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Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr  
Bridgend County Borough Council



Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont, CF31 4WB / Civic Offices, Angel Street, Bridgend, CF31 4WB

*Rydym yn croesawu gohebiaeth yn Gymraeg.  
Rhowch wybod i ni os mai Cymraeg yw eich  
dewis iaith.*

*We welcome correspondence in Welsh. Please  
let us know if your language choice is Welsh.*



**Gwasanaethau Gweithredol a Phartneriaethol /  
Operational and Partnership Services**

Deialu uniongyrchol / Direct line /: 01656 643147  
Gofynnwch am / Ask for: Andrew Rees

Ein cyf / Our ref:  
Eich cyf / Your ref:

**Dyddiad/Date: 9 December 2016**

Dear Councillor,

**LICENSING ACT 2003 SUB-COMMITTEE (A)**

An adjourned meeting of the Licensing Act 2003 Sub-Committee (A) will be held in the Council Chamber, Civic Offices Angel Street Bridgend CF31 4WB on **Friday 16 December 2016 at 10.00am**. This meeting had previously been convened on Friday, 25 November 2016 at 10.00 am.

**AGENDA**

1. Apologies for Absence  
To receive apologies for absence from Members.
2. Declarations of Interest  
To receive Declarations of personal and prejudicial interest (if any) from members/ officers in accordance with the provisions of the Members Code of Conduct adopted by Council from the 1st September 2008.
3. Licensing Act 2003: Section 51 Application For Review Of Premises Licence 3 - 100  
Cabin Bar & Breeze Nightclub Coney Beach Porthcawl
4. Exclusion of the Public
5. Licensing Act 2003 : Section 51 Application for Review of Premises Licence 101 - 112  
Cabin Bar & Breeze Nightclub Coney Beach Porthcawl - Appendix A1

Yours faithfully

**P A Jolley**

Corporate Director Operational and Partnership Services

Councillors:  
JE Lewis

Councillors  
HE Morgan

Councillors  
R Williams

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## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO LICENSING ACT 2003 SUB COMMITTEE

25 NOVEMBER 2016

#### REPORT OF THE CORPORATE DIRECTOR OPERATIONAL AND PARTNERSHIP SERVICES

##### LICENSING ACT 2003: SECTION 51 APPLICATION FOR REVIEW OF PREMISES LICENCE CABIN BAR & BREEZE NIGHTCLUB CONEY BEACH PORTHCAWL

#### 1. Purpose of Report.

- 1.1 On 30 September 2016, an application for a Review of the Premises Licence was submitted by the Chief Officer of Police in relation to the premises known as Cabin Bar & Breeze Nightclub Coney Beach Porthcawl.

#### 2. Connection to Corporate Improvement Plan / Other Corporate Priority.

- 2.1 None.

#### 3. Background.

- 3.1 A copy of the application and supporting documentation is attached at Appendix A. There is a confidential section of this report containing information submitted by the Chief Officer of Police which is attached at Appendix A1.

- 3.2 The Premises Licence Holder is Patrick Evans. The Premises Licence authorises the following licensable activities during standard times as follows:

Supply of alcohol, and regulated entertainment

Monday to Saturday: 1000 to 0200 hours

Sunday: 1200 to 0030 hours

Late night refreshment

Monday to Saturday: 2300 to 0200 hours

Sunday 2300 to 0030 hours

A copy of the Premises Licence will be available at the meeting.

#### 4. Current situation / proposal.

- 4.1 The application has been advertised in accordance with the regulations. Representations have been received from the premises licence holder's representative, Blackford's LLP which are attached at Appendix B.

- 4.2 At the time of preparing this report the Licensing Section was not aware of any further discussions or exchange of documents between the South Wales Police and the Premises Licence Holder but an update will be provided to the Committee at the start of the hearing. The authority must hold a hearing to determine this application, to consider the application and any relevant representations received.

## **5. Effect upon Policy Framework & Procedure Rules.**

5.1 None.

## **6. Equality Impact Assessment.**

6.1 A full Equality Impact Assessment has not been undertaken in relation to this service, however due regard has been given to the implications on persons protected by equality legislation and human rights. Adverse impact of this Legislation on the equality protected groups is very unlikely. Consideration has been given to the guidance issued to accompany the Licensing Act 2003 relating to need to eliminate duplication and conflict with existing disability legislation and to reference and highlight the Council's Race Equality Scheme, policies and codes of conduct to applicants. We do not consider, on the basis of the above, that a detailed Equality Impact Assessment is required for this service. In line with our Inclusive Equalities Scheme we will monitor for any adverse impacts that may develop.

## **7. Financial Implications.**

7.1 None.

## **8. Recommendation.**

8.1 The Licensing Sub-Committee must consider:-

- having regard to the application and any relevant representations, steps it considers necessary for the promotion of the licensing objectives.

8.2 The steps the Licensing Authority can take are:-

- no action;
- modify the conditions of the licence;
- and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.
- 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;

8.3 Members must also have regard to the following: Section 11 of the statutory Guidance issued under Section 182 of the Licensing Act 2003 and Section 12 of the Council's Statement of Licensing Policy which relate to review of licences. Section 10 of the statutory Guidance relates to imposing conditions on premises licences.

**Andrew Jolley**  
**Corporate Director Operational and Partnership Services**

**Date: 21 November 2016**

**Contact Officer: Yvonne Witchell**  
Team Manager - Licensing

**Telephone: (01656) 643643**

**E-mail:** [Yvonne.Witchell@bridgend.gov.uk](mailto:Yvonne.Witchell@bridgend.gov.uk)

**Postal Address** Civic Offices, Angel Street, Bridgend, CF31 4WB

### **Background documents**

Application for Review of Premises Licence and Representations in response  
Bridgend County Borough Council Statement of Licensing Policy: [www.bridgend.gov.uk](http://www.bridgend.gov.uk)  
Amended Guidance issued under Section 182 of the Licensing Act 2003 – March 2015  
available at [www.homeoffice.gov.uk](http://www.homeoffice.gov.uk)

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**Application for Review of a Premises Licence under  
Section 51 of the Licensing Act 2003**

LICENSING & REGISTRATION SERVICE

(1)

Reference number:  
**B.3-262/2016**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that

Your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records

(2) **We SOUTH WALES POLICE**

**apply for the review of a premises licence for the premises described in Part 1 below**

**Part 1 - Premises details**

Postal address of premises: <b>Cabin Bar &amp; Breeze Nightclub, Coney Beach, The Esplanade</b>	
Post town: <b>Porthcawl</b>	Postcode (if known): <b>CF36 5TS</b>
Telephone number: <b>(01656) 786553</b>	

Name of the premises licence holder: <b>Patrick Charles George Evans (since 20th February 2012)</b>
-----------------------------------------------------------------------------------------------------

Number of the premises licence holder: <b>BCBCLP, issue 7 of 18th November 2014</b>
-------------------------------------------------------------------------------------

**Part 2 - Applicant details**

I am

1) an interested party (Please complete section (A) or (B) below)

- a) a person living in the vicinity of the premises
- b) a body representing persons living in the vicinity of the premises
- c) a person involved in business in the vicinity of the premises
- d) a body representing persons involved in businesses in the vicinity of the premises

Please tick / yes

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Delete any words that do not apply

(1) Insert name and address of relevant licensing authority and its reference number (optional)

(2) Insert name(s) of applicant(s)

2) A responsible authority (please complete (c) Below)

3) A member of the club to which this application relates (Please complete (A) below)

**(A) Details of Individual Applicant (fill in as applicable)**

Licensing Act 2003

Section 51 and 87

Mr

Mrs

Miss  Ms

Other title  
(for example, Rev)

--	--

Surname

First Names

Please Tick / Yes

Day	Month	Year
-----	-------	------

I am 18 years old or over

--	--	--	--	--	--

Current address

Post town

Postcode

Daytime Contact telephone number

Email Address

(optional)

**(B) Details of other applicant**

Name and Address

Post Town

Postcode

Date of Birth

Day	Month	Year

Telephone Number (if any)

**C) Details of Responsible Authority** (please see guidance note 5)

**South Wales Police**



**Chief Constable 4645 Vaughan**  
**The Chief Officer of Police**  
**Police Headquarters**  
**Cowbridge Road**

Post Town **Bridgend**

Postcode **CF31 1BZ**

Telephone number

**(01656) 655555**

Email Address  
(Optional)

This application to review relates to the following licensing objective(s)

Please tick one or more boxes ✓

**1) The Prevention of Crime and Disorder**

**2) Public Safety**

**3) The Prevention of Public Nuisance**

**4) The Protection of Children from Harm**

✓
✓
✓

Please state grounds for review (please see guidance note 1)

Please provide as much information as possible to support the application (please see guidance note 2)

The grounds for this review are based on promoting **3** of the key licensing objectives :-

**1) The Prevention of Crime and Disorder**

**2) Public Safety**

**3) The Prevention of Public Nuisance**

The application for a review is based on the persistent and prolonged failure to promote those objectives.

**THE DESIGNATED PREMISES SUPERVISOR (DPS)**

**Karl Svensen** is the holder of a personal licence and has been the Designated Premises Supervisor (DPS) since **20<sup>th</sup> October 2014**.

**THE PREMISES**

The premises consists of a large open plan L-shaped ground floor area known as the Cabin Bar which has a capacity of 200 and a first floor nightclub above called Breeze which reopened in the summer of **2015** and can accommodate 140 customers.

It is located at the main entrance to Coney Beach fairground.

There is also a ground floor external patio area at the entrance to the Cabin Bar which abuts the thoroughfare into the fairground and overlooks Coney Beach.

**THE PREMISES LICENCE**

It is important that the Licensing Sub-Committee familiarise themselves with the licence and its conditions briefly however; the hours of opening for both premises are: -

**Monday to Saturday : 10.30 – 02.30 hours**

**Sunday : 12.00 – 01.00 hours**

**Good Friday : 12.00 – 00.30 hours**

**Sunday preceding a Bank Holiday Monday: 12.00 – 02.30 hours**

These are some of the longest opening hours within the county borough.

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### **BRIDGEND COUNTY BOROUGH COUNCIL'S "STATEMENT OF LICENSING POLICY"**

**Section 12** refers to **REVIEWS OF LICENCES**:

**Sub-section 12.1** "Reviews of Premises Licences represent a key protection for the community in respect of problems during the term of a Premises Licence."

#### **HOME OFFICE GUIDANCE UNDER SECTION 182 OF THE LICENSING ACT**

**Section 11** relates to **REVIEWS** and highlights **THE REVIEW PROCESS**

**11.1** *The proceedings set out in the 2003 Act for reviewing premises licences represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence.*

**11.2** *At any stage, following the grant of a premises licence, a responsible authority, or any other person, may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.*

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### **OFFENCES COMMITTED UNDER THE LICENSING ACT 2003**

1) Section 136: -

A) Carry on or attempt to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation i.e. a premises licence and the conditions which form part of it

Or

B) Knowingly allow a licensable activity to be so carried on

The offences in respect of the above are considered the most serious and are reflected in the penalties: -

- i) An unlimited fine and/or a term of imprisonment on summary conviction not exceeding 6 months.
- ii) All alcohol and containers may be forfeited and destroyed.
- iii) The Premises Licence may be reviewed under Section 51.
- iv) Suspension or forfeiture of a Personal Licence.

2) Section 57 – Failing to keep the Premises Licence, or a certified copy at the premises.

3) Section 57 – Failing to ensure that a summary (Part B) of the Premises Licence, or a certified copy is prominently displayed at the premises.

- 4) Section 57 – Failing to produce the Premises Licence for inspection by a constable or authorised person.

Penalty: Level 2 graded fine - maximum penalty of £500.

### OFFENCES – OTHER

Please note the offences committed in relation to material detailed in the “closed session”.

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## THE LICENSING OBJECTIVES

### The Prevention of Crime & Disorder

There are numerous, persistent and an unacceptable number of incidents linked to the premises and many of these occurrences have resulted in injury to customers, some severe, where alcohol has played a prominent part.

Customers have had to be forcibly handcuffed, whilst one was so violent that he had to be subdued with the use of a taser weapon i.e. what is commonly referred to as “*tasered*”.

In the last few months a number of police officers summoned to deal with disturbances have also been assaulted.

The most serious offences have also been committed under the Licensing Act 2003.

Similarly serious offences have been detected under other legislation which is appended to the application.

In fact the list of incidents associated with the premises highlights that it has an extended history of violence and disorder.

These occurrences seriously impact on the licensing objectives and South Wales Police are therefore of the opinion that the only course of action which will promote the objectives is to review the licence.

The occurrences and offences recorded to date are totally unacceptable and even if they were to remain instant a review is warranted however; they have increased since **2014** and will increase further unless drastic changes take place.

Since **Karl Svensen** became DPS in late **2014** and the nightclub reopened in **July 2015**, having been closed for a number of years as it had fallen into disrepair, there has been an increase in alcohol related violent crime and disorder.

Additionally the licensing objectives have been further and seriously undermined by events during the latest Elvis festival.

From **2015** up to and including **September 2016** numerous occurrences have been reported many of which have subsequently been recorded as criminal offences e.g.: -

Drunk & Disorderly conduct  
Assaults Occasioning Actual Bodily Harm  
Possession of an offensive weapon  
Fighting  
Theft  
Drunkenness

Sexual assaults  
Assaults Occasioning Grievous Bodily Harm  
Possession of Class A, B and C drugs  
Public Order offences i.e. Threatening or violent behaviour or disorderly or abusive behaviour  
Criminal Damage  
Common Assault  
Assault upon Door staff  
Assault upon Police Officers  
Assault with intent to resist arrest  
Offences under the Licensing Act  
Offences under the Private Security Industry Act

It is also significant that customers have become very violent and many have been so intoxicated on arrest that custody officers have had to conduct regular 30 minute welfare visits to the cells to monitor their demeanour.

Custody records detail that prisoners are still drunk many hours after arrest and visits have taken place from the commencement of their detention until their release many hours after their arrival at the police station.

#### Public Safety

This objective is seriously compromised due to the number of recorded crimes which involve the use of violence.

#### The Prevention of Public Nuisance

This objective is similarly compromised due to the volume of calls reported where incidents have occurred within the premises and in the vicinity.

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### ENGAGEMENT

South Wales Police have engaged in different approaches to promote the licensing objectives including warning/advice letters and meetings. There has in fact been two letters served recently.

There was also a failed attempt by the police to convene a meeting at Bridgend Police Station in **July 2016** to address matters.

However; the two meetings which have taken place as well as the letters served have had no impact and incidents involving drunken, violent customers as well as other serious occurrences continue to be recorded.

It therefore leaves South Wales Police with no other alternative than to review the premises licence in order to reduce crime and disorder and public nuisance associated with both venues and promote public safety.

#### First meeting with the DPS

On **4<sup>th</sup> August 2015** a meeting was held at Bridgend Police Station with **Karl Svensen** and the divisional licensing officer who highlighted the serious concerns of the police relating to alcohol related violent assaults which had taken place at the premises.

**Mr Svensen** was advised to monitor the external areas and report incidents to the police as quickly as possible including those involving patrons who have been ejected.

However; despite the meeting a further 6 occurrences relating to assault and disturbance were reported during the month of August alone i.e. **8<sup>th</sup> (two incidents), 9<sup>th</sup>, 16<sup>th</sup>, 28<sup>th</sup> and 29<sup>th</sup>**.

**Second meeting with the DPS**

Upon receipt of the warning of **13<sup>th</sup> July 2016** the DPS contacted the Licensing Department proposing to arrange a meeting as he was displeased with the content of the letter and denied that there were problems at the premises.

This was despite the fact that he refused to attend the meeting in July.

An appointment was facilitated by Inspector Drew at Bridgend Police Station on **10<sup>th</sup> August 2016** which also involved Divisional Licensing officers however; neither Pat Evans nor his representative attended.

It is highly significant that officers voiced the same serious concerns as those highlighted a year previously however; in essence very little had changed.

Despite the meeting serious matters were subsequently evidenced during a joint agency enforcement operation at the Porthcawl Elvis weekend in **September 2016**.

**WARNING/ADVICE LETTERS SERVED ON THE LICENCE HOLDER AND DPS BY SOUTH WALES POLICE**

South Wales Police served letters on both **Mr Evans** and **Mr Svensen** on **8<sup>th</sup> June 2016** which gave rise to a written response from Nicholas Pounder, the legal manager of Coney Beach amusements, dated **17<sup>th</sup> June 2016**.

Despite the letter and the reply there were reported disturbances, assaults, including sexual assault and a "glassing" recorded on **12<sup>th</sup>, 18<sup>th</sup>, 19<sup>th</sup> June** as well as **1<sup>st</sup>, 2<sup>nd</sup> and 6<sup>th</sup> July 2016**.

Further failures to promote the objectives resulted in a second letter being served on **13<sup>th</sup> July 2016**.

As with the first letter the second document had no impact as occurrences and offences were recorded thereafter.

As a consequence of the correspondence in **June** coupled with the number and severity of incidents of violence, many of which were alcohol related, Inspector 3675 Drew, Communities & Partnerships, attempted to arrange a meeting with the management of the premises and their legal adviser in order to address the concerns of senior officers.

A date of **Friday 22<sup>nd</sup> July 2016** was mutually agreed however; management refused to attend at Bridgend Police Station with Mr Pounder giving the following reason by e-mail, "*Nor (I would suggest) is it appropriate that this meeting, which you have called concerning a matter in which we bear no blame, takes place in Bridgend Police Station*".

Officers were invited to attend the venue instead and a meeting did not take place.

Since this date occurrences have been recorded and indeed on the same day of the scheduled meeting yet another alcohol related assault took place.

The incident again highlighted that a customer's intake of alcohol was excessive and played a significant part in the assault.

Officers had become so concerned with the demeanor of clientele that a transport van was positioned outside the venue to observe the behaviour of customers leaving after closure and act as a deterrent.

At 02.30hrs on Saturday 23<sup>rd</sup> July 2016 (Friday trading) customers became involved in a disturbance upon leaving causing officers to alight from the vehicle and intervene in an attempt to part the factions.

Sergeant 4717 Davies was taken to the ground where he was punched in the face by a customer who, after a struggle, was eventually arrested and handcuffed. He was very intoxicated.

Infact he is the fifth police officer to be assaulted by drunken customers in 3 separate occurrences in recent months and these facts are unprecedented.

### CONCLUSION

In order to promote the licensing objectives South Wales Police feel that there is no alternative but to review the licence given the seriousness and persistence of the reported incidents and crimes.

These concerns are strengthened given that advice and warnings have been given and meetings held yet there continues to be a failure to promote the objectives. Infact the management are in denial of what is regularly occurring.

The situation is further compounded by the serious events which took place at the Elvis Festival which clearly demonstrates that management cannot hold positions of responsibility at a licensed venue.

As previously highlighted reviews represent a key protection for the community in respect of problems which arise during the term of an authorisation.

The guidance dictates that licensing authorities, the police and other law enforcement agencies will use the review procedures effectively to deter criminal activities.

South Wales Police suggest that the situation will not change and feel that the only option open which would address the failures and promote the objectives is to review the Premises Licence.

Please tick / yes

Have you made an application for review relating to these premises before?

If yes, please state the date of that application

Day		Month		Year	

If you have made representations before relating to these premises, please state what they were and when you made them.

Please tick / yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises license holder
- I understand that if I do not comply with the above requirements my application will be rejected

It is an offence, liable on conviction to a fine of up to level 5 on the standard scale, under section 158 of the licensing act 2003 to make a false statement in or in connection with this application

Licensing Act 2003

Section 51 and 87

**Part 3 - Signatures** (please read guidance notes 3 and 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 4)  
If signing on behalf of the applicant please state in what capacity.

Signature N. Drew Insp 3675 Inspector 3675 Drew

Date 20 - 9 - 16

Capacity **On behalf of the Chief Officer of Police, Chief Constable 4395 Peter Vaughan**

Notes for guidance

1. The grounds for review must be based on one of the licensing objectives  
Please list any additional information or details, for example dates of problems which are included in the grounds for review, if available.
3. The application form must be signed
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address we shall use to correspond with you about this application

# CABIN BAR & BREEZE NIGHTCLUB



Pen-y-bont ar Ogwr  
Mwy Diogel



**Safer Bridgend**

[www.saferbridgend.org.uk](http://www.saferbridgend.org.uk)

**APPLICATION FOR A REVIEW OF THE  
PREMISES LICENCE**

**ADDITIONAL DOCUMENTATION**





Community Safety Partnership  
Licensing Department  
Police Station  
Brackla Street  
Bridgend  
CF31 1BZ

B.3-181/16

8<sup>th</sup> June 2016

Patrick Charles George Evans (Premises Licence Holder)

c.c. Karl Svensen (Designated Premises Supervisor)

Sir,

**RE: OFFENCES UNDER THE LICENSING ACT 2003**

**Cabin Bar & Breeze Night Club, Coney Beach, Eastern Promenade, Porthcawl**

At about 02.15 hours on 30<sup>th</sup> April 2016 a fight took place outside your premises involving customers and when police officers were called to the scene the incident deteriorated into a serious disturbance.

A number of officers and a member of the public were assaulted and two ~~were~~ customers arrested.

South Wales Police recognise that security staff assisted officers in the detention of suspects however; enquiries into this matter highlight a number of concerns.

5 requests were made to either Karl Svensen, Designated Premises Supervisor, or other staff members for CCTV images of the incident.

Not only have staff failed to produce CCTV but some on duty staff were unable to operate the CCTV system in contravention of the following conditions of Premises Licence BCBCLP028: -

**Annex 2 - Conditions Consistent with the Operating Schedule**  
**The prevention of crime and disorder:-**

**1. The Premises Licence Holder shall retain and maintain the installation of CCTV at the premises to the satisfaction of the South Wales Police Crime Reduction Officer.**

**5. There will be a storage facility of CCTV images of up to thirty one days covering the maximum number of days in a calendar month.**

**6. The Premises Licence Holder must make recordings of images available on request to any officer of the South Wales Police in the course of their duties as soon, as is reasonably practicable. Therefore adequate training will have to be provided to duty staff in order to comply with this condition**

Section 136 of the Licensing Act creates an offence of: -

A) Carrying on or attempting to carry on a licensable activity on or from any premise otherwise than under and in accordance with an authorisation i.e. a premises licence and the conditions which form part of it

OR

B) Knowingly allowing a licensable activity to be so carried on

The offences in respect of the above are considered so serious that the penalties are: -

- 1) An unlimited fine and/or a term of imprisonment on summary conviction not exceeding 6 months.
- 2) All alcohol and containers may be forfeited and destroyed.
- 3) The Premises Licence may be reviewed under Section 51.
- 4) Suspension or forfeiture of a Personal Licence.

You should be aware that South Wales Police has successfully made numerous applications under the review procedure to suspend and/or revoke licences.

Section 53A of the Act, inserted by section 21 of the Violent Crime Reduction Act 2006, also allows a quick process for attaching interim conditions to a licence and a fast track licence review when the police consider that the premises concerned is associated with serious crime or serious disorder.

Section 76 of the Anti-Social Crime & Policing Act 2014 authorises closure of premises to prevent public nuisance or disorder.

Interrogation of incidents in recent months highlight a number of assaults and disturbances whereby alcohol played a significant part.

The sale of alcohol to a person who is drunk is contrary to Section 141 of the Act.

Another serious incident took place at about 23.30 hours on 3<sup>rd</sup> April 2016 and offences of Grievous Bodily Harm and Common Assault were recorded

The former offence was particularly grave and resulted in the victim sustaining horrific injuries in the form of two fractured eye sockets, a broken nose and fractured jaw.

On this occasion there was a delay in supplying CCTV images again in contravention of the conditions.

You must remedy the situation immediately and adhere to the conditions of your Premises Licence and we also strongly urge you to be more diligent when serving/admitting customers or face appropriate enforcement action.

Under Section 185 of the Licensing Act 2003 concerning the investigation of a complaint in respect of licensed premises, a copy of this correspondence will also be disclosed to the Licensing Authority.

Regards,

Inspect Drew



Community Safety Partnership  
Licensing Department  
Police Station  
Brackla Street  
Bridgend  
CF31 1BZ

B.3/235-2  
12<sup>th</sup> July 2016

Patrick Charles Evans (Premises Licence Holder)



c.c. Karl Svensen (Designated Premises Supervisor)



Sir,

**OFFENCES UNDER THE LICENSING ACT 2003**

**CABIN BAR & BREEZE NIGHTCLUB, EASTER PROMENADE, PORTHCAWL CF32 5TS**

Further to my recent letter it has come to my attention that another serious incident has occurred at your venue and the investigating officer has reported that CCTV images could not be supplied when requested.

PC 5793 Roberts attended at the premises and spoke to the manageress, [REDACTED] in an attempt to secure CCTV images concerning an assault which occurred at Breeze nightclub on Saturday 2nd July 2016 (i.e. Friday night).

Mrs. [REDACTED] stated that she was unable to access CCTV and the only staff member that could operate the system was not due to return to work until Monday 11th July.

This is in contravention of licence condition 6: -

***The Premises Licence Holder must make recordings of images available on request to any officer of the South Wales Police in the course of their duties as soon, as is reasonably practicable. Therefore adequate training will have to be provided to duty staff in order to comply with this condition***

In other words staff who are performing their duties must be properly trained and therefore able to provide officers with CCTV images when they are requested to do so.

This is a formal request to you as premises licence holder to provide copies of the CCTV footage for the following date and times: -

**From 00.00 hours to 00.30 hours on Saturday 2<sup>nd</sup> July 2016.**

Under Section 136 it is an offence to: -

A) Carry on or attempt to carry on a licensable activity on or from any premise otherwise than under and in accordance with an authorisation i.e. a premises licence and the conditions which form part of it

Or

B) Knowingly allow a licensable activity to be so carried on

The offences in respect of the above are considered so serious that the penalties are: -

- 1) An unlimited fine and/or a term of imprisonment on summary conviction not exceeding 6 months.
- 2) All alcohol and containers may be forfeited and destroyed.
- 3) The Premises Licence may be reviewed under Section 51.
- 4) Suspension or forfeiture of a Personal Licence.

Additionally perusal of the *Licensed Premises Management System (LPMS)* highlights that a considerable number of incidents have been reported to the police which have occurred either at or where there is a causal link to the premises.

Very many of these incidents concern assaults, fighting and disorderly behaviour which are alcohol related.

In fact numerous customers have been so intoxicated on arrest that when visited by staff their custody records detail that they have been found to be still drunk many hours after their arrival at the police station.

Section 141 of the Act creates an offence of - ***The sale of alcohol to a person who is drunk.***

South Wales Police strongly advise you to take appropriate steps to reduce the number of alcohol related occurrences and comply with the conditions of your authorisation.

Regards,

Inspector 3675 Drew

*C. Patrick Evans Entertainment's Ltd.*

*Coney Beach, Porthcawl,*

*County Borough of Bridgend, S. Wales, CF36 5BY*

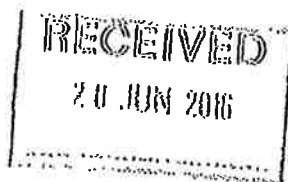
Tel: 01656 788911 Fax: 01656 786255

E.Mail: Coneybeachfair@aol.com

17<sup>th</sup> June '16

Yr. Ref: B.3-101/16

Inspector N Drew  
Community Safety Partnership  
Licensing Department  
Police Station  
Brackla Street  
BRIDGEND  
CF31 1BZ



Dear Inspector Drew

Re: Licensing Act 2003

**Cabin Bar & Breeze Night Club, Coney Beach, Porthcawl**

Thank you for your letter of the 8<sup>th</sup> of June addressed to Mr Patrick Evans (received on the 14<sup>th</sup>). We trust you had our email of the 15<sup>th</sup> confirming that we were immediately investigating the matter.

I met with Mr Evans and Mr Karl Svensen (Designated Premises Supervisor and our tenant) yesterday evening to discuss fully the serious allegations and comments in your letter. Our enquiries have enabled us to reply as follows:

1. Neither incidents to which you refer (3<sup>rd</sup> and 30<sup>th</sup> of April) are recorded in the Incident Log at the public house. They keep accurate records and events such as these, certainly of the severity you describe, would have been noted. Your officers are welcome to check;
2. There is no evidence to suggest that the culprits in either incident were patrons of our establishments. You say the incident on the 30<sup>th</sup> of April occurred "outside" the premises. With respect, we are not responsible for events which have arisen beyond our licensed areas (unless of course they are our patrons) – this area (outside the public house) is effectively a thoroughfare linking Porthcawl town centre to destinations to the east of Coney Beach, for example Trecco Bay, the Hi Tide and beyond. As for the incident on the 3<sup>rd</sup> of April your letter fails to identify at all where that occurred;
3. Further, and in any event, it is not accepted by Mr Svensen that there were "5 requests made" for CCTV images of the incident (30<sup>th</sup> April). As I am sure you and your colleagues are aware, Mr Svensen runs a very responsible establishment – and he of course is the proprietor of Bluestone Security Services ([www.bluestonesecurityservices.co.uk](http://www.bluestonesecurityservices.co.uk)) which has its offices at the premises. It is a highly respected company with the highest accreditations which are displayed on its website. However, the facts we have from Mr Svensen are that:
  - a. There is a remote back up of all CCTV images via 'Secure It' which would have been made available;

*C. Patrick Evans Entertainment's Ltd.*

*Coney Beach, Porthcawl,*

*County Borough of Bridgend, S. Wales, CF36 5BY*

Tel: 01656 788911 Fax: 01656 786255

E.Mail:Coneybeachfair@aol.com

- b. If he had been unavailable to locate the images then his staff would have contacted him immediately – he is available at all times either in person or on the telephone.
  - c. I am also told that the first request was made 32 days after the (first) incident which is outside the normal 31 day memory cycle of such recordings;
  - d. In any event the external areas are extensively covered by CCTV from the cameras erected by Coney Beach. No request was ever received by Mr Evans for his recordings of either incident
  - e. Mr Svensen and his firm have assisted the police on innumerable occasions in handling difficult situations outside their immediate areas of responsibility and allegations of this type are very disappointing.
4. In summary we do not accept there have been any breaches of the terms and conditions of our Premises Licence albeit we are prepared to discuss with our officers any aspect of this letter, or generally, which may assist in improving matters in the future.

We await hearing from you

Yours sincerely,



Nicholas Pounder LLB  
Legal Manager  
Coney Beach Amusement Park



## CABIN BAR & BREEZE NIGHTCLUB

### RELEVANT OCCURRENCES, CRIMINAL OFFENCES ETC. IN CHRONOLOGICAL ORDER

#### 2016

- 1) Occurrence 1600387892 of Saturday 8<sup>th</sup> October @ 02.44hrs (Friday trading) – Summary: ***“Assault. Breeze Nightclub. Two men have punched me to the side of my head outside the nightclub and have hit my friend and a girl here too. Me and my friend are okay. I don’t know about the girl. She is up and about but has hit her head on the floor. She is with bouncers at the moment. I don’t know who the boys are. They are with the bouncers now”.***

Male and two females assaulted. Both suspects were arrested and were intoxicated.

Occurrence 1600387898 of Saturday 8<sup>th</sup> October @ 02.59hrs – Summary: ***“There is a large disturbance ongoing. One female has been knocked out. There are six other people fighting, males and females. No weapons”.***  
(x-reference with occurrence 892).

**30<sup>th</sup> September – Application for a review of the Premises Licence.**

- 2) Occurrence 1600369070 of Saturday 24<sup>th</sup> September @ 17.33hrs (Elvis festival) – Summary: ***“Request van for one aggressive, drunken male”.***

Suspect was intoxicated and was arrested for being Drunk & Disorderly.

**10<sup>th</sup> August – Meeting held at Bridgend Police Station with Inspector 3675 Drew, Licensing Officers and the DPS, Karl Svensen.**

**29<sup>th</sup> July – Karl Svensen contacted the Licensing Department as he was unhappy with the content of the letter of 12<sup>th</sup> July.**

- 3) Occurrence 1600277094 of Saturday 23<sup>rd</sup> July @ 02.41hrs (Friday trading) – Assault on a constable. Summary: ***“Assault Police on Charlie/X-ray18”.***

Suspect was involved in a fight and was arrested. He was very intoxicated.

**22<sup>nd</sup> July – Meeting initiated by Inspector 3675 Drew at Bridgend Police Station with the licence holder, the DPS and their legal advisor. Persons refused to attend location and suggested police visit the premises.**

**12<sup>th</sup> July – Second warning/advice letter served by South Wales Police.**

- 4) Occurrence 1600251856 of Wednesday 6<sup>th</sup> July @ 00.19hrs (Tuesday trading) – Summary: ***“The caller sounds intoxicated. My missis was raped. I am on bail not to go near her. She has phoned me to state that she has been raped. She stated that she was raped about 10 minutes ago. He bought her a drink and he put his hand down her knickers. The***



**suspect is in the B&B up the road”.**

The female was drunk. Suspect was arrested and was also found to be intoxicated.

- 5) Occurrence 1600246336 of Saturday 2<sup>nd</sup> July @ 01.35hrs (Friday trading) – Summary: **“I have been assaulted and beaten up. She tried attacking me again. She won’t tell me her name. She is attacking everyone not just me”.**

Female customer was intoxicated.

- 6) Occurrence 1600257286 of Saturday 2<sup>nd</sup> July @ 00.10hrs – Summary: **“Assault. Caller ringing from phone outside Porthcawl Police Station reporting an assault by \* \* and 2 other boys upstairs in Breeze last Friday. He was head butted in face, cheek and nose and 2 glasses were smashed over his head. When he went outside \* \* bit his thumb requiring an operation. Came out of hospital last night”.**

Attending officer endorsed the investigation log that staff on duty were not trained to supply CCTV in contravention of licence condition 6.

*The Premises Licence Holder must make recordings of images available on request to any officer of the South Wales Police in the course of their duties as soon, as is reasonably practicable. Therefore adequate training will have to be provided to duty staff in order to comply with this condition.*

Suspect arrested on 16<sup>th</sup> August 2016.

- 7) Occurrence 1600227791 of Sunday 19<sup>th</sup> June @ 01.43hrs (Saturday trading) – Summary: **“I’ve been punched by the bouncer and I’ve got a split lip. They picked on me for no reason. I’m outside the Cabin now”.**

Customer was highly intoxicated.

Occurrence 1600227792 of Sunday 19<sup>th</sup> June – Summary: **“There is a lot of fighting breaking out between the bouncers and people leaving the nightclub”.** (x-reference with occurrence 791).

17<sup>th</sup> June – Reply from legal advisor to the letter served on 8<sup>th</sup> June.

- 8) Occurrence 1600218721 of Sunday 12<sup>th</sup> June @ 23.42hrs – Summary: **“Abandoned 999. Tape played and very drunk male, slurring badly, said he was assaulted but then hung up. Stated, “I was dragged down the stairs. I am now outside. I don’t know who dragged me. Caller not making a lot of sense. Will wait outside”.**

Customer was very intoxicated.

8<sup>th</sup> June – First warning/advice letter served by South Wales Police.

- 9) Occurrence 1600164665 of Sunday 8<sup>th</sup> May @ 01.18hrs – Summary: **“Male detained for causing damage. Male is calm at the moment and with door staff in a separate room. Please can officers attend?”**

**suspect is in the B&B up the road”.**

The female was drunk. Suspect was arrested and was also found to be intoxicated.

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Customer was highly intoxicated.

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Customer was very intoxicated.

8<sup>th</sup> June – First warning/advice letter served by South Wales Police.

- 9) Occurrence 1600164665 of Sunday 8<sup>th</sup> May @ 01.18hrs – Summary: **“Male detained for causing damage. Male is calm at the moment and with door staff in a separate room. Please can officers attend?”**

Criminal damage. Suspect was arrested and was intoxicated.

- 10) Occurrence 1600154212 of Saturday 30<sup>th</sup> April @ 15.20hrs – Summary: ***“I am a carer for a male and we were in the Cabin Bar and there was an altercation with a drunken male. The male was in there with other special needs people (he wasn’t special needs). The person I was looking after asked to go outside for a cigarette so I turned his wheelchair and this guy said he wanted to take him which isn’t allowed. I said no and the guy pushed me up against the stairs and there were arms flailing everywhere. He then pushed me again causing me to fall over and headbutt a lady that was at the location”.***

Suspect was intoxicated.

- 11) Occurrence 1600154201 of Saturday 30<sup>th</sup> April @ 02.39hrs – Using threatening and violent behaviour.

Occurrence 1600154206 of Saturday 30<sup>th</sup> April – Assault on a constable with intent to resist arrest.

Occurrence 1600154214 of Saturday 30<sup>th</sup> April – Assault on a constable with intent to resist arrest.

Occurrence 1600154221 of Saturday 30<sup>th</sup> April – Summary: ***“Assault on a Police Officer”.***

Suspect 1 was arrested and was intoxicated (x-reference with occurrences 201, 206 and 214).

Four officers endorsed the investigation log on five separate occasions that staff failed to supply CCTV in contravention of the following conditions of the licence (section 136 offence): -

***1. The Premises Licence Holder shall retain and maintain the installation of CCTV at the premises to the satisfaction of the South Wales Police Crime Reduction Officer.***

***5. There will be a storage facility of CCTV images of up to thirty one days covering the maximum number of days in a calendar month.***

***6. The Premises Licence Holder must make recordings of images available on request to any officer of the South Wales Police in the course of their duties as soon, as is reasonably practicable.***

***Therefore adequate training will have to be provided to duty staff in order to comply with this condition.***

- 12) Occurrence 1600153487 of Saturday 30<sup>th</sup> April @ 02.39hrs – Summary: ***“One male arrested Section 5 Public Order Act. Non-Compliant”.***

Using abusive or disorderly behaviour. Suspect 2 was arrested and was intoxicated.

- 13) Occurrence 1600125158 of Sunday 10<sup>th</sup> April @ 02.11hrs – Summary: ***“Male just got into car, reg \* \*. We are trying to get the keys off him. He is really drunk. By Cabin Bar, Porthcawl”.***

Occurrence 1600125321 of Sunday 10<sup>th</sup> April – Assault a constable. Suspect was

highly intoxicated and upon being arrested for driving a vehicle whilst drunk he assaulted an officer (x-reference with occurrence 158).

- 14) Occurrence 1600115406 of Sunday 3<sup>rd</sup> April @ 00.59hrs – Summary: ***“My brother-in-law was assaulted about half hour ago by another male. I did not see what happened but it looks like he has been punched or kicked to the head. He has had butterfly stitches but I do not know who has done this for him”.***

Serious assault occasioning Grievous Bodily Harm (GBH) with intent.

Occurrence 1600115862 of Sunday 3<sup>rd</sup> April – Also Common Assault. Suspect arrested on 12<sup>th</sup> May (x-reference with occurrence 406).

- 15) Occurrence 1600057049 of Sunday 31<sup>st</sup> January @ 01.45hrs – Summary: ***“Assault. Caller was sitting on a stool by the bar when she saw a man and woman arguing in the bar area. The man raised his hands up and pushed the woman with both hands causing her to be pushed backwards and into the caller who was knocked over on her stool from the right side and landed on the floor causing a dislocated left collarbone resulting in hospital treatment”.***

Serious assault. Suspect not identified.

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## 2015

- 16) Occurrence 1500469002 of Monday 21<sup>st</sup> December @ 00.31hrs – Summary: ***“Possible sexual assault. Should be on CCTV. Caller is very intoxicated and says, ‘Staff removed me from the premises. They have exposed my breasts to the entire pub in doing so. 3 males responsible who are staff. I grabbed my thighs, I grabbed my chest, not sure what the other one was doing’.***

Complainant was intoxicated.

- 17) Occurrence 1500423677 of Sunday 15<sup>th</sup> November @ 01.55hrs – Summary: ***“Breeze nightclub. 10 to 12 people fighting. They have been broken up by staff but not sure if it’s going to kick off again”.***

- 18) Occurrence 1500411697 of Thursday 5<sup>th</sup> November @ 22.00hrs – ***“I was assaulted in the pub and hit in the face. I have a thick lip. Person responsible is \* \* and I want to make a complaint. I am not happy to be assaulted in front of my 10 year old daughter and grandson. I am home with the family now. I don’t need hospital treatment. It is on camera at the cabin. No need for police to attend tonight. I can see them tomorrow. I work locally so if police ring me on my mobile I will meet them”.***

- 19) Occurrence 1500404939 of Sunday 1<sup>st</sup> November @ 01.34hrs – ***“My partner was in Breeze Nightclub and a fight started. She took her phone out and was taking a picture of her friends and a bouncer grabbed her from behind and another bouncer took her phone. They said she was taking***

highly intoxicated and upon being arrested for driving a vehicle whilst drunk he assaulted an officer (x-reference with occurrence 158).

- 14) Occurrence 1600115406 of Sunday 3<sup>rd</sup> April @ 00.59hrs – Summary: ***“My brother-in-law was assaulted about half hour ago by another male. I did not see what happened but it looks like he has been punched or kicked to the head. He has had butterfly stitches but I do not know who has done this for him”.***

Serious assault occasioning Grievous Bodily Harm (GBH) with intent.

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Serious assault. Suspect not identified.

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Complainant was intoxicated.

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**a video of the fight. They wouldn't give her phone back. It's an I-Phone 5, white in black case and in the sleeve there was £100. The bouncers have mugged her. It should all be on CCTV".**

Occurrence 1500404861 of Sunday 1<sup>st</sup> November – Summary: **"Abandoned 999 call. BT operator states caller said it was, 'kicking off'. Tape listened too and female stated she is in Breeze, Porthcawl and its kicking off. Males and females fighting and I can't hear you. Very loud music in background".**

Three staff members requested to attend police station for interview. Insufficient evidence to proceed and suspects released no further action (x-reference with occurrence 939).

**20) Occurrence 1500356357 of Sunday 27<sup>th</sup> September @ 01.08hrs – Summary: "Arrest. One violent male outside Cabin Bar. Request transport".**

Section 5 Public Order - threatening and disorderly behaviour. Suspect was arrested and was intoxicated.

**21) Occurrence 1500336107 of Saturday 12<sup>th</sup> September @ 02.02hrs – Summary: "Damage. Caller is manager at Breeze nightclub. A Lithuanian male has punched the front door and shattered the glass. They are detaining him. He is intoxicated and refusing to give his details. Compliant at present".**

Suspect arrested. He was intoxicated.

**22) Occurrence 1500316938 of Friday 28<sup>th</sup> August @ 22.05hrs – Summary: "My girlfriend has been assaulted by the bouncers in Breeze".**

Two females and a male reporting an assault. All three were very intoxicated.

**Tuesday 4<sup>th</sup> August – Meeting held with Licensing Officer and Karl Svensen at Bridgend Police Station.**

**23) Occurrence 1500280252 of Sunday 2<sup>th</sup> August @ 00.49hrs – Summary: "Further units requested by Charlie/November14".**

Officer required urgent assistance. Assault on a constable. Suspect was arrested and was intoxicated.

Occurrence 1500280931 of Sunday 2<sup>th</sup> August – Summary: **"Male arrested for affray".**

Also possession of an offensive weapon.

Occurrence 1500280934 of Sunday 2<sup>th</sup> August – Possession of cannabis a Class B drug. Suspect 1 was arrested and was intoxicated (x-reference occurrence 931).

Occurrence 1500280301 of Sunday 2<sup>th</sup> August @ 01.28hrs – Suspect 2 was so violent that he had to be incapacitated by means of a Taser weapon. He was arrested and was also intoxicated.

24) Occurrence 1500270661 of Friday 25<sup>th</sup> July @ 22.45hrs – ***“There is trouble - possibly a fight outside the pub by the kebab shop involving 4 males and 2 females. They are big, stocky guys, all white. They have been in the kebab shop making Nazi racial comments. Caller does not know any other details as he has been asked to contact police by staff at the Buccaneer”.***

Racially aggravated assault and assault. Three suspects arrested at Cabin Bar and all three were intoxicated.

Thursday 9<sup>th</sup> July – Opening of Breeze Nightclub.

25) Occurrence 150022676 of Saturday 20<sup>th</sup> June @ 22.33hrs – Summary: ***“Aggressive male outside the Cabin Bar. We have just had a male try and assault door staff. We have turfed him out a few times. We have him restrained in the floor and he is being very aggressive”.***

Suspect was arrested and was intoxicated.

26) Occurrence 1500114564 of Friday 3<sup>rd</sup> April @ 19.53hrs – ***“Six males have just gone passed and smashed the windows with their fists. They are travellers and we have had problems with them before. Description of one male: white, 5 ft 7 ins, with ginger hair, wearing a white t-shirt. Gone towards the Buccaneer”.***

Officers attended and CCTV was not recording the area of the bar where the travellers were seated. Section 136 offence i.e. contravention of condition of the licence: -

*7. The Premises Licence Holder will be responsible for ensuring that the operating equipment is regularly checked and that it operates at all times during the opening hours.*

27) Wednesday 11<sup>th</sup> March – Joint South Wales Police and Licensing Authority visit. Three licensing offences committed contrary to section 57 of failing to: -

*Keep the Premises Licence, or a certified copy, at the premises.*

*Ensure that a summary (Part B) of the licence, or a certified copy, is prominently displayed at the premises.*

*Produce the licence for inspection by a constable or authorised person.*

28) Occurrence 1500070668 of Saturday 28<sup>th</sup> February @ 23.20hrs – Summary: ***“Male has attacked me. He also threatened me. He pushed me over and I ran off. I am in the Cabin pub”.***

Victim was highly intoxicated.

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### WITNESS STATEMENT

**Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B**

Occurrence Number:	1500280931	URN			
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Statement of:	
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Age if under 18:	Over 18 (if over 18 insert 'over 18')	Occupation:	
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This statement (consisting of \_\_\_\_\_ 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:	04/09/2015
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Tick if witness evidence is visually recorded  (supply witness details on rear)

I am the above person and I am a witness to an incident that happened inside and outside of Breezes Night Club next to the Porthcawl Fun Fair, at Porthcawl. This incident started on Saturday 1<sup>st</sup> August and concluded in the early hours of Sunday morning.

The people that were involved were [REDACTED] who is my ex-boyfriend and at that time my current boyfriend was [REDACTED].

I was in a relationship with [REDACTED] from April 2015 until the start of August 2015, [REDACTED] was lodging at my house. I had been courting [REDACTED] off and on for over ten years and towards the end of this relationship I began seeing [REDACTED]. Both males knew that I was courting both of them at the same time even though it was only for a couple of days.

Towards the end of my relationship with [REDACTED] and whilst I was courting [REDACTED] there was some jealousy between them as [REDACTED] wanted me to stop talking to [REDACTED] and the other way about. The build up for this was [REDACTED] was tagging me on Facebook statuses knowing that [REDACTED] was going to see these Facebook updates. Also [REDACTED] was SMS text messaging me knowing that I was in company with [REDACTED] saying ;I am going to take your girlfriend off you' Things verbally escalated over social media but never in person and this was happening at the end of July.

[REDACTED] was still staying at my house when I decided that I wanted to be with [REDACTED], I went to [REDACTED] house on Thursday 30<sup>th</sup> July and stayed with [REDACTED] on Friday 31<sup>st</sup> July and during this time we had taken some photographs and had placed them on Facebook and I think [REDACTED] saw these pictures as he began ringing my mobile phone constantly screaming down the phone at me telling me to get out of that house. Where [REDACTED]

Occurrence Number:	1500280931	URN			
Statement of:					
<p>lives in [REDACTED], my mother lives around the corner from his address and I was attending my mothers address the same time, I was also bussing back to my flat to shower to change. I had asked [REDACTED] to move out of my flat and to drop the key down to me, [REDACTED] wanted to drop the key off at [REDACTED] address but I didn't want that because it would end up in a fight. I asked [REDACTED], by text message to drop off the key at my flat on Saturday 1<sup>st</sup> August 2015. He never did drop the key off.</p> <p>I stayed at [REDACTED] house on the Friday night and went to my flat on the Saturday morning waiting for [REDACTED] to drop the key off but he never turned up. Because I was friends with him on Facebook he put facebook statuses saying that he was at The Picton public house at New Road Porthcawl drinking early morning.</p> <p>I left my flat at 6:00pm on Saturday 1<sup>st</sup> August 2015 and I took a taxi back to [REDACTED] address in [REDACTED]. We had a few drinks at [REDACTED] house with friends, and then we all went out to Breeze night club as it opens at 9:00pm. we continued drinking socialising there.</p> <p>At about 11:00pm [REDACTED] walked into Breezes, at this time there were about 50 people in the night club and the club was in full swing with flashing lights and loud music. There were doormen inside and at the entrance. When [REDACTED] walked into the nightclub he approached us, it looked to me that he was drunk and on drugs. He had big pupils and the way he was acting was very different to when he was sober and not on drugs, I know that [REDACTED] smokes weed everyday and whilst I was courting him I stopped him sniffing harder drugs and this is why I could tell he was on drugs.</p> <p>[REDACTED] and I were sitting at a table close to the bar having a drink and [REDACTED] has walked over and whilst under the influence of these things has asked [REDACTED] outside for a fight. [REDACTED] told him to go away, with that the bouncers came straight over and told [REDACTED] to move to another part of the club. [REDACTED] tried to flirt with some girls to make me jealous however he wasn't having much luck and remained on his own. During the rest of the evening [REDACTED] tried to edge closer to us and at one point [REDACTED] was right next to me whilst I was dancing with [REDACTED], we were dancing on the platform just off from the main dancefloor and [REDACTED] told him to move away from us. They were face to face and I was in the middle of them both and then I saw [REDACTED] through a punch passed me hitting [REDACTED] to the top of his, I think it was his left cheekbone. I saw that</p>					

Occurrence Number:	1500280931	URN				
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Statement of:

█ had a shiny silver knuckle duster around his knuckles and he punched █ to the face with this knuckle duster in place around his fist. The bouncers were straight there. The force of the punch pushed █ back a few steps and the bouncers came and took █ out of the night club, the bouncers then asked us to leave as well but we told them that he attacked us and they allowed us to stay.


Regarding this knuckle duster I believe that it is the same one that he bought in Bulgaria because we went there on holiday at the end of May and came back the start of June. We had return flights to Cardiff from Bulgaria, and I was with █ when he bought from a shop in Sunnybeach which is a resort in Bulgaria, a silver knuckle duster and a Taser knuckle duster which is placed over your knuckles and when you punch someone it Tasers them as well. When we returned back to Cardiff airport we got stopped and our bags scanned by security but they didn't find them in his luggage. Late on I told █ that he couldn't keep those things in flat and I believe that he kept them at his mothers address in █, I don't know the address.

About an hour and a half later whilst we were still in the night club one of the bouncers came up and said 'Just to warn you your ex is still waiting outside the club'. █ and I left the club around about 1:00am. We saw █ in the street outside by the chip shop which is about a two minute walk from the entrance to the club, I was hugging █ in the street and █ came running up to try and hit █ again. The police were in the area and they were dealing with somebody else who was on the floor. █ then rushed at █ and me and he was very aggressive so much so that the police quickly came to us. █ was violent and aggressive towards █, there were loads of people and police about, There was a lot of commotion and I saw █ hit the floor and I heard people shout 'He's been shot, He's ben shot' I took this to mean that he has been tasered. █ was still struggling with the police and he was still shouting out towards █ that he was going to kill him.

█ who was courting one of my friends █ was there and I was paying attention to her as she was being aggressive towards me as it was thought that it was my fault that █ got tasered. █ was going 'mental' he was shouting '█, I am going to kill you.

█ then began filming what happened █ after he had been tasered and later put it on facebook, █

Occurrence Number:	1500280931	URN				
Statement of:						
<p>put the heading of the video as 'Hit me with a Duster, This is what you get'. He took the video off facebook about three days later after it had been viewed over 2,000 times.</p> <p>I have broken up with [REDACTED] but we are still friends and he has told me that he doesn't want any police involvement. I think [REDACTED] has gone back to his old girlfriend [REDACTED] and it and I am getting unwanted messages via Facebook and mobile phone from them.</p> <p>I am prepared to go to court and give evidence if so required.</p>						

<b>WITNESS STATEMENT</b>					
<b>Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B</b>					
Occurrence Number:	1500280301	URN	62	FA	03131 15
Statement of:	THOMAS WARREN				
Age if under 18:	Over 18	Occupation:	Constable SWP2398		
This statement (consisting of 3 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.					
Wet Signature					
Electronic Signature:	 #SWP2398 WARREN, T.	Date:	02/08/2015 05:09		
Tick if witness evidence is visually recorded <input type="checkbox"/> (supply witness details on rear)					
<p>I am the above named Police Officer and I am currently stationed at Bridgend Police Station.</p> <p>At approximately 0135hrs on Sunday 2<sup>nd</sup> August 2015, I was on duty in full uniform in the company of Pc 4400 Thomas when we received an assistance call from Pc 4699 Dobson who was requesting a van urgently to convey a violent male he had just been arrested on the Eastern Promenade, Porthcawl.</p> <p>At 0148hrs, I attended outside the Cabin Public House, where I could see Pc 4699 Dobson detaining a male on the floor near the entrance to Coney Beach fairground. This particular male was extremely violent and struggled as we escorted him to the rear of my marked Police vehicle.</p> <p>As we placed this violent male into the cage and closed the door, my attention was drawn to a drunken male on the pavement outside Llews Chip Shop, who appeared to be held back by another male. I could see the drunken male had a minor cut above his left eye. As I approached him, he began swearing and became abusive towards myself and Pc 4699 Dobson. This male was shouting, <b>"LET THEM FUCKING ARREST ME, I DON'T GIVE A FUCK"</b>.</p> <p>Due to his aggressive behaviour and the fact he was drunk in a public place as well as being identified as being involved in an earlier disturbance, Pc 4699 Dobson approached the male and attempted to arrest him for affray. Pc Dobson took hold of the males' right hand and placed a handcuff on his wrist. This male then shout, <b>"GO ON FUCKING ARREST ME NOW, COME ON YOU CUNTS"</b>.</p> <p>As the one cuff was applied to his wrist, the male instantly struggled free and used the handcuff as a weapon by swinging his right arm around in an aggressive way, which led me to</p>					

Signature:	Signature witnessed by:
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believe he was going to assault me or Pc 4699 Dobson. This male was stood in my personal space, waving the handcuff in my direction. He continued to struggle with Pc 4699 Dobson and I was now fearful that Pc 4699 Dobson was going to be assaulted by this male.

This male was of a muscular build and appeared very agitated. In my opinion, he was heavily under the influence of alcohol and drugs as his behaviour was so aggressive and irrational. Both his fists were clenched and I could see that the top bar on the handcuff was open and potentially it could have caused serious injury to myself or any of my colleagues.

I drew my Taser and shouted at the male, "OFFICER WITH TASER, STOP STRUGGLING". I aimed the red dot on the males' stomach area and again shouted the instruction "**STOP STRUGGLING TASER TASER**".

The male continued to struggle so I discharged a cartridge from approximately two feet away. I believed the top barb connected the male's stomach area although I don't believe the bottom barb connected as the Taser deployment had no affect. I fired a five second cycle, but it had no Effect on the male. I believe the bottom barb may have made contact with the loose handcuff on his right wrist, hence the Taser having no effect on the male. I saw the male pull the top barb from his body before managing to escape and run towards the general direction of Porthcawl Fire Station when he appeared to trip over and stumble.

I saw the male pull the top barb from his stomach area and pull a silver coloured knuckle duster from his person. At this point, he is still armed with a handcuff on his right wrist, with the top bar open and potentially lethal.

As he got up off the floor, this male again started waving the handcuff in the air towards the direction of the Officers. The male was eventually detained by myself, Pc 4699 Dobson and Pc 4400 Thomas. We also received assistance from a member of the Cabin Public House door staff.

As we detained this male, the knuckle duster that he had in his possession had fallen out of his hand and onto the floor. I recall Pc 4400 Thomas shouting "**KNUCKLE DUSTER**".

This male continued to struggle, so I loaded the second cartridge as a precaution and shouted, "**OFFICER WITH TASER, STOP STRUGGLING OR YOU WILL BE TASERED**".

We gained compliance and the male was successfully handcuffed to the rear in a home office approved manner. This male then identified himself as [REDACTED].

At 0158hrs, I searched the scene of the incident and located the two barbs that were initially

Signature:		Signature witnessed by:	
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fired and seized them. I exhibit the cartridge and the two barbs as Police Ref (TW/01), B56 Ref (1006595), Court Ref ( ).

Signature:		Signature witnessed by:	
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<b>WITNESS STATEMENT</b>						
<b>Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B</b>						
Occurrence Number:	1500280931	URN	62	FA	03137	15
Statement of:						
Age if under 18:	Over 18 (if over 18 insert 'over 18')	Occupation:	Security employee			
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:	18/8/2015
Tick if witness evidence is visually recorded <input type="checkbox"/> (supply witness details on rear)						
<p>I am the above named person and I live at an address known to the police. I work as a security guard and at the time of the events detailed in this statement I was providing security at BREEZE NIGHTCLUB, EASTERN PROMENADE, PORTHCAWL.</p> <p>At 21:00 hours on Saturday, 1<sup>st</sup> August 2015 I began a shift at the BREEZE NIGHTCLUB, PORTHCAWL. My duties at this location entail working on the door checking ID and conducting searches for weapons and drugs etc. These searched are conducted at random with consent. I also conduct periodic patrols inside the club checking the toilets and fire exits.</p> <p>At approximately 22:30 hours it was starting to pick up and was getting quite busy in the club. I was inside the main part of the club. At this time my attention was drawn to a male, who as far as I can remember was wearing a white top with red horizontal stripes. The only other thing I can remember about this male was that he was a little shorter than me, say around 5'10" maybe. I would possibly recognise him again but I am not certain. My attention was drawn to him because he had approached a couple besides the bar and the female of the couple had pushed herself between this male and her partner saying "CAN YOU GO AWAY". The male refused so I went over and intervened. I took the male downstairs to talk to him as it was too loud in the main part of the club. On the way down the stairs, this male showed a bit of aggression towards me by puffing his chest up, throwing his arms about and speaking with a very aggressive tone in his voice. I calmed him down and found out that he actually had worked in the nightclub as a plasterer while it was being refurbished. He also explained that the girl upstairs who had intervened was his ex-girlfriend and he was still in love with her. I advised him to keep his distance from them or he would be asked to leave and told him that if he couldn't do this then he wouldn't be allowed back upstairs. He appeared calm and agreed that he wouldn't cause anymore problems. I allowed the male to go back in to the club.</p> <p>About an hour later the same evening I was standing on the front door of the nightclub when I heard a commotion from behind me. I turned to see a colleague, [REDACTED], restraining the male in the white top with red stripes and quickly moving him towards the door. The male in the white top with red stripes was thrown out of the club. He came back at the door staff and shouted some abuse at us but then cleared off without further incident. I don't know why [REDACTED] threw out the male in the white top with red stripes but I suspect that it was because he couldn't keep away from his ex-partner.</p> <p>I didn't see the male in the white top with the white stripe again until much later in the night, say approximately 01:30 hours on Sunday 2<sup>nd</sup> August 2015. At this time I was detaining a male in a yellow t-shirt outside the nightclub with a police officer for another separate incident. I was walking back to the club after the police officer</p>						



Occurrence Number:	1500280931	URN	62	FA	03137	15
Statement of:						
<p>took the male in the yellow t-shirt to a van. I then heard a commotion down by the road, so I turned and saw about 5 police officers running down towards the entrance to MANSELS CHIPSHOP, which is just around the corner from the BREEZE NIGHTCLUB. I walked out in to the road to see what was happening as there were a lot of police vans there blocking my view. I observed the male in the white top with red stripes being arrested by a male officer. The officer was standing behind the male in the white t-shirt with the red stripes and he was holding the male's hands behind his back so I assumed the male was being handcuffed. At this point I saw the male get away from the police officer. I started to run down to offer assistance but then heard someone shout "TASER, TASER, TASER" so I stopped. I watched a police officer pointing a TASER at the male in the white top with red stripes and fire it. It didn't seem to have any effect on the male who started kicking his legs at the TASER officers face. The male in the white top with red stripes was flinging his legs high up towards the officer. I think he may have made contact with the officer with one kick but it looked as if the officer managed to deflect it away with his arm.</p> <p>By this time, the male was in the middle of the road, there was a female officer there with blonde hair who was trying to keep the males mates away as they were becoming quite verbal and encroaching on the situation. I was only about 10 feet away so decided that I had to take some action to help the police officers so I ran over and tried to grab the male's waist. An officer also took hold of the male by the back of his shirt and bent the male forward so he went to the ground. The male was face down to the ground with his knees tucked up in to his chest so he was in a strong position from which he could stand back up. I pulled his feet backwards so that he was flat on the ground. I then restrained his legs. The male in the white top with red stripes was trying to struggle but now there were 2 officers, me and [REDACTED] restraining him. A police officer came over to take over from me. As I was getting back up I heard the female officer shout something about a knuckle duster. I saw a knuckle duster laying on the road about 3 feet away from where he was being restrained and in the spot he was when I first got involved. Also on the road were parts from the TASER and its wires, a torch and a pen. The police took the male over to the wall by GRIFFIN PARK. At this time the male was fully handcuffed. I stood by the knuckleduster and the parts of the TASER. I pulled the wires out of the road so that traffic wouldn't drive over them. I started to divert traffic away from the bits on the floor but I then heard the male in the white top with the red stripes start to kick off again. He was kicking himself off the wall and pushing against the 2 officers detaining him. The female officer was leaning in to him with her arms outstretched shouting "STAY THERE" and pushing him back against the wall. I went over to help and together we put on him on to the ground. A police van then arrived with a further 2 officers.</p> <p>The male was not co-operating and there was no way we could allow him to stand back up to get him to the van. He was struggling with immense strength, more than I had experience of him earlier on and if he was allowed to get to his feet he would have used this against us. He was also spitting blood and we didn't want him at eye level. Four of us; myself, [REDACTED] and 2 male police officers carried the male in the white top with the red stripes to the back of the van, keeping him face down, although he was still turning his head and trying to spit up at us. The male was placed lying down on his left side in the rear of the van. He tried kicking out as soon as he was put down in there but the door was shut quickly to prevent him kicking anyone. As soon as the door was shut I left with [REDACTED]</p> <p>I am prepared to attend court and give evidence if I am required to do so.</p>						

<b>WITNESS STATEMENT</b>							
<b>Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B</b>							
Occurrence Number:	URN <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="width: 20px; height: 15px;"></td><td style="width: 20px; height: 15px;"></td><td style="width: 20px; height: 15px;"></td><td style="width: 20px; height: 15px;"></td></tr></table>						
Statement of:	<b>NAOMI DREW</b>						
Age if under 18:	<b>Over 18</b>	Occupation:	<b>POLICE INSPECTOR</b>				
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.							
Wet Signature							
Electronic Signature:	<b>N DREW</b>	Date:	<b>16/11/2016</b>				
Tick if witness evidence is visually recorded <input type="checkbox"/> (supply witness details on rear)							

I am Inspector Naomi Drew of the South Wales Police, I am currently stationed at Bridgend Police Station in the Community Safety Department. I have been in this role since July 2015, part of my remit includes licensing for Bridgend and the Vale of Glamorgan, working with my team and licensed premises to ensure that the licensing objectives are complied with.

When breaches of a premises license are brought to my attention, it is always my initial intention to work alongside the premises in question to attempt to rectify the situation, prior to any enforcement action being considered.

On the 8<sup>th</sup> June 2016, I had cause to send a warning and advice letter to Mr Patrick Charles George EVANS, Premises Licence Holder and Mr Karl SVENSEN, Designated Premises Supervisor of the Cabin Bar & Breeze Night Club, Coney Beach, Eastern Promenade, Porthcawl. In this letter I outlined the circumstances concerning a serious disturbance which took place outside the premises on the 30<sup>th</sup> April 2016, whereby both Police Officers and a member of the public were assaulted. Subsequently two individuals who had been customers in the premises were arrested.

Officers investigating this incident had made 5 separate requests for CCTV footage to be provided, despite these requests the footage was not provided.

I further referenced an incident which occurred on the 3<sup>rd</sup> April where an offence of Grievous Bodily Harm was recorded. On this occasion there was a delay in providing CCTV footage, thus impeding the investigation of a serious offence.

At the conclusion of this letter I reiterated the importance and onus on the premises to be diligent when serving and admitting customers to the premises.

On the 12<sup>th</sup> July 2016, I had cause to send a second warning letter to Mr EVANS and Mr SVENSEN regarding the Cabin Bar & Breeze Nightclub, Coney Beach, Eastern Promenade, Porthcawl. This letter was sent in relation to an assault which occurred at the Breeze nightclub on Saturday 2<sup>nd</sup> July 2016. Disappointingly and despite the previous letter a month before, the manageress was unable to provide CCTV images when requested. I concluded this letter by admonishing the premises to take appropriate steps to reduce the number of alcohol related occurrences and to comply with the conditions of their authorisation.

Signature:		Signature witnessed by:	
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In order to promote the licensing objectives and to work with the premises I instructed PC ELLIS to arrange a meeting with the Mr EVANS & Mr SVENSEN. As with other premises I have worked with, it was suggested that the meeting take place at Bridgend Police Station. This has never been a cause for contention in my experience with other licensed premises across the Borough. I was therefore somewhat surprised when I received a response stating that it would not be appropriate to meet in the Police Station. It was suggested that we should instead attend at the venue in order to view the CCTV system. Taking into consideration the fact that I was not disputing their system and that the footage previously requested was outside of their retention period and therefore no longer available, there was no value to attending.

A meeting was however convened at Bridgend Police Station, Brackla Street, Bridgend at 09.30hrs on Wednesday the 10<sup>th</sup> August 2016. Present at this meeting were Mr SVENSEN, Ms Faye BAYLISS who is employed at the premises and PC 2458 ELLIS and PC 5102 ROWLATT, licensing Officers for Bridgend. The meeting started by discussing the issues surrounding non production of CCTV in relation to the above two letters. Unfortunately it was not possible to reach agreement as Mr SVENSEN disputed the evidence before him and any subsequent breaches. As the meeting progressed Mr SVENSEN alluded to the fact that he feels he is receiving unfair treatment from South Wales Police and that the issues I referred to had not happened at this premises. At this point I felt it relevant and pertinent to remind Mr SVENSEN of a previous meeting held at Bridgend Police Station on the 4<sup>th</sup> August 2015, where a number of violent incidents concerning alcohol related crime and disorder were discussed and advice was given on the management of such incidents.

It is both disappointing and concerning that despite warning and advice letters being sent, and meeting in person to discuss the issues, and to reinforce the licensing conditions, the advice offered has not been heeded. Having tried to engage and work with the premises, I now consider that the only option left in order to ensure the premises works towards its licensing objectives of The Prevention of Crime and Disorder, Public Safety and The Prevention of Public Nuisance, is to seek to take enforcement action.

Signature:		Signature witnessed by:	
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# BLACKFORDS LLP

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Our Ref:

Office for Reply: Cardiff

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\*CJSM: Cardiff.office@blackfords.cjism.net

Date: 24 October, 2016



Dear Sirs

**RE: CABIN BAR AND BREEZE NIGHTCLUB, PORTHCAWL**

We write with reference to the above named premises and can confirm that Blackfords LLP have been instructed to act on their behalf with regards to the application for a review of the premises licence.

We would be grateful if all correspondence could be copied to our firm during the course of this matter.

It is noted that a decision has been made to hear the application for a review of the premises licence as a 'closed hearing'. We respectfully request details as to why such a decision has been made and indicate that our client wishes to be present during the hearing, along with their legal representatives.

We can confirm that witness statements and supporting documents by way of representation will be forwarded to the council during the course of this week.

It is noted that full grounds for review have not been made available to our client and we would request that this be forwarded as a matter of urgency.

We also request full details and copies thereof, of all representations made by interested parties with regards to the application.

Yours faithfully

**SOLICITOR-ADVOCATES, SPECIALIST FRAUD, REGULATORY & SERIOUS CRIME LAWYERS**

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**PRACTICE DIRECTOR**  
Cara Sedgwick



*Blackfords LP*

**BLACKFORDS LLP**

**IN THE MATTER OF AN APPLICATION FOR REVIEW  
OF A PREMISES LICENCE UNDER S.51 OF THE LICENCING  
ACT 2003**

**AND IN THE MATTER OF CABIN BAR AND BREEZE NIGHTCLUB**

**WITNESS STATEMENT OF KARL SVENSON**

1. My name is Karl Svenson and I acquired the lease of The Cabin Bar on 31<sup>st</sup> October 2014.
2. As of the 31<sup>st</sup> October 2014, I became the Designated Premises Supervisor.
3. Further to the acquisition of the lease, I subsequently refurbished the first floor of the premises and opened 'Breeze Nightclub and Function Suite' in July 2015.
4. I have managed several licenced premises over the last twenty years as 'DPS'.
5. I have an impeccable record of complying with all requirements and stipulations related to licenced premises
6. I currently employ fifteen members of staff at the venue, including a manageress.
7. All members of staff receive comprehensive training and support to ensure that they comply fully with licencing laws and operate in a safe manner (KS/1).
8. It has been surprising and saddening that South Wales Police are reviewing the premises licence of The Cabin Bar and Breeze Nightclub, given my willingness to cooperate and my continuous efforts to try and maintain a positive working relationship with South Wales Police.
9. I will deal with each of the allegations in order:

**Licencing Objectives**

***"There are numerous, persistent and an unacceptable number of incidents, many of these occurrences have resulted in injury to customers, some severe, where alcohol has played a prominent part"***

10. In recent months, the number of incidents at the venue has declined, this is as a result of the consistency and hard work of the Door Supervisors in adopting a zero tolerance approach to antisocial behaviour and the bar staff's vigilance when dispensing alcohol to customers.
11. We keep a comprehensive record of all incidents that occur on the premises.
12. Since January 2016, there have been only four recorded incidents (KS/2):
  - a. 16<sup>th</sup> April 2016
  - b. 22<sup>nd</sup> April 2016
  - c. 19<sup>th</sup> June 2016
  - d. 29<sup>th</sup> July 2016
13. Of these incidents, only one (22<sup>nd</sup> April 2016) resulted in injury to a customer/member of the public.
14. Violent behaviour is not tolerated and we always aim to prevent any such incidents occurring.

***"Customers have had to be forcibly handcuffed, whilst one was so violent that he had to be subdued with a taser weapon i.e what is commonly referred to as 'tasered'"***

15. It is inevitable, given the nature of the business that occasionally the police will need to detain members of the public.
16. In relation to this specific incident (1<sup>st</sup> August 2016), we challenge the description of the event that has been put forward by South Wales Police.
17. A member of the public [REDACTED] was refused entrance to the premises. He was found to have a substance on him who the Door Supervisor's believed could be illegal drugs.
18. It is acknowledged that he could have been a potential customer, he did not, in fact, enter our premises.
19. He was arrested more than 150 yards from the premises and the premises' security staff supported South Wales Police in detaining the individual [REDACTED]

***"In the last few months a number of police officers summoned to deal with disturbances have also been assaulted"***



20. It is acknowledged that there have been two incidents where police officers have been injured in the vicinity of the venue.
21. The first incident (1<sup>st</sup> August 2016) could have been prevented. The Security Officers who were on duty at the premises assisted the police to put a member of the public to the floor. They were then ordered to release him which subsequently resulted in him causing injury to the police officer.
22. We are aware of a second incident involving two female police officers at the entrance to Eastern Promenade.
23. This was again a situation where the premises' security staff assisted the police in detaining an individual.
24. We have no written incident log as the incident did not happen at our premises or in the immediate vicinity.
25. The individual involved had not entered the premises and our security staff confirmed this to the police at the time.
26. We made available our CCTV footage to South Wales Police but the incident was too far away and, as a result, there was no evidence which assisted.

***"The most serious offences have been committed under the Licencing Act 2003"***

27. Given the wide range of offences which this Act covers, a further breakdown of the offences would assist in our understanding of the Police's allegations against the premises.

***"Similarly, serious offences have been detected under other legislation which is appended to the Applicant"***

28. We would reiterate that clarification of such allegations is required in order for us to fully address matters.

***"In fact, the list of incidents associated with the premises highlights that it has an extended history of violence and disorder"***

29. As a venue, we work tirelessly to ensure that we operate in a manner which ensures the safety of both our customers and our staff.
30. In recent months, the number of incidents at the venue has decreased. This is as a result of the consistency and hard work of the Door Supervisors in fostering a zero tolerance approach to antisocial behaviour and the bar staff's vigilance when dispensing alcohol to customers.

***"These occurrences and offences recorded to date are totally unacceptable and even if they were to remain constant a review is warranted, however, they have increased since 2014 and will increase further unless drastic changes take place"***

31. We challenge that incidents will increase further unless drastic changes take place. As already explained there has been a decline in disorderly incidents at the venue in recent months.
32. Staff have received, and will continue to receive, extensive training in order to minimise any incidents of alcohol related disturbances. It should be acknowledged that prior to my acquiring the lease for this venue, it was in a very poor state of repair and subsequently held a small number customers. It was often shut by 9p.m in the evening.
33. Due to the vast improvement in the building and facilities of the venue, the volume of customers will naturally increase. Unfortunately this can result in an increase in anti-social behaviour which we are constantly working hard to reduce.
34. There have not been any incidents at the venue for over three months. This has been during our busiest time, including the Elvis weekend.

***"Since Karl Svenson became DPS in late 2014 and the nightclub reopened in July 2015 having been unused for a number of years as it had fallen into disrepair, there has been an increase in alcohol related violence, crime and disorder"***

35. As outlined at paragraphs 33-34, the improvement in the premises has had a knock-on effect in increasing customer footfall and therefore increasing the possibility of incidents of anti-social behaviour. We continue to work hard to reduce such incidents.

***“Additionally the licencing objectives have been further and seriously undermined by events during the Elvis Festival”***

36. Further clarification is required in relation to the events alleged by South Wales Police.
37. Elvis Weekend was a successful weekend for the venue, even though footfall had significantly increased as a result of the event, there were no reported incidents of any type at the premises.

***“From 2015 up to and including September 2016 numerous occurrences have been reported many of which have subsequently been recorded as criminal offences”***

38. It is acknowledged that there have been occasions where criminal offences have been committed, it should be noted that there have been incidents where one member of the public has been charged with several offences.
39. We suggest that the list is somewhat skewed as a result of not being related to specific incidents, to show the exact number of incidents relate to such offences.

#### Theft

40. We are unaware of any incidents of theft directly related to our venue or our customers.
41. We can recall one occasion where a customer alleged her mobile telephone had been stolen and myself, along with [REDACTED] and [REDACTED] were subsequently interviewed at Bridgend Custody Suite.
42. No further action was taken in respect of this offence.

#### Sexual Assault

43. We are unaware of any incidents of sexual assault at our premises.
44. Officers from South Wales Police attended the premises and sifted through over three hours of CCTV footage with the assistance of [REDACTED]

45. It was concluded by the Police Officer in attendance that the offence in question happened at a premises with 'steel stairs' which this venue does not have.

46. The officer therefore acknowledged that the incident could not have taken place at The Cabin Bar/Breeze Nightclub.

#### Possession of Class A, B and C Drugs

47. The venue has a strong anti-drugs ethos and conducts frequent searches of a wide cross-section of customers.

48. A female Door Supervisor has been employed in order to ensure that both male and female customers can be searched.

49. Although we frequently conduct searches we have not found any customers with drugs since December 2015.

50. Prior to this date, four people were refused entry to the premises on separate occasions (KS/5):

- a. 1<sup>st</sup> August 2015
- b. 7<sup>th</sup> August 2015
- c. 28<sup>th</sup> August 2015
- d. 18<sup>th</sup> December 2015.

51. As a venue, we endeavour to eliminate all instances of possession of illegal substances but again, due to the nature of the business, this will always be a challenge, however, it is a challenge that all similar venues will face and we continue to be vigilant and ensure our staff are appropriately trained.

#### Offences under the Private Security Act

52. Further clarification is required in order to ensure we are in a position to address these points.

53. In relation to the Elvis Weekend, the premises licence states: "The premises licence holder will ensure that two SIA registered supervisors are employed at the premises on Fridays and Saturdays from 2200 hours until closure" and "The premises licence holder will ensure that two SIA registered supervisors are employed at the premises on the Saturday only of the 'Elvis Weekend' from 1400 until closure.

54. Both of these conditions were fully satisfied and, in fact, the number of registered SIA registered supervisors exceeded the mandatory number at all times.

55. Our attention was drawn to an incident where a member of staff incorrectly signed the premises supervisor 'signing in' log. The member of staff in question has been spoken to and disciplinary proceedings have been instigated (KS/6)

***"It is also significant that customers have become very violent and many have been so intoxicated on arrest that custody officers have had to conduct regular 30 minute welfare visits to the cells to monitor their demeanour"***

***"Custody records detail that prisoners are still drunk many hours after arrest and visits have taken place from the commencement of their detention until their release many hours after their arrival at the police station".***

56. As previously explained, all of our staff are highly trained in order to identify customers that have consumed too much alcohol. We are concerned that customers to whom we have refused entry because of their levels of intoxication, are subsequently engaging in alcohol related crime and are being linked to our premises even though they have been refused entry.

57. Furthermore, when arrests are made in the vicinity it is worth noting that there are several venues positioned within a small radius.

### **Engagement**

***"South Wales Police have engaged in different approaches to promote the licencing objectives including warning/advice letters and meetings. There has, in fact, been two letters served recently.***

***There was also a failed attempt by the police to convene a meeting at Bridgend Police Station in July 2016 to address matters.***

***However; the two meetings which have taken place as well as the letters served have had no impact and incidents involving drunken, violent customers as well as other serious occurrences continue to be recorded. "***

58. The initial meeting in August of last year addressed concerns regarding incidents relating to the venue. Although it is stated that there were incidents on the 8<sup>th</sup>, 9<sup>th</sup>, 16<sup>th</sup>, 28<sup>th</sup> and 29<sup>th</sup> August 2015, this was soon after the meeting.

59. The number of incidents at the venue has consistently declined since we opened in July 2015 and there have been no recorded incidents since July 2016.
60. It was alleged that the venue had failed to provide CCTV, however, historically, the venue has provided CCTV many times to the police and on occasions remained at the venue until the early hours of the morning in order to ensure the police retrieve evidence as promptly as possible.
61. This has also resulted in additional members of staff being paid in order to attend the venue and extract CCTV to a memory stick.
62. The CCTV which we have on site is a system which cost around £7,500.00. It has extensive coverage of both inside and outside the venue and features a high quality picture.
63. I was unaware that the police required any CCTV footage and, as I explained at the meeting, have never withheld any CCTV from the police. In the past I have gone above and beyond in order to ensure the police receive access to CCTV footage in a timely manner.
64. During the meeting a plan was put in place in order to ensure there is now a single point of contact for when CCTV is required by the police. This will ensure that there is no further confusion in the future.
65. There have been no further issues regarding CCTV since the meeting with the police.
66. It is disputed that there were failed attempts to convene a meeting. This was not due to Mr Evans' unwillingness and South Wales Police were invited to attend the venue but this failed to materialise.
67. A meeting did take place between myself and South Wales Police.
68. There was no refusal to attend the meeting by any party, only a suggestion for the meeting to be held at the premises rather than at the police station.

***“Despite the meeting, serious matters were subsequently evidenced during a joint-agency enforcement operation at the Porthcawl Elvis Weekend in September 2016”***

69. Again, we would request further information as to the allegations which are being put forward by the police regarding the Elvis Weekend.

70. We have outlined the requirements of the premises licence at paragraph 53.

**Warning/advice letters served on the licence holder and DPS by South Wales Police**

***“The incident again highlighted that a customer’s intake of alcohol was excessive and played a significant part in the assault.***

***At 02:03 hours on Saturday 23<sup>rd</sup> July 2016 (Friday trading) customers became involved in a disturbance upon leaving causing officers to alight from a vehicle and intervene in an attempt to part the factions.***

***Sergeant 4717 Davies was taken to the ground where he was punched in the face by a customer who, after a struggle, was eventually arrested and handcuffed. He was very intoxicated.”***

71. I raise the same concerns that it is difficult to be certain that they had, in fact, been inside our premises and had not been refused entry due to their level of intoxication. There are numerous licenced premises in the vicinity and it should be noted that the location of our premises is at a through route for people walking from the town centre venues and returning to Trecco Bay. With this in mind, it cannot always be attributed that individuals who have consumed too much alcohol and who are situated outside our venue have necessarily been one of our customers.

***“These concerns are strengthened given that the advice and warnings have been given and meetings held, yet there continues to be a failure to promote the objectives. In fact, the management are in denial of what is regularly occurring.”***

72. Only one of the meetings held referred to alcohol related incidents and this was over 12 months ago. Since that meeting there have been no concerns raised, other than an issue regarding CCTV which was concluded by both parties disagreeing with the events which resulted in the CCTV not being provided.

73. A way forward was agreed with regards to the provision of CCTV in the future and there have been no subsequent issues.

74. Had I been made aware of the concerns which have now been raised by South Wales Police, then I would have ensured that I worked with the police and licencing in order to overcome any difficulties.

75. I am concerned, with the exception of the meeting which was held on 14<sup>th</sup> August 2015, that no concerns regarding alcohol related incidents have been raised with me or with the premises holder.

76. We seek to work in collaboration with South Wales Police and to foster a positive working relationship. In order to do so then it is essential that we have an open and honest dialogue.

77. It is frustrating that rather than address these issues with me, you have taken the step to review the premises licence.
78. Further confusion is added by the agreement on the 8<sup>th</sup> September 2016 to grant two Temporary Event Notices (TEN) allowing me to remain open until 4am on 24<sup>th</sup> September 2016 (Saturday trading Elvis Weekend) and also the same hours for the forthcoming Boxing night (26<sup>th</sup> December 2016).
79. In light of the incidents which are alleged to have taken place at the premises, then this I find it difficult to comprehend the authorisation of the TENs.
80. Throughout the allegations, there have been common themes which relate to the difficulty in determining where members of the public have been consuming alcohol prior to offences being committed.
81. Furthermore, it has been highlighted that some incidents have occurred as a result of individuals being refused entry because they are too intoxicated. We cannot take responsibility for individuals who have consumed alcohol at other venues.
82. As a venue, we have a comprehensive set of documents to certify that we work effectively and safely in order to ensure the well-being of staff and customers alike. These include:
- a. Training Manuals
  - b. Health and Safety Risk Assessments
  - c. Fire Safety Records
  - d. Prevention of Underage Drinking and Drug and Alcohol Violation
  - e. Challenge 21 Policy
  - f. Tool Box Talk Scheme
  - g. Incident Logs
83. It should be noted that since November 2014, the Cabin Bar has experienced an exceptionally small number of incidents, only two of which have required the attendance of the Police.
84. I disagree with some of the statements which have been put forward by South Wales Police in respect of the premises but it is evident that there do need to be changes made to further ensure the safety of customers, staff and the wider public. With this in mind, we have considered a number of 'Action Points':
- a. Staff training to continue to be a vital part of ensuring customer and public safety;
  - b. From this weekend, two SIA approved Security Officers will assist in the dispersion of customers once the venue has closed with the aim of eliminating any incidents.



- c. Upon reviewing the time it takes customers to disperse following the closure of the premises, it is clear that there is often a lack of taxis available and in light of this, we have engaged with PD Travel, who have agreed to provide taxis from the venue on Friday and Saturday nights from 11pm onwards.

SIGNED:

A large, dark, scribbled-out area that completely obscures the signature of the person who signed the document.

DATED: 25.10.16

# BLACKFORDS LLP

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Date: 26 October, 2016

Dear Sirs

**RE: CABIN BAR AND BREEZE NIGHTCLUB, PORTHCAWL**

We write with reference to the above named premises, for which an application to review a premises licence has been made by South Wales Police.

We enclose copies of signed statements which put forward our representations in respect of the application which is before the council.

We reiterate the contents of our letter dated 24<sup>th</sup> October 2016 and believe that it would be prudent for our clients to have sight of the full application, together with copies of any other representations which have been made by interested parties.

This will ensure that the licencing committee have are appraised of all relevant information and the committee will note that there are areas which our client has some difficulty in answering, due to the vague outline of allegations which has been provided to date.

We of course reiterate our request for this hearing to be held in such a manner that our client and/or their representatives can attend. We are sure that the council are as keen as our clients to ensure that there is full transparency when such decisions are being taken by the licencing committee.

Yours faithfully

**BLACKFORDS LLP**

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Breeze Night Club & Function Suite - Training & Induction Matrix

Health & Safety		Training Understood	Yes	No	Comments	Employee Sign Off	Manager Sign Off
Manual Handling							
COSHH							
PPE							
Check Fire Exits							
Check For Slips, Trips, and Falls Hazards							

Fire & Life

Fire & Life		Training Understood	Yes	No	Comments	Employee Sign Off	Manager Sign Off
Fire Evacuation Procedure							
Fire Extinguisher Locations							
Correct Fire Extinguisher Use							
Location of First Aid Kits							

Appliances

Appliances		Training Understood	Yes	No	Comments	Employee Sign Off	Manager Sign Off
Correct Use of Dish Washer							
Correct Use of Ice Machine							
How to Use The Tills							



**Breeze Night Club & Function Suite - Training & Induction Matrix**

**Preparation of Bar**

Training Understood	Yes	No	Comments	Employee Sign off	Manager Sign Off
Check the Tills, Float etc.					
Check Bar Runners are out					
Check The Fridge Stock					
Rotate Stock					
Check Spirits					
Check The Dish Washer					
Check Table Tops Are Clean					
Check Beer Mats Are Out					
Check Floors Areas Are Clean					
Check Toilets					
Remove all waste Before Opening					



**Breeze Night Club & Function Suite - Training & Induction Matrix**

**Individual Training**

Correct use of Radios				
Understanding Other Roles				
How To Deal With Aggressive Customers				
How To Communicate With Door Team				
Incident / Accident Reporting				
How To Complete Timesheets				
Weights & Measurements				
Correct Refusal Of Alcohol				
Recognising Legal Identification				
Correct Understanding of Challenge 21 Policy				

**I have been fully trained and understand each of the above points**

**Name:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_/\_\_\_/\_\_\_

Appendix ②

Site Number	Breeze	Date	16/04/16	Day	Saturday
Radios Checked		CCTV System Checked		All Keys Present	
Visiting Manager Name					

Signature Of Duty - I certify that I have read and understood the assignment instructions, risk assessments, and any amendments, temporary or otherwise, communicated to me at the start of my shift

	Name	Signature	Time On Duty	Time off Duty	Licence Number	Re
1	[Redacted]	[Redacted]	22:00		[Redacted]	
2	[Redacted]	[Redacted]	22:00		[Redacted]	
3	[Redacted]	[Redacted]	22:00		[Redacted]	
4	[Redacted]	[Redacted]	22:00		[Redacted]	
5	[Redacted]	[Redacted]			[Redacted]	
6	[Redacted]	[Redacted]			[Redacted]	

Serial	Enter details, including time of all important and unusual occurrences	Time	Initial
163.	[Redacted] completed cellar walk & all Exits clear.	22:00	[Redacted]
164.	Male in white T-shirt named [Redacted] medium height, large build short dark hair went for a Polish male with black top connecting a punch with his nose. [Redacted] attempted to use glasses against the door staff so [Redacted] turned the table upside down taking all glasses from within his reach. Large male in white vest & taller male with dark beard, short dark hair also in white T-shirt attempt to calm him down, both males speak briefly with [Redacted] and leave venue walking off in the direction of Bears Fish Shop. Polish male not seriously hurt & did not require first Aid.	01:08	[Redacted]
165.	Male in pink T-shirt wearing blue & white patterned jumper became aggressive with another male. The same male mentioned above in Ref No. 164 who was wearing a white vest, male escaped from premises down by [Redacted] & [Redacted] he refused to calm down & continued to shout abusive comments to the door staff, his friend wearing a green	01:20	[Redacted]

165 - body warmer also began arguing with [REDACTED]  
[REDACTED] due to first males behaviour. In the  
p.m. top he's continuous aggressive behaviour  
Manager [REDACTED] contacted 101, SWP  
arrived and a shot while later SWP move  
male on in green body warmer 1st male in  
p.m. top left in taxi situation resolved. 01:27.

NFTR [REDACTED]  
[REDACTED]  
[REDACTED]

16-04-16.

Breakdown of night.

~~2~~ 2 - refused NO FD.

1 - positive drug search packaging found male  
refused entry.

4 - Ejected for Rowdy / aggressive behaviour.

Appendix

(3)



**The Breeze Nightclub & Functions Suite - Incident Report**

Name: [REDACTED]

Date & Time: 00.32

Location of Incident: in front of DJ Area

Duty Manager Informed:  Yes / No

Police/Ambulance/Fire attended at: yes

Incident Type:  
male (A) in grey t shirt jeans dark short hair very tall hit a dark haired short male (B) black t shirt jeans in face [REDACTED] restrained male A and walked him to the doors a third male (C) tried to get to male (A) but was stopped by [REDACTED] male (B) suffered injuries to his face Doorstaff gave first aid ambulance called.

Print: [REDACTED]

Signature: [REDACTED]

Date: 22/04/14



Appendix

(4)



### The Breeze Nightclub & Functions Suite - Incident Report

Name: [REDACTED]

Date & Time: 19/6/16. Time approx 01:30 AM.

Location of Incident: Main entrance of Breeze.

Duty Manager Informed: (Yes) / No

Police/Ambulance/Fire attended at: Police attended.

**Incident Type:**  
at approximately 01:30 am. I was on front door of Breeze night club. I had heard someone chatting and turned around & Door Supervisor [REDACTED] was behind them and [REDACTED] he then started on a male approx 5ft 4inch with white T-shirt and blue jeans. [REDACTED] asked him to leave [REDACTED] took the male who with white T-shirt and blue jeans away from the situation and told him go back upstairs. Then outside the club 3 males. 1 male 6ft black top (T-shirt) started shouting abuse then the other 2 males followed suit 1 male then tried pushing his way past I stopped him then 2 males tried I pushed him back then 1 male punched me then I used reasonable force to get him away from building then the other 2 males come at forward towards me and used reasonable force on 3 males. to get them away from building (Police attended.)

Print: [REDACTED]

Signature: [REDACTED]

Date: 19/6/16



### The Breeze Nightclub & Functions Suite - Incident Report

Name: [Redacted]

Date & Time: 19/6/16

Location of Incident: Breeze

Duty Manager Informed:  Yes / No Myself

Police/Ambulance/Fire attended at: police.

**Incident Type:**

AT 1:30am I was still on tu at front door, I heard football chanting coming down the stairs. It was a young male wearing a tight black top & blue jeans.


He was chanting at another lad who was english - I know this as I had spoken to him when he arrived at club.

It got heated between both just inside of door. Myself and door supervisor D. Samuels diffused situation and sent the lad wearing black out the door P.

Print: [Redacted]

Signature: [Redacted]

Date: 19/6/16

and the other back into club. HU resolved a  
this time \_\_\_\_\_ 



## The Breeze Nightclub & Functions Suite - Incident Report

Name:

Date & Time:

APPROX 01:30 am 19/6/16

Location of Incident:

Breeze - front door

Duty Manager Informed:  Yes / No

Police/Ambulance/Fire attended at:

Police ATTENDED

Incident Type:

AT APPROX 01:30am AN ALTERCATION OCCURRED OUTSIDE BREEZE, I WAS CALLED BY MANAGER [REDACTED] TO ASSIST. AS I GOT OUTSIDE BREEZE OBSERVED MANY PEOPLE FIGHTING. I WAS ABLE TO WALK AWAY I MADE WEARING STRIPED TOP WHO I BELIEVED WAS ONE OF MAIN CAUSING TROUBLE. I WALKED HIM AWAY AND STAYED WITH FOR SOME TIME FOR MY COLLEAGUES TO TRY AND STOP AND OTHER FIGHTING. I WAS OBLIVIOUS TO WHAT WAS GOING BEHIND ME AS MY CONCERN WAS KEEPING PRO

Print: [REDACTED]

Signature: [REDACTED]

Date: 19/6/16

thus make way not to have it escalate  
again

---





Appendix (6)



Site Number	BR225	Date	01-08-15	Day	SATURDAY
Radios Checked	✓	CCTV System Checked	✓	All Keys Present	—
Visiting Manager Name	_____				

Signature Of Duty - I certify that I have read and understood the assignment instructions, risk assessments and any amendments, temporary or otherwise, communicated to me at the start of my shift.

	Name	Signature	Time On Duty	Time off Duty	Badge Number
1	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]
2	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]
3	[REDACTED]	[REDACTED]	22:30	02:30	[REDACTED]
4	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]
5	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]
6	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]

Serial	Enter details, including time of all important and unusual occurrences	Time	Initial
1	Back fire got checked ready for open	21:00	[REDACTED]
2	1 female stepped searched 1 x small bag white substance Black hair & purple T-shirt - picture on CCTV system	22:22	[REDACTED]
3	1 x male ejected. Refused to leave. Reprimanded and removed from club.	00:26	[REDACTED]
4	3 x males fighting outside club. 1 x male arrested & assaulted police officer.	00:51	[REDACTED]
5	2 males ejected for fighting.	01:01	[REDACTED]
6	seen fight outside, went out to calm the situation and assist the with arrest.	01:35	[REDACTED]
7	two supervisors [REDACTED] & [REDACTED] were assisting police arrest & detain male in polo shirt for assaulting M.O.P. at this time a male who I now know to be [REDACTED] that white polo top became aggressive with another M.O.P. he then attacked a police		











(1)

KS/3.

## Summary Log 01.08.15

### INCIDENT 1 of 01.08.15

This incident took place at the entrance of Breeze, where a male known as [REDACTED] was refused entry after a search was carried out and drugs were found in his possession.

[REDACTED] was at no time on our premises.

Once [REDACTED] had been instructed to leave the entrance of Breeze, he became abusive towards door staff along with the 2 x males that accompanied him.

All 3 x males left the area later to return where they were faced with the Police who dealt with the said incident.

Please note:

[REDACTED] was intoxicated prior to his arrival and the incident took place away from our venue.

Please see attached log from our records.

### INCIDENT 2 of 01.08.15

A dispute took place outside the venue where the police were present. Door staff detained 1 x male and on command from officers was told to let him go. As he was let go, he assaulted a police officer.

This could of easily been avoided if police officers had listened to door staff in the beginning.

①

Site Number	BREZZE	Date	01-08-15	Day	SATURDAY
Radios Checked	✓	CCTV System Checked	✓	All Keys Present	—
Visiting Manager Name	—				

Signature of Duty - Security team have read and understood the assignment instructions, risk assessments, and any amendments, temporary or otherwise, communicated to me at the start of my shift.

	Name	Signature	Time On Duty	Time off Duty	Badge Number
1	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]
2	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]
3	[REDACTED]	[REDACTED]	22:30	02:30	[REDACTED]
4	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]
5	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]
6	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]

Serial	Enter details, including time of all important and unusual occurrences	Time	Initial
1	Back fire ext checked ready for OFN	21:00	[REDACTED]
2	1 male stepped searched 1 x small bag white substance Black Hair & purple t-shirt - Picture on CCTV system	22:22	[REDACTED]
3	1x male ejected. Refused to leave. Reprimanded and removed from club.	00:26	[REDACTED]
4	3x males fighting outside club. 1x male Assaulted police officer.	00:51	[REDACTED]
5	2 males ejected for fighting.	01:01	[REDACTED]
6	See fight outside, went out to calm the situation and assist the with arrest	01:35	[REDACTED]
7	Two Supervisors [REDACTED] & [REDACTED] were assisting police arrest & detain male in hoodie for assaulting M.O.P. At this time a male who I now know to be [REDACTED] that white polo top became aggressive with another M.O.P. he then attacked a police		



Site Number	BREZZE	Date	01-08-15	Day	SATURDAY
Roles Checked	✓	CCTV System Checked	✓	All Keys Present	—
Visiting Manager Name	_____				

Signature of Duty - I verify that I have read and understood the assignment list, duties, risk assessments and any amendments, temporary or otherwise, communicated to me at the start of my shift.

	Name	Signature	Time On Duty	Time off Duty	Badge Number
1	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]
2	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]
3	[REDACTED]	[REDACTED]	22:30	02:30	[REDACTED]
4	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]
5	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]
6	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]

Serial	Enter details, including time of all important and unusual occurrences	Time	Initial
1	Back the car checked ready for OPA	21:00	[REDACTED]
2	1 female stepped searched 1 x small bag white substance Black hair & purple T-shirt - picture on CCTV system.	22:22	[REDACTED]
3	1 x male ejected. Refused to leave. Reprimanded and removed from club. Front door	00:26	[REDACTED]
4	3 x males fighting outside club. 1 x male arrested & assaulted police officer.	00:51	[REDACTED]
5	2 males ejected for fighting.	01:01	[REDACTED]
6	SAW FIGHT OUTSIDE, WENT OUT TO CALM THE SITUATION AND ASSIST POLICE WITH ARREST	01:35	[REDACTED]
7	NEAR SUPERVISORS [REDACTED] & [REDACTED] were assisting police arrest & detain male in polo shirt for assaulting M.O.P. At this time a male who I now know to be [REDACTED] that white polo top became aggressive with another M.O.P. he then attacked a police		





①

KS/5

## Summary Log 01.08.15

### INCIDENT 1 of 01.08.15

This incident took place at the entrance of Breeze, where a male known as [REDACTED] was refused entry after a search was carried out and drugs were found in his possession.

[REDACTED] was at no time on our premises.

Once [REDACTED] had been instructed to leave the entrance of Breeze, he became abusive towards door staff along with the 2 x males that accompanied him.

All 3 x males left the area later to return where they were faced with the Police who dealt with the said incident.

Please note:

[REDACTED] was intoxicated prior to his arrival and the incident took place away from our venue.

Please see attached log from our records.

### INCIDENT 2 of 01.08.15

A dispute took place outside the venue where the police were present. Door staff detained 1 x male and on command from officers was told to let him go. As he was let go, he assaulted a police officer.

This could of easily been avoided if police officers had listened to door staff in the beginning.

1

Site Number	BREZZE	Date	01-08-15	Day	SATURDAY
Radios Checked	✓	CCTV System Checked	✓	All Keys Present	—
Visiting Manager Name	—				

Signature of Duty - I certify that I have read and understood the assignment instructions, all systems, and any amendments, temporary, or otherwise, communicated to me at the start of my shift.

	Name	Signature	Time On Duty	Time off Duty	Badge Number
1	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]
2	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]
3	[REDACTED]	[REDACTED]	22:30	02:30	[REDACTED]
4	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]
5	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]
6	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]

Serial	Enter details, including time of all important and unusual occurrences	Time	Initial
1	BAC fire got checked ready for open	21:00	[REDACTED]
2	1 female stepped searched 1 x small bag white substance Black Hair & purple T-shirt - picture on CCTV system	22:22	[REDACTED]
3	1 x male ejected. Refused to leave. Reprimanded and removed from club.	00:26	[REDACTED] lv
4	3 x males fighting outside club. 1 x male arrested & assaulted police officer.	00:51	[REDACTED] 200 PCC
5	2 males ejected for fighting.	01:01	[REDACTED] R
6	SEEN POLICE OUTSIDE, WENT OUT TO CALM THE SITUATION AND ASSIST POLICE WITH ARREST	01:35	[REDACTED] R
7	Next supervisors [REDACTED] & [REDACTED] were assisting police arrest & detain male in [REDACTED] shirt for assaulting M.O.P. at this time a male who I did not know to be [REDACTED] that white polo top became aggressive with another M.O.P. he then attacked a police		



Site Number	RREZZG	Date	01-08-15	Day	SATURDAY
Radios Checked	✓	CCTV/System Checked	✓	All Keys Present	—
Visiting Manager Name	_____				

Signature: \_\_\_\_\_ I hereby declare that I have read and understood the assignment, instructions, risk assessments, and any amendments, temporary or otherwise, communicated to me at the start of my shift.

	Name	Signature	Time On Duty	Time off Duty	Badge Number
1	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]
2	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]
3	[REDACTED]	[REDACTED]	22:30	02:30	[REDACTED]
4	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]
5	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]
6	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]

Serial	Enter details, including time of all important and unusual occurrences	Time	Initial
1	BACK fire exit checked ready for OPEN	21:00	[REDACTED]
2	1 female stepped searched L & small bag white substance Black hair & purple T-shirt - picture on CCTV system	22:22	[REDACTED]
3	1x male ejected. Refused to leave. Reprimanded AND removed from club. FRONT DOOR	00:26	[REDACTED]
4	3x males fighting outside club. 1x male arrested & assaulted police officer.	00:51	[REDACTED]
5	2 males ejected for fighting.	01:01	[REDACTED]
6	Small fight outside, went out to calm the situation AND assist police with arrest	01:35	[REDACTED]
7	Two supervisors [REDACTED] & [REDACTED] were assisting police arrest & detain male in foot street for assaulting M.O.P. At this time a male who I don't know to be [REDACTED] but white polo top became aggressive with another M.O.P. he then attacked a police		



(2)

## Summary Log 07.08.15

### INCIDENT 1 of 07.08.15

1 x male was ejected from front door for smoking inside the premises.

1 x male was arrested outside by police for refusing to leave site.

1 x male refused entry as an empty bag of white substance was found on his possession

The above 3 incidents were not related to our venue. However, below there was a fight that occurred in our venue and was dealt by our door staff and no police were needed

4 x males ejected for fighting in the club.

2

Site Number	38501	Date	7-8-15	Day	FRIDAY
Radios Checked	✓	CCTV System Checked	✓	All Keys Present	—
Visiting Manager Name					

**Signature Of Duty** - I certify that I have read and understood the assignment instructions, risk assessments, and any amendments, temporary or otherwise, communicated to me at the start of my shift.

	Name	Signature on Duty	Time On Duty	Time off Duty	Signature off Duty
1	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]
2	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]
3	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]
4	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]
5	[REDACTED]	[REDACTED]	22:30	02:30	[REDACTED]
6	[REDACTED]	[REDACTED]	22:30	02:30	[REDACTED]

Serial	Enter details, including time of all important and unusual occurrences	Time	Initial
1	BACK FIRE exit checked. READY for OPEN	2100	[REDACTED]
2	ONE MALE ESCAPED FROM FRONT DOOR for Refusing to LEAVE AND ATTEMPTING TO SMOKE INSIDE. SECOND MALE ALREADY OUTSIDE ARMED BY POLICE for refusing to leave site.	2350	[REDACTED]
3	3x males searched. EMPTY BAG found on one male WITH WHITE powder showing. Two males escorted	0010	[REDACTED]
4	1x male brought for search 1x bag found empty male asked to leave premises	00:24	[REDACTED]
5	TWO MALES ESCAPED FOR FIGHTING BY BACK	00:50	[REDACTED]
6	TWO MALES ESCAPED FOR FIGHTING BY BACK FIRE exit.	0110	[REDACTED]
N/FR			
[REDACTED]			

Site Number	BSS01	Date	7-8-15	Day	FRIDAY
Radios Checked	✓	CCTV System Checked	✓	All Keys Present	—
Visiting Manager Name					

**Signature Of Duty** - I certify that I have read and understood the assignment instructions, risk assessments, and any amendments, temporary or otherwise, communicated to me at the start of my shift

	Name	Signature on Duty	Time On Duty	Time off Duty	Signature off Duty
1	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]
2	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]
3	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]
4	[REDACTED]	[REDACTED]	21:00	02:30	[REDACTED]
5	[REDACTED]	[REDACTED]	21:30	02:30	[REDACTED]
6	[REDACTED]	[REDACTED]	22:30	02:30	[REDACTED]
			22:30	02:30	

Serial	Enter details, including time of all important and unusual occurrences	Time	Initial
1	BACK FIRE exit checked. READY for OPEN	2100	[REDACTED]
2	ONE MALE EJECTED FROM FRONT DOOR for Refusing to LEAVE AND ATTEMPTING TO SMOKE INSIDE. SECOND MALE ALREADY OUTSIDE ARMED BY POLICE for refusing to leave SITE.	2350	[REDACTED]
3	3x MALES SUCCEEDED. EMPTY BAG FOUND ON ONE MALE WITH WHITE POWDER SHOWING. TWO MALES EJECTED	0010	[REDACTED]
4	1x male brought for search 1x bag found empty male asked to leave premises	00:24	[REDACTED]
5	TWO MALES EJECTED FOR FIGHTING BY BACK	00:50	[REDACTED]
6	TWO MALES EJECTED FOR FIGHTING BY BACK FIRE exit.	0110	[REDACTED]
NFR			
[REDACTED]			











KS/6.

## DOOR STAFF ELVIS

DATE	TIME	STAFF	License No
FRIDAY 23RD	14:00 - 02:00		
	17:00 - 02:00		
	19:00 - 02:00		
	21:45 - 02:00		
	22:00 - 02:00		

DATE	TIME	STAFF	Licence No
SAT 24TH	11:00 - 02:00		
	11:00 - 02:00		
	14:00 - 02:00		
	19:00 - 21:00		

SUNDAY 25TH	TIME	STAFF	License No
	11:00 - 02:00		
	11:00 - 02:00		
	14:00 - 02:00		
	14:00 - 02:00		
	19:30 - 01:00		

**Private and Confidential  
To be opened by addressee only**

[REDACTED]

**Sent: [Recorded Mail]**

Contact person  
Karl Svensen

Phone  
[REDACTED]

E-mail  
karlsvensen@bluestonesecurityservices.co.uk

**Investigation outcome – Final Written Warning**

**27<sup>th</sup> September 2016**

[REDACTED]

I write to confirm the outcome of the investigation meeting held conducted by myself, Karl Svensen, Executive Manager on 26<sup>th</sup> September 2016 at the Cabin Bar in Porthcawl.

The allegation that was discussed at the investigation meeting was:

- **Signing the Door Supervisor Register on 23<sup>rd</sup> September 2016.**

It was discussed with yourself that you signed the door register on behalf of the door team as you did not want to get anyone into trouble not realising the full extent of your actions. I acknowledge this is something you have never done before and this is an isolated occasion due to the willingness to help.

On this occasion, your conduct/performance was unsatisfactory your actions resulted in potentially damaging the company's reputation therefore I have decided that given the serious nature of this incident but also taking onto account your honesty in admitting the incident and previous conduct you will receive a **Final Written Warning**. This warning will be placed in your personal file but will be disregarded for disciplinary purposes after a period of **12 months**, provided your conduct improves/performance reaches a satisfactory level.

**A) The nature of the unsatisfactory conduct or performance was:  
Signing the Door Supervisor Register**

**B) The conduct or performance improvement expected is:  
To ensure this is an isolated incident which does not reoccur**

**C) The timescale within which the improvement is required is:  
Immediate**

D) The likely consequence of further misconduct or insufficient improvement is:

**Dismissal**

You have the right of appeal against this decision. Please [write] to Karl Svensen. Within 7 days of receiving this disciplin

I'd like to thank you for your patience during the investigation. Please do not hesitate to contact me should you wish further.

Yours Sincerely

A large, solid black rectangular redaction covers the signature area of the letter.

Karl Svensen  
Manager

# BLACKFORDS LLP

Bridgend County Borough Council  
Civic Offices  
Angel Street  
Bridgend  
CF31 4WB

Your Ref:  
Our Ref:  
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Direct Dial: 02920 329647  
Email: Eleanor.Jefferies@blackfords.com  
CJSM: Cardiff.office@blackfords.cjssm.net  
Date: 27 October, 2016



Dear Sirs

**RE: CABIN BAR & BREEZE NIGHTCLUB, PORTHCAWL**

We write further to our previous correspondence dated 24th October and 26th October and with reference to the application of South Wales Police for a premises licence review of the above named venue.

Please find enclosed a signed statement from Mr Patrick Evans by way of representations to be considered as part of the review process.

This statement should be read in conjunction with that of Mr Karl Svenson which has already been served upon the council.

Yours faithfully

**Blackfords LLP**

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Diana Payne  
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Emergency Line: 07876 081080

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CF10 3BE  
DX 33005 Cardiff  
Tel: 029 2032 9645  
Fax: 029 2037 1669  
24 Hour Police Station  
Emergency Line: 07876 081080



**IN THE MATTER OF AN APPLICATION FOR  
REVIEW  
OF A PREMISES LICENCE UNDER S.51 OF THE  
LICENCING  
ACT 2003**

**AND IN THE MATTER OF CABIN BAR AND BREEZE  
NIGHTCLUB**

**WITNESS STATEMENT OF PATRICK EVANS**

1. The family have owned the freehold to the Cabin Bar since 1979.
2. Until last year, the licence was tendered out and the licence ran alongside any tenancy.
3. There were several individuals who had managed the premises over the years.
4. I have held the premises licence without any significant incident and there has always been an excellent working relationship with the police.
5. I do not seek to address specific issues in this statement as I am not at the premises on a day-to-day basis.
6. I have always been willing to cooperate and to assist when the police required. For example, I have been approached for CCTV footage on a number of occasions, as my CCTV cameras cover a very wide area.

8. The Eastern Promenade is a thoroughfare from the town centre. When all of the venues in town are closing, people use this as a walking route to Trecco Bay Caravan Park. Locals also use it as a route home.
9. As the Cabin Bar is the only venue with a late licence, it is always a final port-of-call for those who have been drinking elsewhere. I have always had complete faith in the door security staff to refuse entry to those individuals who should not be in the premises.
10. With regards to the meeting which was suggested by South Wales Police, I would like to clarify that there was never a refusal to attend.
11. I suggested that it might be more appropriate to meet at the venue itself, in order to discuss any issues and so that if access to CCTV was required, then it could be provided at the time.
12. This request was not answered.
13. I am aware that Karl Svenson has been approached on occasion to provide CCTV footage and that he has always complied with such requests. I have no reason to believe that he would have refused on this occasion.
14. The police are aware of the coverage that my CCTV system has and I can confirm that no request was made to me to obtain any CCTV footage from my systems.
15. I have an excellent working relationship with Karl Svenson and have complete trust in him to operate the venue in accordance to all licencing laws.

Moreover the annual lease granted to him requires [the Tenant] to “take all reasonable and necessary steps to maintain the Premises licence”

16. His desire to run the venue in accordance to legislation has been evidenced by the low number of incidents which have occurred at the premises since he took over.
17. He has invested in the premises and has undertaken to renovate it to a very high standard. This has an effect in attracting the right sort of customers.
18. We have been considering entering into formal discussions with the council and police regarding opening the old function suite which is adjacent to the Cabin Bar. Obviously operating our venues to a high standard of safety is important and this is something which we would seek to foster in any future business venture of licenced premises.
19. We would be seeking to employ at least 30 people if the function suite re-opens and obviously any impact on our licence could have a knock on effect for such future employment, as well as for the individuals who are already employed by Karl Svenson at the Cabin Bar.
20. I would seek a detailed breakdown of all allegations which are being put forward by South Wales Police with regards to the review of the premises licence to ensure that they understand that some allegations relate to the same incidents.

**SIGNED:** 

**Page ID:** 25/10/16

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By virtue of paragraph(s) 12 of Part 4 of Schedule 12A of the Local Government Act 1972.

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