

KEEPING SOUTH WALES SAFE • CADW DE CYMRU'N DDIOGEL



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Ref: SE B3-30

Thursday, March 02, 2017

Legal Services Department  
Corporate Services  
Bridgend County Borough Council  
Angel Street  
Bridgend  
CF31 4WB

Cc: NSA Afan Community Regeneration Ltd.



RE: OBJECTION NOTICE

RE: APPLICATION TO GRANT A PREMISES LICENCE UNDER SECTION 17 OF THE LICENSING ACT 2003

The South Wales Police (SWP) refer to the above grant application and inform Bridgend County Borough Council Licensing Authority that there are police objections in respect to this application from the premises to trade as Village café and function room, Bettws Life Centre, Bettws Road, Bettws, Bridgend CF32 8TB.

This application is made on behalf of Chief Superintendent Parfitt, the Chief Officer of Police who is of the view that the likely effect of the grant of this application on the licensing objectives would be to increase crime and disorder, public safety, public nuisance and the protection of children from harm in the vicinity of the premises and will no doubt add a negative impact to the family orientated public building.

Having regard to the information submitted in the Operating Schedule, South Wales Police are of the opinion that the operating schedule does not take into consideration the current climate of this existing building or the exceptional risk that the sale and consumption of alcohol will bring. The four licensing objectives are not being met and the application falls short of these expectations. The lack of self-governance will no doubt lead to a negative increase in crime and disorder and coupled with alcohol these can escalate quite significantly.

### Background to Premises

The Bettws Life centre is a public building containing offices, a library a community hall and a café. Therefore, the grant of this application for a licensed premises is detailed as being contained within the community hall and the café. The application has not considered how the influence of alcohol consumption and alcohol sales are not going to have a detrimental effect on key community services that already share this same building. Key services that are currently on the decline in other areas.

The life centre was previously licensed which was issued in April 2007 however this was surrendered in 2014 as the company went into arrears. This current application is not dissimilar to the previous one. Whereas this premises licence holder will be held by a company called NSA Afan and the day to day controller, the Designated Premises supervisor will be controlled at the local level. However, how this business plan will operate is confusing as there appears to be a clear lack of communication between the application and its operation.

In 2016 two temporary event notices were given at the premises and in 2017 there have also been two further temporary event notices. The TENS system has not been readily utilised to show an effective business model and that there is a need for this type of establishment in this area. The applicants have not tested that there is a case to answer at that this will be a successfully run premises.

The hours the premises wishes to be open are between 09.00 and 00.30 hours, Monday to Sunday, with one seasonal variation for New Years Day.

The application has asked for all licensable activity, including adult entertainment apart from late night refreshment. The café therefore will not be serving food after 23.00 hours.

The late hours that this application requires is over and above those that have been deregulated by government and so measures should be expressed within this application to show how the licensing objectives will be upheld.

In short, SWP request that appropriate measures need to be applied for should this application wish to be considered. The application either needs to remove its late hours or add extensive control measures to this application to prevent the sale of alcohol becoming negative for the community.

#### **Revised Guidance issued under Section 162 of the Licensing Act 2003: March 2015 Representations from the police**

9.12 In their role as a responsible authority, the police are an essential source of advice and information on the impact and potential impact of licensable activities, particularly on the crime and disorder objective. The police have a key role in managing the night-time economy and should have good working relationships with those operating in their local area. The police should be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective, but may also be able to make relevant representations with regard to the other licensing objectives if they have evidence to support such representations. The licensing authority should accept all reasonable and proportionate representations made by the police unless the authority has evidence that to do so would not be appropriate for the promotion of the licensing objectives. However, it remains incumbent on the police to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.

The licensing objectives are the area of self-regulation that ascertains how a premises can run lawfully in relation to the Licensing Act. This current application does not deal with disorderly

scenarios in relation to the negative effects of alcohol. It does not consider crime, underage, or disorderly conduct on licensed premises. It does not consider any procedures up to the point of sale of alcohol, it does not take into consideration the environment that it wishes to sell the alcohol in and it makes no measures on how to protect the existing populace that use this building to those new ones that wish to attend there to consume alcohol and watch adult entertainment.

### The Operating Schedule

1. This application wishes to sell alcohol from 12.00 hours to 24.00 hours, Monday to Sunday with a seasonal variation for New Year's Day. 84 hours a week, 7 days a week. This is excessive. Especially in a community area, in a community premises and in close proximity to houses and schools. Especially when other types of regulated entertainment including adult entertainment wishes to have the same hours. The hours this premises wishes to operate must be reduced or adequate measures like extra staff, front line registered door security providers and other safety measures need to be adopted to make sure this premises is run safely and therefore not have a negative effect on the community.

2. The application wishes to sell alcohol 'On' the premises only. It doesn't state how glasses will be prevented from going into the car park, into the library or into other parts of the building. Again the application has not considered the environment, with the balance of any risk that can be caused with potential glass and bottles being used as weapons, or accidentally by being smashed by accident.

3. The type of alcoholic products that the applicant wants to sell has not been specified and high (alcohol by volume) ABV products that have been shown to have a negative effect on the community especially in community areas such as these. The application has made no mention of how alcohol will not have a negative effect on the community, especially as they will be able to drink from 12.00 pm, onwards.

4. No existing licensing offences have been considered for this application. Therefore the application is not accepting the responsibility of any of the risks that take place in regard to alcohol. It does not even prohibit the sale, for example, to a meal only, or to measured controls over the sales, or even whether high pricing on certain products to make them less attractive is going to be used.

6. The application is misleading in relation to CCTV. There is 1 cameras situated in the café and one camera situated in the hall. These cameras are not even accessible by the operators of this premises licence, who will have no access to copy them, to see if they operate or even if they are suitable. Live music and strobe / disco lighting is in use in the hall and suitable high definition adjustable cameras need to be employed to work effectively in this type of area if they are to do the job correctly.

For CCTV cameras to be a good preventative tool or to even detect crime and disorder, they need to be of good evidential quality, produced in a format approved by the police and the images need to be held for a full calendar month (of 31 days) The cameras should be adequate to cover all public areas and the system must be operational at all times and checked every time.

7. Also, how will this premises be able to put CCTV cameras in other areas that they do not control, where potential consumption of alcohol can take place? Or where crime and disorder, due to alcohol, can take place. The toilets are situated in a shared public area that all of the other units share. Therefore further offences under the Licensing Act, once the persons has left the bar area can be prevalent as these areas will not be monitored by serving staff. The application does nothing to consider the perimeter of the building, the effect of the smoking area, or even the point of entry.

8. Under public safety no consideration has been given for the safe use of glass, bottles, which can leave long term damage when used as a weapon. The application states it will adopt a glass collection policy, but it fails to explain what this is. It fails to remedy how it will prevent glassware going outside when people want to smoke. In fact it also fails to mention a smoking area, or how it will manage smokers so that they do not make a public nuisance.

9. The protection of children from harm objective, is one of the gravest of concerns that SWP have, should this grant application go ahead. Adult entertainment and no explanation on how access to children will be restricted. This premises clearly does not wish to operate as a community hall and wants to cover itself for every eventually, but by offering no good measures or practises. Adult entertainment must be removed, for the safety of all other occupants that use this public building or it has to be restricted so tightly that disorderly conduct will not be freely encouraged.

10. The grant of this application will no doubt have such a negative impact on the community that it says it wants to serve. Yet offers no measures to protect the residents from anti-social behaviour and public nuisance.

11. Currently no risk has been identified in relation to proxy sales, or the consumption of alcohol by a person under the age of 18. Bearing in mind that the area is in close proximity to local schools and children are known to frequent the area, mostly without adult supervision. The area is also known to have been graded as an anti-social behaviour hot spot. Where children like to hang out and cause a nuisance. These children are often unsupervised and the application makes no measures on what the premises will do to not experience further anti-social behaviour by children. Types of anti-social behaviour data can be supplied at a later date to evidence the issues reported in the area.

South Wales Police does not see how the conditions offered protect children from potential harm associated with the effects of drinking, further reports can be highlighted to evidence the effects that underage drinking has in relation to the health service and the police service.

At this current time, South Wales Police believes that an objection notice is a necessary and proportionate step in order to address the problems with this application and to advise that as it currently stands, it should not be granted.

South Wales Police take a 'light touch' to all of its licensed premises within the Bridgend borough and attention from the police licensing team is not warranted until repetitive complaints are received. This is a rare stance that SWP take, and would fully support the applicant should he wish to remove this application and consider a new one with our guidance. Discussions have been arranged with the applicant's representative yet there appears to be misguided ideal of how the premises wishes to operate.

South Wales Police therefore cannot support this grant application and believe that a hearing is necessary and proportionate.

Yours sincerely,



Sarah EGAN  
Central WEST Licensing Police Constable