

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Licensing and Gambling Acts Sub Committee

28th June 2022

Report of the Head of Legal Services – Craig Griffiths

Matter for Decision

Wards Affected: Pontardawe

Application for the Grant of a Premises Licence

Purpose of the Report

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

Premises Name	Pontardawe Rugby Football Club
Premises Address	Ynysderw Road, Pontardawe, SA8 4EG
Applicant Name's	Pontardawe Rugby Football Club Limited
Applicant Address	Ynysderw Road, Pontardawe, SA8 4EG
DPS Name	Meirion Davies

Executive Summary

2. This is an application for the grant of a premises licence under the Licensing Act 2003 by Pontardawe Rugby Football Club Limited. The premises licence will authorise the sale of alcohol, regulated entertainment and late night refreshment.
3. Representations were received in respect of the application from the Environmental Health Section, Legal Regulatory Services Section and South Wales Police requesting that additional conditions be attached to the licence.
4. One other person a local resident has also submitted a representation.
5. There have been various discussions between the applicant and responsible authorities in an attempt to negotiate an agreed position, but there are still areas where an agreement has not been established.
6. The application therefore needs to be determined by the Licensing and Gambling Acts Sub Committee

Background

7. The Licensing Act 2003 requires that any person wishing to provide licensable activities obtains a premises licence from the Licensing Section.
8. An application from Pontardawe Rugby Football Club Limited for the grant of a premises licence was received on 17th May 2022. The application seeks to permit licensable activities to take place, including the sale by retail of alcohol, regulated entertainment and late night refreshment.
9. The application has been advertised in the prescribed manner by displaying a notice at the premises for 28 days and advertising on one occasion in a local newspaper.
10. During the 28 day consultation period 'Responsible Authorities' and/or 'Other Persons' are invited to submit representations in respect of the application.
11. Where representations are received (and not withdrawn) the Licensing Authority must hold a hearing to consider the representations before determining the application.

Licence Application

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

Opening Hours

Sunday to Thursday 08.00 - 01.00

Friday and Saturday 08.00 - 01.30

Films (Both Indoors / Outdoors)

Sunday to Thursday 10.00 - 00.00

Indoor Sporting Events

Sunday to Thursday 10.00 - 00.00

Friday and Saturday 10.00 - 00.30

Live Music (Both Indoors / Outdoors)

Sunday to Thursday 10.00 - 23.30

Friday and Saturday 10.00 - 00.30

Seasonal variations

Bank Holiday Sunday 10.00 - 00.00

No Standard Timings

Thursday - Sunday 3rd weekend in August (music festival) 10.00 - 01.00

Recorded music (Both Indoors / Outdoors)

Sunday to Thursday 10.00 - 23.30

Friday and Saturday 10.00 - 00.30

Seasonal variations

Bank Holiday Sunday 10.00 - 00.00

No Standard Timings

Thursday - Sunday 3rd weekend in August (music festival) 10.00 - 01.00

Performance of Dance (Both indoors / outdoors)

Sunday to Thursday 10.00 - 23.30

Friday and Saturday 10.00 - 00.30

Seasonal variations

Bank Holiday Sunday 10.00 - 00.00

No Standard Timings

Thursday - Sunday 3rd weekend in August (music festival) 10.00 - 01.00

Anything of Similar Description (Both Indoors / Outdoors)

Sunday to Thursday 10.00 - 23.30

Friday and Saturday 10.00 - 00.30

Seasonal variations

Bank Holiday Sunday 10.00 - 00.00

No Standard Timings

Thursday - Sunday 3rd weekend in August (music festival) 10.00 - 01.00

Late night Refreshment (Both Indoors / Outdoors)

Sunday to Thursday 23.00 - 23.30

Friday and Saturday 23.00 - 00.30

Non-standard Timings

Local music festival extension to 01.00

Supply of Alcohol (Both On / Off Sales)

Sunday to Thursday 08.00 – 00.30

Friday and Saturday 08.00 - 01.00

Licensing Objectives

The following information has been provided by the applicant.

General

13. The premises licence holder can nominate on up to 12 occasions per calendar year, "Special Event" days, when opening hours will be extended to include all licensable activities. They will give 7 days' notice in writing to the local Police Licensing Officer and the Licensing Authority. If the Police object and give 48 hours written notice (from receipt of the notification) to the premises licence holder then the event will not take place.

The prevention of crime and disorder

14. The premises licence holder shall participate in the Neath Port Talbot Business Crime Reduction Partnership (BCRP) and Nite Net radio schemes and the premises licence holder or a suitable representative shall attend all meetings.
15. The premises licence holder shall join and participate in the Storenet Scheme encompassed by the Neath Port Talbot Business Crime Reduction Partnership
16. SIA registered door staff shall be employed on occasions when a requirement is identified by the licence holders written risk assessment. Consideration will be given to the nature of the event at the premises, public holidays and days considered to be event days in the local area.
17. On any occasion where door supervisors are required 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.

18. The premises licence holder shall ensure that all door Supervisors shall wear conspicuous clothing which identifies them as such. They shall also display their S.I.A licence in a reflective armband whilst on duty
19. A Digital CCTV system shall be installed at the premises which will be operational at all times when the premises is open to the public. The system must provide coverage of the following areas:-
 - The entrances and exits to the premises;
 - The public areas of the premises;
20. The CCTV recordings must be 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.
21. An incident recording book shall be maintained at the premises showing details of the date and time of all assaults, injuries, accidents or ejections, as well as details of the members of staff involved, the nature of the incident and the action/outcome. The book must be kept available for inspection by the Police and authorised officers of the Local Authority.
22. A refusal book shall be maintained recording the date and time of all attempts by persons under the age of 18 to purchase alcohol. The book shall be made available for viewing by the Police and / or authorised officer of the Licensing Authority on request

Public safety

23. Ensure a free phone link to taxi proprietors is maintained and provide signage within the premises advertising this facility.
24. The premises must be participating members of the local Pub watch scheme and the Designated Premises Supervisor or their representative shall attend meetings of this scheme.

The prevention of public nuisance

25. 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.

26. Provide prominent signs in the beer garden and any other outside area specifying the times when these areas are not to be used.
27. Provide prominent signs in the beer garden and any other outside area requesting patrons to keep noise levels to a minimum as to minimise impact on local residents
28. The placing of refuse into receptacles outside the premises shall take place at times that will minimise the disturbance to nearby properties

The protection of children from harm

29. The Premises to keep up to date records of staff training and refresher training in respect of age-related sales including proxy sales to persons who are drunk and identifying and preventing drug misuse in written or electronic format available for inspection on request by an authorised officer.
30. A Think 25 policy shall be implemented and proof of age shall be requested from any person who appears to be under the age of 25 years who attempts to purchase alcohol.
31. Signage shall be displayed in a prominent position within the premises informing of the Think 25 policy.

Relevant Representations

32. Neath Port Talbot Council - Environmental Health
33. Neath Port Talbot Council - Legal Regulatory Services
34. Nick Bailey - South Wales Police
35. The above representations are reproduced at Appendix 1, 2 and 3 respectively.

Other Persons

36. Mr Nigel Thomas - 10 Ynisderw Road, Pontardawe, Swansea, SA8 4EG

37. The above representation is attached as Appendix 4

Officer Report

38. The premises currently has a club premises certificate, which authorises licensable activities to members and permitted guests only.
39. The club now wish to authorise licensable activists to the general public and have now submitted an application for the grant of a premises licence
40. The new application seeks to licence the premises for the sale of alcohol, regulated entertainment and late night refreshment.
41. There has been discussions between the applicant and responsible authorities in an attempt to reach a mutually agreeable position in respect of operating hours and conditions. As a result agreements have been made in respect of attaching various conditions, however an overall agreement has not be reached.
42. It is proposed that any agreements reached between the applicant and responsible authorities be outlined at the start of the committee hearing

Legal Impacts

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

Risk Management

44. Not Applicable

Consultation

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

Recommendation

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

Reasons for Proposed Decision

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

Implementation of Decision

48. The decision is for immediate implementation

Appendices

49. Appendix 1 - Environmental Health Section Representation
50. Appendix 2 - Legal Regulatory Services Representation
51. Appendix 3 - South Wales Police Representation
52. Appendix 4 - Mr Thomas Representation

List of Background Papers

53. Application for the grant of a premises licence
54. Neath Port Talbot Licensing Policy
55. <https://www.npt.gov.uk/media/14952/licensing-act-2003-draft-licensing-policy-2021.pdf?v=20210923150929>
56. Secretary of State's Guidance
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

Officer Contact

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