath Football Club. We recommend that the conditions listed at the bottom of this document be added to the licence on the grounds of the prevention of public nuisance.

The Institute of Acoustics Good Practice Guide on the Control of Noise from Pubs and Clubs (2003) provides guidance for the assessment and control of noise affecting noise-sensitive properties. This guidance considers noise from a number of sources, including amplified music.

I have summarized the document's key points in relation to this application below:

- Amplified and non-amplified music are a common source of noise disturbance arising from pub, clubs, etc.
- For premises where entertainment takes place on a regular basis, music and associated sources should not be audible inside noise-sensitive property at any time.
- For premises where entertainment takes place less frequently, music and associated sources should not be audible inside noise-sensitive property between 23:00 and 07:00 hours.
- The levels of noise emanating from sources outside of buildings can often be high because there is no building envelope to attenuate the sound. Beer gardens and marquees are cited as typical examples.



There are roughly 23 residential properties and a residential care facility within 50 metres of the premises. The club has two main entrances to the front and rear of the premises.

The Local Authority's Environmental Health department have received 17 formal complaints since May 2021. All complaints relate to loud music emanating from the premises affecting complainants within their properties. There are also repeated references to anti-social behaviour from patrons, amplified music in the rear beer garden, and noise arising from car stereo systems from patrons attending the premises.

Officers of the Environmental Health department undertook an investigation in relation to complaints. During one visit to the premises, evidence demonstrating loud amplified music emanating from Glynneath Football Club was sufficient as to cause a statutory nuisance (Exhibit 1 & 2) **[Report appendix 11 and 12]** Following this visit, an abatement notice was served on the 15<sup>th</sup> of September 2021 in accordance with section 80 of the Environmental Protection Act (1990). The abatement notice was not appealed and remains permanently in force (Exhibit 3) **[Report appendix 13]**.

It is worth noting that during the course of this visit, the officer witnessed an altercation involving a large group of males that started in the beer garden and spilled into the street.

This department operates proactive inspections of licensed premises within the area in order to ensure compliance with all active notices.

During one of these proactive visits, I attended High Street, Glynneath on the 8<sup>th</sup> of April 2022 at 23:20. There were 15-20 people congregating outside. The music volume was excessive with the front door to premises closed. The music was even louder each time the door opened. The bass thudding was audible around 100m up the road. Patrons were leaning on the front walls of neighbouring properties on High Street, Glynneath. Patrons were being loud outside the front door on High Street, Glynneath. I could not see any door staff at this time.

I attended Glynneath Football Club on the 9<sup>th</sup> of April 2022 at 23:10. The music was not as loud as the previous night, though still clearly audible in the street outside. However, as the front door was open after 23:00, this demonstrates a lack of management in the control of noise from the premises.

On the 14<sup>th</sup> of April 2022, Peter Marlough and I conducted a joint visit to Glynneath Football Club. The purpose of this visit was to address the ongoing issues relating to noise and antisocial behaviour. Upon our arrival, we met with the DPS, Mr. Johnny Harris, and several other staff members. The staff insisted the premises was fully soundproofed. Upon inspecting the premises, I noted that there was a fixed sound system complete with hardwired speakers throughout the building. During this visit, I noted that there was a mixing table and speakers, independent of the hardwired sound system. Mr. Harris outlined that the equipment belonged to the resident DJ who frequently would put on entertainment for the premises.

From these observations, I concluded that while the staff could potentially achieve a relative degree of control utilizing the fabric of the building, and having a set volume for the hardwired speakers, the staff have a relatively low degree of control over the volume and bass levels of acts performing at the premises. Furthermore, any sound attenuation afforded by the fabric of the building is compromised upon the front or rear door being opened. Given the location of the club, in a semi-rural town, on a residential street, the only way to prevent live music from creating a noise nuisance would be to have a significantly high degree of managerial control. I outlined these issues to the

staff, at which point staff expressed that they would be uncomfortable intervening in visiting live acts in order to reduce volume levels.

Whilst at the premises I discussed several issues including antisocial behaviour around the beer garden, and noise arising from car stereo systems from people interacting with patrons. At this point I stressed that the premises requires SIA licensed officers in order to prevent frequent disruption to neighbouring premises. Mr. Harris repeatedly outlined the difficulties in acquiring SIA licensed personnel on a regular basis.

On the 9<sup>th</sup> of September 2022, several complainants outlined that most events for Glynneath Football Club were now being hosted at another premises. The complainant outlined that the noise was still severe, but much less frequent compared to the previous months. All other complainants repeated this sentiment.

Despite the reduced frequency of activity at the premises, we still receive complaints in relation to events and private functions.

On the 18<sup>th</sup> and 25<sup>th</sup> of November 2023, my Colleague Ryan Shoemark attended the area of Glynneath Football Club to proactively investigate ongoing complaints regarding noise nuisance arising from amplified music at the premises (Exhibit 4) **[Report appendix 14]**.

On both occasions, amplified music from the premises could clearly be heard at 50 metres away. This demonstrates that amplified music far in excess of what is acceptable is still arising from activity at the Football Club.

In conclusion, after several complaints were made to the Environmental Health Department, following an investigation, a section 80 abatement notice was served on Glynneath Football Club in relation to statutory noise nuisance. Despite this notice being in place, there has been no perceivable improvement to either the volumes levels of noise emanating from this premises, or the managerial controls in place to prevent noise affecting nearby residential properties. Though the frequency at which the Club hosts events seems to have decreased since our initial investigation, our recent site visits illustrate that nuisance arising from this premises is still an ongoing issue.

Given the history of public nuisance arising from amplified music at the premises, the Environmental Health department of the local authority recommend the following conditions:

#### **Condition 1**

By virtue of S177 (A) the Licensing Act 2003 the conditions of the Premises Licence relating to regulated entertainment shall be in force between 8.00 hours and 23.00 hours.

#### **Condition 2**

There shall be no external amplified sound (i.e. in the beer garden, car park, or anywhere else outside the curtilage of the building). This provision also includes portable amplifiers and Bluetooth speakers from both staff and customers.

#### **Condition 3**

There shall be no regulated entertainment in the form of live or recorded music at the premises until such time that the licence holder and/or owner of the premises commissions an independent acoustic consultant to undertake a Noise Impact Assessment and the recommended control measures contained within the assessment are implemented. A copy of the Noise Impact Assessment along with supporting evidence that the requirements have been complied with shall be provided to the Local Authority for written approval prior to the commencement of regulated entertainment.

To comply with the above the following criteria must be met;

- The report must be carried out by an acoustic consultant who shall be a member of the Association of Noise Consultants and a member of the Institute of Acoustics.
- The methodology for the noise assessment shall accord with current UK guidance and British Standards and agreed with the Local Authority in advance of the assessment commencing.
- Prior to implementation of the control measures the Local Authority shall be given the opportunity to review and comment on the Noise Impact Assessment and its recommendations.

#### **Condition 4**

Utilizing the report generated by **Condition 3** above, install a Noise Limiting Device. The Noise Limiting Device must be fully functional and in proper working order at all times during the playing of recorded music and retained as such thereafter. If the noise limiting device breaks down the responsible person shall inform the Local Planning Authority as soon as reasonably practicable. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. Seal the Noise Limiting Device with a tamper proof seal and retain as such thereafter.

**Condition 5**

The Premises Licence Holder or a nominated person shall carry out proactive noise observations outside the premises at least once an hour during the provision of regulated entertainment, and take any necessary remedial action. A written record of proactive external noise assessments and, where applicable, remedial actions taken shall be kept for a minimum of 31 days from the date of the last entry in the record and this record shall be available for inspection on demand by authorised council officers at all times the premises are open.

**Condition 6**

Speakers shall not be located in the entrance and exit of the premises or outside the building.

**Condition 7**

All windows and external doors shall be kept closed after (21:00) hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.

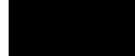
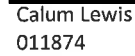
Mae'r dudalen hon yn fwriadol wag



DATE: 15/09/2021

SIGNED: 

Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

Date Dyddiad 15/09/2021  
Direct line Rhif ffôn   
Email E-bost   
Contact Cyswllt Calum Lewis  
Your ref Eich cyf 011874  
Our ref Ein cyf CLE/ 011874

Glynneath Town Football Club Ltd  
12a High Street,  
Glynneath,  
Neath, SA11 5BR

To whom it may concern,

**Re: Environmental Protection Act (1990) Section 80 Abatement Notice**  
**Address: 12 High Street, Glynneath, Neath, SA11 5BR**

Please find attached an abatement notice served in relation to section 80 of the Environmental Protection Act (1990).

If you have any queries, please contact me on the details listed above.

Yours Sincerely,

**Calum Lewis**  
**Environmental Health Officer**



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**Amgylchedd ac Adfywio**

Ceri Morris Pennaeth Cynllunio a Gwarchod y Cyhoedd  
Y Ceiau, Ffordd Brunel, Parc Ynni Baglan, Castell-nedd SA11 2GG  
Ffôn 01639 686868

**Environment and Regeneration**

Ceri Morris Head of Planning and Public Protection  
The Quays, Brunel Way, Baglan Energy Park, Neath SA11 2GG  
Phone 01639 686868

[www.npt.gov.uk](http://www.npt.gov.uk)

Croesewir gohebiaeth yn y Gymraeg a byddwn yn ymdrin â gohebiaeth Gymraeg a Saesneg i'r un safonau ac amserlenni.  
We welcome correspondence in Welsh and will deal with Welsh and English correspondence to the same standards and timescales.



DATE: 15/09/2021 SIGNED: *[Signature]*

### Abatement Notice in respect of Noise Nuisance

To Glynneath Town Football Club Limited  
of 12a High Street, Glynneath, Neath, SA11 5BR

Ref: 011874

**TAKE NOTICE** that under the provisions of the Environmental Protection Act 1990 the\*  
Neath & Port Talbot County Borough Council ("the Council")  
being satisfied of the [ ~~existence~~ ] [likely [ ~~occurrence~~ ] [recurrence]] of noise amounting to a statutory nuisance  
under section [79(1)(g)] [79(1)(ga)] of that Act at 12 High Street, Glynneath, Neath, SA11 5BR

[within the district of the Council] arising from† amplified music

[**HEREBY REQUIRE YOU**, as [[one of] the person(s) responsible for the said nuisance] [the [owner] [occupier] of the premises] from which the noise is or would be emitted] [the person in whose name the vehicle is for the time being registered] [the driver of the vehicle] [the operator of machinery or equipment], within to immediately from the service of this notice to abate the same] [and also] [**HEREBY [PROHIBIT] [RESTRICT]** the [occurrence] [recurrence] of the same] [and for that purpose require you to:‡  
abate the nuisance

~~THIS is a notice to which paragraph (2) of regulation 3 of the Statutory Nuisance (Appeals) Regulations 1995 applies and, in consequence, in the event of an appeal this notice shall NOT be suspended until the appeal has been abandoned or decided by the Court, as, in the opinion of the Council, [the nuisance to which this notice relates is [injurious to health] [likely to be of a limited duration such that suspension would render the notice of no practical effect]] [the expenditure which would be incurred by any person in carrying out works in compliance with this notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance].~~

IF without reasonable excuse you contravene or fail to comply with any requirement of this notice you will be guilty of an offence under section 80(4) of the Environmental Protection Act 1990 and on summary conviction will be liable to a fine not exceeding level 5 on the Standard Scale\*\* together with a further fine of an amount equal to one-tenth of that level for each day on which the offence continues after conviction. A person who commits an offence on industrial, trade or business premises will be liable on summary conviction to a fine not exceeding £20,000.

The Council may also take proceedings in the High Court for securing the abatement, prohibition or restriction of the nuisance. Further, if you fail to execute all or any of the works in accordance with this notice, the Council may execute the works and recover from you the necessary expenditure incurred.

~~¶¶ The period specified above for compliance with this notice shall be extended by in accordance with section 80A(4) of the Environmental Protection Act 1990.]~~

Dated 15/09/2021

Signed

*[Signature]*

Environmental Health Officer

~~¶¶ Time copy served~~

§ the officer appointed for this purpose

Please address any communications to:

Neath & Port Talbot County Borough Council  
Environment Health & Trading Standards, 2nd Floor, The Quays, Port Talbot, Brunel Way, SA11 2GG

**N.B. The person served with this notice may appeal against the notice to a magistrates' court within 21 days beginning with the date of service of the notice. See notes on the reverse of this form.**

Delete any words in square brackets which do not apply

\* Insert name of local authority. † Describe the cause of the nuisance. \*\* Currently £5000, subject to alteration by Order.  
‡ State specific works to be done or action to be taken. § Insert title of proper officer. ¶¶ This paragraph applies only where this is a copy of a notice which has been affixed to a vehicle, machinery or equipment by virtue of a determination by the local authority under section 80A(2)(b) of the Act and this copy has been served within ONE HOUR of such notice having been so affixed.

The Statutory Nuisance (Appeals) Regulations 1995 provide as follows:-

## APPEALS UNDER SECTION 80 (3) of the ENVIRONMENTAL PROTECTION ACT 1990 ("the 1990 Act")

2. (1) The provisions of this regulation apply in relation to an appeal brought by any person under section 80(3) of the 1990 Act (appeals to magistrates) against an abatement notice served upon him by a local authority.
- (2) The grounds on which a person served with such a notice may appeal under section 80(3) are any one or more of the following grounds that are appropriate in the circumstances of the particular case-
- (a) that the abatement notice is not justified by section 80 of the 1990 Act (summary proceedings for statutory nuisances);
  - (b) that there has been some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the abatement notice served under section 80A(3) (certain notices in respect of vehicles, machinery or equipment);
  - (c) that the authority have refused unreasonably to accept compliance with alternative requirements, or that the requirements of the abatement notice are otherwise unreasonably in character or extent, or are unnecessary;
  - (d) that the time, or, where more than one time is specified, any of the times, within which the requirements of the abatement notice are to be complied with is not reasonably sufficient for the purpose;
  - (e) where the nuisance to which the notice relates -
    - (i) is a nuisance falling within section 79(1)(a), (d), (e), (f), (fa) or (g) of the 1990 Act and arises on industrial, trade or business premises, or
    - (ii) is a nuisance falling within section 79(1)(b), of the 1990 Act and the smoke is emitted from a chimney, or
    - (iii) is a nuisance falling within section 79(1)(ga) of the 1990 Act and is noise emitted from or caused by a vehicle, machinery or equipment being used for industrial, trade or business purposes, or
    - (iv) is a nuisance falling within section 79(1)(fb) of the 1990 Act and -
      - (aa) the artificial light is emitted from industrial, trade or business premises, or
      - (bb) the artificial light (not being light to which sub-paragraph (aa) applies) is emitted by lights used for the purpose only of illuminating an outdoor relevant sports facility (within the meaning given by section 80(8A) of the 1990 Act), that the best practicable means were used to prevent, or to counteract the effects of, the nuisance;
  - (f) that, in the case of a nuisance under section 79(1)(g) or (ga) of the 1990 Act (noise emitted from premises), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of -
    - (i) any notice served under section 60 or 66 of the Control of Pollution Act 1974 ("the 1974 Act") (control of noise on construction sites and from certain premises),
    - (ii) any consent given under section 61 or 65 of the 1974 Act (consent for work on construction sites and consent for noise to exceed registered level in a noise abatement zone), or
    - (iii) any determination made under section 67 of the 1974 Act (noise control of new buildings);
  - (g) that, in the case of a nuisance under section 79(1)(ga) of the 1990 Act (noise emitted from or caused by vehicles, machinery or equipment), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of any condition of a consent given under paragraph 1 of Schedule 2 to the Noise and Statutory Nuisance Act 1993 (loudspeakers in streets or roads);
  - (h) that the abatement notice should have been served on some person instead of the appellant, being -
    - (i) the person responsible for the nuisance, or
    - (ii) the person responsible for the vehicle, machinery or equipment, or
    - (iii) in the case of a nuisance arising from any defect of a structural character, the owner of the premises, or
    - (iv) in the case where the person responsible for the nuisance cannot be found or the nuisance has not yet occurred, the owner or occupier of the premises;
  - (i) that the abatement notice might lawfully have been served on some person instead of the appellant being -
    - (i) in the case where the appellant is the owner of the premises, the occupier of the premises; or
    - (ii) in the case where the appellant is the occupier of the premises, the owner of the premises, and that it would have been equitable for it to have been so served;
  - (j) that the abatement notice might lawfully have been served on some person in addition to the appellant, being -
    - (i) a person also responsible for the nuisance, or
    - (ii) a person who is also owner of the premises, or
    - (iii) a person who is also an occupier of the premises, or
    - (iv) a person who is also the person responsible for the vehicle, machinery or equipment, and that it would have been equitable for it to have been so served.
- (3) If and so far as an appeal is based on the ground of some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the notice served under section 80A(3), the court shall dismiss the appeal if it is satisfied that the informality, defect or error was not a material one.
- (4) Where the grounds upon which an appeal is brought include a ground specified in paragraph (2)(i) or (j) above, the appellant shall serve a copy of his notice of appeal on any other person referred to, and in the case of any appeal to which these regulations apply he may serve a copy of his notice of appeal on any other person having an estate or interest in the premises, vehicle, machinery or equipment in question.
- (5) On the hearing of the appeal the court may:-
- (a) quash the abatement notice to which the appeal relates, or
  - (b) vary the abatement notice in favour of the appellant, in such manner as it thinks fit, or
  - (c) dismiss the appeal;
- and an abatement notice that is varied under sub-paragraph (b) above shall be final and shall otherwise have effect, as so varied, as if it had been so made by the local authority.
- (6) Subject to paragraph (7) below, on the hearing of an appeal the court may make such order as it thinks fit -
- (a) with respect to the person by whom any work is to be executed and the contribution to be made by any person towards the cost of the work, or
  - (b) as to the proportions in which any expenses which may become recoverable by the authority under Part III of the 1990 Act are to be borne by the appellant and by any other person
- (7) In exercising its powers under paragraph (6) above, the court -
- (a) shall have regard, as between an owner and an occupier, to the terms and conditions, whether contractual or statutory, of any relevant tenancy and to the nature of the works required, and
  - (b) shall be satisfied, before it imposes any requirement thereunder on any person other than the appellant, that that person has received a copy of the notice of appeal in pursuance of paragraph (4) above.

## SUSPENSION OF NOTICE

3. (1) Where:-
- (a) an appeal is brought against an abatement notice served under section 80 or section 80A of the 1990 Act, and -
  - (b) either:-
    - (i) compliance with the abatement notice would involve any person in expenditure on the carrying out of the works before the hearing of the appeal, or
    - (ii) in the case of a nuisance under section 79(1)(g) or (ga) of the 1990 Act, the noise to which the abatement notice relates is noise necessarily caused in the course of the performance of some duty imposed by law on the appellant, and
  - (c) either paragraph (2) does not apply, or it does apply but the requirements of paragraph (3) have not been met, the abatement notice shall be suspended until the appeal has been abandoned or decided by the court.
- (2) This paragraph applies where
- (a) the nuisance to which the abatement notice relates -
    - (i) is injurious to health, or
    - (ii) is likely to be of a limited duration such that suspension of the notice would render it of no practical effect, or
  - (b) the expenditure which would be incurred by any person in the carrying out of works in compliance with the abatement notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.
- (3) Where paragraph (2) applies the abatement notice -
- (a) shall include a statement that paragraph (2) applies, and that as a consequence it shall have effect notwithstanding any appeal to a magistrates' court which has not been decided by the court, and
  - (b) shall include a statement as to which of the grounds set out in paragraph (2) apply

DATE: 15/09/2021

SIGNED



## Certificate of service


<b>What documents did you serve?</b>	Environmental Protection Act s80
<b>On whom did you serve?</b> (If appropriate include their position e.g. partner, director).	Glynneath Town Football Club Limited
<b>How did you serve the documents?</b>	Served by hand to premise listed below
<b>Address where service effected</b>	12 High Street, Glynneath, Neath, SA11 5BR
<b>Date &amp; time served</b>	15/09/2021 14:30pm

I believe that the facts stated in this certificate are true.

<b>Name</b>	<b>Sign</b>	<b>Date</b>
Calum Lewis Environmental Health Officer		15/09/2021




Occurrence Number:	URN						
<b>Statement of:</b> Ryan Christopher Shoemark							
<b>Witness contact details:</b>							
Work address:	Planning & Public Protection, The Quays, Briton Ferry, Neath, SA11 2GG						
Home telephone No.:		Work telephone No.:	[REDACTED]				
Mobile/Pager No.:		Email address:	[REDACTED]				
Preferred means of contact (specify details):	email						
Best time of contact (specify details):	09:00 – 17:00hrs						
Gender:	Male	Date of Birth:	[REDACTED]				
Ethnicity code (16+1):		Place of Birth:	Swansea				
Former Name:		Religion/Belief (specify):	[REDACTED]				
DATES OF WITNESS NON-AVAILABILITY:	None known						

Signature:		Signature witnessed by:	
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**WITNESS STATEMENT**

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

Occurrence Number:	URN		
Statement of:	<b>Ryan Christopher Shoemark</b>		
Age if under 18:	<b>Over 18</b> (if over 18 insert 'over 18')	Occupation:	Environmental Health Officer
This statement (consisting of 2 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 in it, anything which I know to be false, or do not believe to be true.			
Signature:		Date:	27/11/23

Tick if witness evidence is visually recorded  (supply witness details on rear)

1. My name is Ryan Christopher Shoemark and I am employed by Neath Port Talbot County Borough Council as an Environmental Health Officer in the Environmental Health Team. My qualifications include an MSc in Environmental Health. I have been employed in local government within Environmental Health for 18 years, of which, during those years I have spent investigating statutory nuisance complaints and authorised to enforce the provisions of the Environmental Protection Act 1990.
2. My statement is made with regards to the premises known as Glynneath Town Sports Bar, 12a High St, Glynneath, Neath SA11 5BR.
3. On the evening of Saturday 18<sup>th</sup> November 2023, I was the out of hour's officer for the Environmental Health Department of NPTCBC, a pro-active visit was undertaken to investigate the allegations of excessive noise arising from the premises.
4. At 22:30hrs I arrived near the premises, locating myself on the kerbside of the road outside Darlington Opticians with a line of sight to the front of the premises. Moments before, as I passed the premises, I observed the door opening onto high street was left open, with the second internal door closed. At this time, I witnessed audible entertainment emanating from the premises, which I believe to be karaoke – female voices, artist- backstreet boys, song – I won't it that way.
5. At 22:32hrs, heavy rainfall started which altered the sound level from where I was monitoring.
6. At 22:35hrs, the rain stopped. Sound level of entertainment became noticeable again. Song heard – those boots are made for walking.
7. At 22:37hrs, I could clearly make out the amplified music emanating from the premises; Artist – Mariah Carrey, song – 'All I Want for Christmas'. Words and rhythm of song clearly prominent.

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8. At 22:42hrs, my observations noted a heavy bass along with the rhythm of the music entertainment. The song was not familiar to me.

9. At 22:45hrs, again I could clearly sense the heavy base from the entertainment, but unable to identify the song. At this time the vocals believed to be of female origin, were shadowed under the tune of the song.

10. At 22:49hrs, I witnessed a Public Announcement through the amplified system. Shortly after a song followed, which i believe to be karaoke by the sound of vocals. Female singer. Song – I’m on the edge of glory, Artist – Lady Gaga.

11. At 22:54hrs, my observations turned me to the brief moving traffic which casted a slight shadow to the entertainment as it went past.

12. At 22:55hrs, I observed and picked upon the start of a dance song playing along with a public announcement. I was familiar with the song but not to the level of knowing the artist or song name. Lyrics – ‘You Got To Show Me Love’. Due to the clarity of tune and lyrics heard I was able to identify the song on Spotify to be- ‘Show me love’ by the artist Robin S.

13. At 22:59hrs, I noticed a change in song track with a different beat and rhythm. Although the sound level was clearly noticeable, I was unable to identify the song or artist.


14. At 23:01hrs no entertainment heard. At this point it was clear to me how incongruous to the area the level of noise was when the amplified music emanating from the premises was present.

15. At 23:03hrs, I witnessed a female singer performing, again believed to be karaoke. Artist- Adele, Song- Easy on me. The song ended at 23:06hrs.

16. At 23:07hrs, I noticed the amplified music entertainment resuming. Also, at this time, I observed persons passing me from the other direction, voices and traffic heard along with rhythm of music entertainment from premises.

17. At 22:13hrs, no entertainment from the premises was heard.

18. At 23:30hrs, no further amplified entertainment was heard, Subsequently, I ended my monitoring. As I passed the premises, I noted the UPVC door located on the High Street was still open, second internal door closed.

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19. A further visit to monitor the allegations of noise emanating from the premises was conducted on the evening of Saturday 25<sup>th</sup> November 2023. I was accompanied by my colleague Mrs Rachel Mathews.

20. At 21:45hrs, we arrived passing the premises. I could clearly make out music entertainment emanating from premises. Observed disco lights illuminating the inside of premises. Front door on main road closed. Patrons outside in rear beer garden.

21. At 21:48hrs, we monitored the premises from approximately 40-50 meters away, located kerbside of the road outside Darlington Opticians, High Street, with a line of sight to the front of the premises. Amplified music clearly audible, which sounded typical of a live band, made up of a guitar, bass, drums and vocalist. At this time, I witnessed and noted the song clearly heard to be from the Rolling Stones, song - Honky Tonkey Blues.

22. At 21:54hrs, a new song started. The instrumental sound was clearly audible with the vocals being overshadowed. Identifying the song was difficult due to what I considered to be poor sound quality.

23. At 21:58hrs, new song started. Comments as above in point 22.


24. At 22:05hrs, I noticed a change in song, with a change in rhythm from the previous. Again, the vocals were masked by the sound level of the instrumental sound.

25. At 21:12hrs, I noticed the change in song, again heavy instrumental sound, particularly base clearly prominent. Vocals in the background were noted mainly during the impact level of the chorus. Song – ‘So Good’, by the artist - James Brown.

26. At 22:16hrs I noted a change in song. Instrumental again clearly audible and shadowing the lyrics.

27. At 22:19hrs, I witnessed a noticeable increase in volume. With our view on the premises, I observed a patron moving into the premises through the access door located on the High Street. Again, the prominent sound was clearly the instrumental band, shadowing the vocals.

28. At 22.24hrs, the music stopped. At this time a noticeable and clear difference was identified to the change of the ambient noise.

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Statement of:	<b>Ryan Christopher Shoemark</b>
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*[Handwritten signature]*

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Statement of:	<b>Ryan Christopher Shoemark</b>
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**From:** [REDACTED]  
**Sent:** Monday, January 15, 2024 7:00 PM  
**To:** Sarah Bartle <s.bartle@npt.gov.uk>  
**Subject:** Re: Licencing Application Pack Request

**Caution:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe. If in doubt, contact the IT Service Desk

Dear Sarah,

Thank you for your previous email. Please find below my comments in relation to the Review of Glynneath Sports Bar Licence.

Although the prevention of public nuisance does not apply to this review I would like to offer evidence to show that it should. The sports Bar frequently operates beyond its current licence with patrons drinking well into the early hours of the morning. Although the premises appears to be locked and closed down we can frequently hear music from both inside the club and the beer garden in the summer months. Additionally, patrons of the bar, park their vehicular directly outside of the bar and play extremely loud music from their vehicles while sitting in the beer garden drinking. Their currently operating hours have also lead to substantial increase in the litter both in the street and the noise pollution from clanking bottle being emptied into containers at 3pm or later. Sadly, due to the premises not having bins lately the rubbish which is kept in the beer garden are often used by patrons as weapons when disagreements occurs within the premises and and used as projectiles, these include black bags and glass bottles. Additionally, one Sunday morning [REDACTED] [REDACTED] came to our door asking for help, as the boys sitting in the beer garden were throwing bottles over the wall into his premisses and one nearly broke the window on the side of his property. The bar manager and bar staff only asked the boy in question to leave after [REDACTED] were on the phone to the police. This kind of anti social behaviour is a common occurrence and lead to SW police being contacted or videos being uploaded. Another nuisance is the litter that is regularly left on the pavement outside of the property, surely this is a breach of the 2010 Equality Act as they are indirectly discriminating against wheelchair users, visually impaired and others with protected characteristics who are now no longer able to use that side of the pavement. Additionally, Section 46 of the Environmental Protection Act 1990 are being breached as not only do they cause obstructions, they restrict access to the pavement, attract vermin and look unsightly. This is occurring as the smoking area where the bins were kept have been turned into an out door darts and music area. Thus meaning they store waste in the street and lane.

#### Protection of children from harm

The safeguarding of minors is a serious issues at Sports Bar with the site being visited by a significant number of underage children especially when they hold live music events, GlynFest, Octoberfestand Back To school Nights that are help before the start of each academic term. Large number of children turn up to the venue and consume unsafe levels of alcohol as they are not being cut off by the venue. We regularly have to help young people who are so intoxicated they leave the venue to vomit. However, after doing so either on our door step, side gate or lane they return to the club and continue to drink as witnessed on numerous occasions. This has even led to us helping a young woman who was 16 and extremely intoxicated by giving her water and sitting with her until her mother arrived this October. The young girl was from Birchgrove and had bought tickets online. This breaches child safeguarding laws , The children and families Act 2014 and the Licensing Act 2003.

#### Crime and disorder

The latest incident of anti social behaviour to take place in the premisses occurred around New Years around 2pm when there was a fight in the smoking area that resulted in the gates being ripped off the

wall. This kind of behaviour regularly occurs when there are Live Music events and often spill over into the street. Another example of this occurred around Halloween when there was a huge fight involving that the police were required to attend. Additionally, during these fights that start on the premises and spill onto the street it become very loud and we have heard threats of knives being used. Additional criminal activity that takes place on the property is the selling and use age of drugs. We regularly see laughing gas canisters on the road, pavement and lane around the club. Additionally, we have witnessed a specific car ( white BMW) turning up at different times throughout the night outdid of the pub. Large number of Patrons then leave the bar sit in the car for a short period before going back in, they are then replaced by a different person. Again this usual occurred around the evening where there are large number of people in attendance. Public urination also regular occurs just to the side of the Sports Bar. On numerous occasions when returning to the house in daylight have we witnessed patrons urinating across the road before returning to the beer garden or pub. This even occurred in my lane as and against [REDACTED] When challenging the people involved my husband has been threatened. When asking them to use the facilities in the pub they have responded with its too busy.

I have been complaining for years about this club first to Callum Lewis and most recently Rachel Matthew's who had videos and now to the one who has taken over from him there has been police presence there on numerous occasions surely a club like this should not be in a residential area .there is often children party's in the day and there has been fighting and drunk behaviour and small children.

If you would like additional information please contact me as I have a number of videos that I have not been able to sent to both Callum or Rachel it have emailed information. .

One last request, I am fearful of reprisals if my name or location is shared with the license holder. Over the weekend, a member of the community posted on Facebook a link to the review and received significant abuse from patrons with one suggesting the owners let people know who are complaining so they can fill them in. Although this was removed the same attitude appears on the Sport Bar Facebook page where the owners have called locals who report them as clowns and assuring patrons the club is in no danger. This shows that they seem to think they above the law and encourage thuggish threats as they have not asked the person commenting about attacking locals to take it down or not to make such threats.

Kind regards

[REDACTED]