

**Pencadlys Heddlu**

Heol y Bont-faen  
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CF31 3SU

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fel arall, ffoniwch **101**

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**Police Headquarters**

Cowbridge Road  
Bridgend  
CF31 3SU


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Website: [www.south-wales.police.uk](http://www.south-wales.police.uk)

Nick Bailey

Police Licensing Officer,  
Neath Police Station.

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Mr N. Chapple,  
Legal Regulatory Services Manager,  
Neath Port Talbot Council.  
Civic Centre,  
Port Talbot.

14<sup>th</sup> June 2022.

**Police Observations to application for the Grant of a premises licence  
under the Licensing Act 2003.**

In relation to the application for a premises licence under the Licensing Act 2003 at the below-referred licensed premises:

Name: Pontardawe Rugby Football Club

Address: Ynysderw Road, Pontardawe, SA8 4EG

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

(b) Films:	10:00hrs to 00:00hrs Daily
(c) Indoor Sporting Events:	10:00hrs to 00:00hrs Daily
(e) Live Music (indoors & outdoors):	10:00hrs to 23:30hrs Sun – Thurs 10:00hrs to 00:30hrs Fri & Sat
(f) Recorded Music (indoors & outdoors):	10:00hrs to 23:30hrs Sun – Thurs 10:00hrs to 00:30hrs Fri & Sat
(g) Performance of Dance (indoors & outdoors):	10:00hrs to 23:30hrs Sun – Thurs 10:00hrs to 00:30hrs Fri & Sat
Anything similar to (e), (f) & (g):	
Late Night Refreshment:	23:00hrs to 23:30hrs Sun – Thurs 23:00hrs to 00:30hrs Fri & Sat
Supply of Alcohol:	08:00hrs to 00:30hrs Sun – Thurs 08:00hrs to 01:00hrs Fri & Sat

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Hours open to the public:

08:00hrs to 01:00hrs Sun – Thurs  
08:00hrs to 01:30hrs Fri & Sat

There are seasonal variations for music and dance until 00:00hrs on bank holiday Sundays with non-standard timings for each for the Thursday, Friday, Saturday & Sunday of each 'Pontardawe Festival' until 01:00

There are seasonal variations for the supply of alcohol and opening hours for one extra hour every Friday Saturday & Sunday of every Bank Holiday weekend with non-standard timings for each for the Thursday, Friday, Saturday & Sunday of each 'Pontardawe Festival' until 01:30 for the supply of alcohol and 02:00hrs for opening hours.

This application is submitted by Pontardawe Rugby Football Club, who already hold a club premises certificate. The application seeks to allow them to operate and market to a wider audience than the club premises certificate allows.

The premises is described in the application as a 'Rugby Football club encompassing a café business during the day. Large playing area to the rear of the premises used for junior rugby training and games, also utilised for a local festival and community events, Large car park to the front of the premises.'

The licensed area applied for will encompass both the playing area at the rear and the whole of the car park at the front and is detailed by the plan submitted with the application.

I draw your attention to Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003. Paragraph 1.4 of the Guidance stated the promotion of the statutory objectives is a paramount consideration at all times; these being the Prevention of Crime & Disorder, Public Safety, The Prevention of Public Nuisance and the Protection of Children from Harm.

Section 1.15 of the guidance recommends that licence applicants contact responsible authorities when preparing their operating schedules. South Wales Police actively encourages early engagement and consultation in order to assist applicants, to work in a partnership approach, and in this case pre-submission contact was received and I met with officers of the club, and their advisor, on 31<sup>st</sup> May regarding the content of the application and how they planned to operate the premises. I have previously met with, and had extended discussions with committee members about, moving the club to a premises licence and have discussed a range of possible licence conditions with them.

At this meeting they explained how they intended to operate the premises and when they would operate to the full extent of the licensable hours and when they may not, for example although they have applied for live music both inside and outside until 23:30hrs Sun – Thurs & 00:30hrs Fri & Sat they stated that they did not intend to

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**Jeremy Vaughan**  
Prif Gwnstabl | Chief Constable

Heddlu De Cymru  
**South Wales Police**



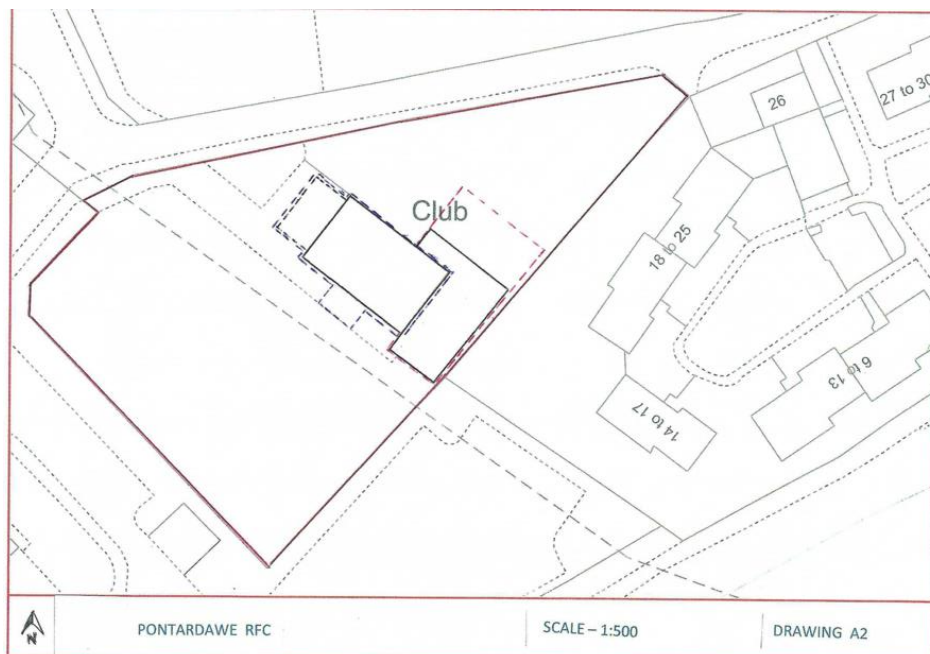
utilise these hours every day and that it would probably only be on a limited number of occasions throughout the year. While I accept that the current committee do not intend, at this point, for this to happen, if the times are agreed by the committee then there is nothing to stop this being implemented by them or by a new committee.

It is for this type of situation that I, as a responsible authority have to take into account that once a licence is issued it is for the lifetime of the premises, & have to consider the 'what if' scenarios that could come to pass during the lifetime of the licence, which will very likely be a number of years, which could be well beyond the service of the current committee members, and undoubtedly myself as well.

While the increase in licensable hours is not particularly significant, with only a 30 minute increase in the supply of alcohol and opening hours being applied for, what is significant is that the licensable areas will now include the whole grass area at the rear of the premises and the car park at the front of the premises and secondly, that the application is seeking to licence live & recorded music and the supply of alcohol both indoors and outside for the whole of the times allowed for licensable activities.

This is a substantial and significant change for a venue so closely situated to residential properties and while I do not have issues with music and alcohol sales taking place indoors until the terminal hour applied for I would bow to the greater, and more technical knowledge of officers from the Environmental Health Dept. as to whether this may/will cause any public nuisance issues.

The map supplied with the application shows the orientation and location of the premises and the proposed licensed areas, as shown below;



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The satellite & street view of this area shows, in a wider angle, its proximity to residential properties as detailed below with the proposed licensed area being shown outlined in red and the nearest residential properties being outlined in yellow.



The street view shows the entrance/exit of the club and front car park in relation to adjoining residential properties.



From this image it can be seen that a number of residential properties adjoin the area that the applicant has applied to licence for live and recorded music and for the

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supply of alcohol until 00:30hrs and 01:00 hours respectively, and later again on every Friday, Saturday & Sunday on every Bank Holiday weekend and for the Pontardawe Festival with further residential properties a very short distance away in Ynysderw Road.

Given the proximity of residential properties I can only see that, should the licence be granted, as applied for, with live & recorded music and the supply of alcohol being permitted outside as per the terminal hour outlined in the application, it can only lead to an increase in noise nuisance and increase the risk of alcohol related issues at the premises.

There has already been a report to Police of ASB and criminal behaviour from customers that the complainant believed to have recently left the rugby club. This involved a group of males, swearing & shouting, running over a resident's car, in Ynysderw Road, causing damage and then abusing the resident when they challenged them about their behaviour.

When this was raised at the recent meeting it was, quite rightly pointed out, that, due to the road layout, there was no direct line of sight from the residents house to the club house and that as there were other licensed premises from which they could have come it could not, therefore, be conclusively proved that these people had recently left the rugby club.

While I agree that there is no conclusive proof, I would point out that the nearest licensed premises was actually in the direction they were running towards, and not from, and that the next nearest premises is situated in Herbert Street.

For these people to have come from a premises there they would have to have walked from Herbert Street into the Home Bargains car park and into Lidl's car park and then scaled a fence to get into Ynysderw Road without passing the rugby club and that in fact there is a much quicker route by walking down Herbert Street itself towards Ynysderw Road. This makes me believe that, whilst not conclusively proving the youths were customers leaving the rugby club it certainly makes it much more likely that they were.

With the proximity of residential premises I would request that the licensable activities allowed outside be limited to a terminal hour of 23:00hrs but, should the committee be mindful to allow a terminal hours as applied for including an area that has no fence line around it to prevent people entering whenever they want is inviting problems.

The application outlines in section M (d) The Prevention of Public Nuisance the control measure they intend to put in place to control and prevent nuisance being caused to local residents. There are 4 conditions suggested – 3 relate to putting up signage and the 4<sup>th</sup> relates to the times that rubbish can be put out.



I believe that it wholly inappropriate that the applicant has not offered anything to suggest how staff will manage or control these outside areas and I believe that the only measure with any chance of managing and controlling the behaviour of customers in an area such as this is the use of SIA trained door staff. I would not want to penalise the club by placing an unnecessary financial burden on them of requiring door staff every day they are open until their terminal hour so I would then request the below condition;

- When any licensable activity is conducted in any outside area after 23:00hrs a minimum of 2 SIA registered door supervisors will be on duty from 23:00 hours until closing time.

Given that the applicant has suggested a condition relating to the use of door staff and the concerns I have outlined I would request that the condition suggested be amended to read as follows;

- Every Thursday, Friday, Saturday & Sunday night of the Pontardawe Festival, every Friday, Saturday & Sunday night of any bank holiday weekend a minimum of 2 SIA registered door supervisors will be on duty from 23:00 hours until closing time. 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.

I would also ask the applicant what their thought process was relating to restricting glassware outside, given that they are asking to increase their licensable areas so much and, if they did consider such a restriction, what their thought process was in deciding that it wasn't necessary.

Many years work has been put into achieving a uniform terminal hour for outside entertainment during the Pontardawe Festival with it currently being 23:00hrs. As the application seeks to have non-standard hours and seasonable variations to cover the Pontardawe Festival, in particular having a terminal hour of 01:00hrs for music and 02:00hrs for the sale of alcohol during the festival outside, I would ask that the outside areas also be restricted to a terminal hour of 23:00hrs during the Festival period as well.

The applicant has proposed a condition relating a having 12 'special event' days a years when the all licensable activities will be extend by 1 hour. At the recent meeting it was suggested by the applicant, as an example, that this would enable them to show overseas British & Irish Lions games. While there is no definition of what 'special events' are I am happy that, with the right of a Police veto within detailed timescales, should this be used in a manner deemed to be inappropriate there is sufficient redress available.

I would however request that the following be added in relation to the 12 event days;



- All conditions specified in Annex 1, 2 or 3 of the premises licence remain valid during special event days

Another concern about the terminal hour of the premises when operating during the festival is that it would make this premises the 'final destination' venue in the town as it would have the latest operating hours of any licensed premises currently operating and would therefore attract people who have already been drinking at other venues who want to extend their drinking time.

The current latest terminal hour of other licensed premises in the town is 01:30hrs, which means this will be the only premises open beyond 1.30am giving revellers a choice of 1 if they wish to continue drinking.

If the committee are mindful to allow a terminal hour of 02:00hrs during the Pontardawe Festival I would request the following condition be imposed to reduce the risk of potential disorder by attracting from other premises late into the evening and making this option less attractive that during the festival the following be added;

- There shall be no entry or re-entry to the premises after 01:00hrs

The operating schedule does refer to the provision of CCTV, but does not detail anything about the quality of the system proposed so I would ask that it be amended to read as follows;

- 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 public areas of the premises;

I would also request, to ensure that any relevant CCTV footage can be accessed should a suspect be in custody as a result of an incident at the premises without delay that the following condition be added;

- A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show and provide



Police or authorised officer recent data or footage with the absolute minimum of delay following a lawful request.

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

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

The above information is submitted for your information and consideration.

Yours sincerely,

*Nick Bailey*

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

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