

***Neath Port Talbot County Borough Council
Cyngor Bwrdeistref Sirol Castell-nedd***

***Democratic Services
Gwasanaethau Democrataidd***

Decision Notice

LICENSING AND GAMBLING ACTS - URGENCY ACTION , WEDNESDAY, 18TH DECEMBER, 2024

Please see below approval of decision as follows:

1. **Temporary Event Notice - 02NSJ (Pages 3 - 10)**

South Wales Police have requested that the existing conditions attached to the premises licence for Treat Beatz, 12 High Street, Pontardawe are also attached to a Temporary Event Notice ('TEN') submitted by Luke Martin for same premises.

That approval be granted to approve the imposition of the conditions on the TEN.

For Immediate Implementation

Yours sincerely

Naidine Jones

p.p Chief Executive

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NEATH PORT TALBOT COUNCIL

Licensing and Gambling Acts Sub Committee

December 2024

Report of the Head of Legal Services – Craig Griffiths

Matter for Decision

Wards Affected: Pontardawe

Temporary Event Notice

Purpose of the Report

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

Premises Name	Treat Beatz
Premises Address	12 High Street, Pontardawe, SA8 4HU
Applicant Name's	Luke Martin
Applicant Address	12 High Street, Pontardawe, SA8 4HU

Executive Summary

2. To consider representations from South Wales Police in respect of a Temporary Event Notice ('TEN') submitted by Luke Martin of 12 High Street, Pontardawe SA8 4HU.

3. The Licensing and Gambling Acts Sub Committee are being asked to determine the notice.

Background

4. A TEN was submitted on the 12th of December 2024 to provide the sale of alcohol, the provision of regulated entertainment and the provision of late-night refreshment at Treat Beatz on the following dates and times:
5. 31/12/2024 - 01/01/2025 18.00 - 05.00 Sale of Alcohol and Late-Night Refreshment.
6. 31/12/2024 - 01/01/2025 18.00 - 03.30 Regulated Entertainment
7. South Wales Police submitted representations on 16th December 2024 and requested that the existing conditions attached to the premises licence to be imposed on the TEN.

Relevant Representations

8. South Wales Police - Nick Bailey
9. The above representation is reproduced at Appendix 1

Officer Report

10. The TEN is to authorise the sale of alcohol, regulated entertainment, and late-night refreshment.
11. One representation was received from South Wales Police requesting that the conditions from the premises licence be imposed on the TEN. The conditions are attached at appendix 2.
12. The premises user, Luke Martin, has agreed to imposition of the conditions on the TEN.
13. The Licensing Act 2003 permits conditions to be imposed on a TEN in situations where a premises licence is already in effect and where such conditions are considered appropriate for the promotion of the licensing objectives.
14. Paragraph 7.39 of the Licensing Act 2003 Section 182 - Statutory Guidance, states that the decision on imposing conditions from a

premises licence to a TEN is a decision for the Licensing Authority alone, regardless of the premises user's views or willingness to accept the conditions. Any such conditions must be notified to the user on a prescribed form.

Legal Impacts

15. There is no right of appeal against the decision to impose conditions on a TEN.

Risk Management

16. Not Applicable

Consultation

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

Recommendation

18. The members approve the imposition of the conditions on the TEN

Reasons for Proposed Decision

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

Implementation of Decision

20. The decision is for immediate implementation.

Appendices

21. Appendix 1 - South Wales Police
22. Appendix 2 - Conditions to be attached

List of Background Papers

23. Application for Temporary Event Notice

Officer Contact

24. Neil Chapple
Legal Regulatory Manager
Tel (01639) 763050
Email n.chapple@npt.gov.uk

25. Peter Malough
Senior Legal Regulatory Officer
Tel (01639) 763050
Email p.malough@npt.gov.uk

Pencadlys Heddlu

Heol y Bont-faen
Penybont
CF31 3SU

Mewn argyfwng ffoniwch **999**
fel arall, ffoniwch **101**
Gwefan: www.heddlu-de-cymru.police.uk


Police Headquarters


Cowbridge Road
Bridgend
CF31 3SU

In an emergency always dial **999**
for non-emergencies dial **101**
Website: www.south-wales.police.uk

Nick Bailey,
Police Licensing Officer,
Neath Police Station.

 : nick.bailey2@south-wales.police.uk

 : 01639 640207

 : 07971 623816

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

16th December 2024

Objection Notice to a Temporary Event Notice under Section 104 of the Licensing Act 2003.

In relation to the submission of Temporary Event Notices under the Licensing Act 2003, submitted on the 12th December 2024 for New Year's Eve 2024 by the below-referred person:

Name: Luke MARTIN

Address: 12 High Street, Pontardawe, Neath, SA8 4HU

I wish to object to this notice on the following grounds;

There have been a number of issues relating to this premises, both in its previous incarnation as Liquid Loft, for which the applicant bears no responsibility, and more recently since it opened as Treat Beatz, about music noise, noise from customers and customers behaviour both in the rear garden and at the front of the premises, indicating that, it is not solely how the premises was run previously, but due to its location within the town, without very careful management, problems can very easily occur.

Due to its location, being directly opposite residential properties in Dynevor Terrace, the original premises licence application attracted considerable opposition and resulted in a contested hearing in front of the Licensing Committee. The decision of

Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

South Wales Police welcomes receiving correspondence in Welsh and English.

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



the Committee was that, for the premises to operate without undermining the licensing objectives stringent conditions needed to be attached.

The Committee also set the terminal hours for licensable activities as follows;

Live Music Indoors: Sunday to Thursday: 12:00-00:00, Friday and Saturday: 12:00-00:30

Recorded Music Indoors and Outdoors: Sunday to Thursday: 12:00-00:00 Friday and Saturday: 12:00-00:30

Opening hours: Monday to Sunday: 09:00-01 :00

This Temporary Event Notice states that the premises will operate until 5am with 'relevant entertainment' finishing at 3.30am which far exceed the normal permitted hours. I believe that to increase the chances of this event to running without incident, the conditions that were attached to the premises licence at the original application hearing should also be attached to this temporary event notice (TEN), especially in view of the fact that the TEN will allow an additional 4 hours opening, and an additional 3½ hours of regulated entertainment well into the night.

I believe that should the conditions be attached that, not only will it give a strong framework and clear guidance for the operators to work under, it will help support the licensing objectives.

The above information is submitted for your information and consideration.

Yours sincerely,

Nick Bailey

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



Conditions Requested to be attached to TEN

1. A Digital CCTV system shall be installed at the premises which will be operational at all times when the premises is open to the public. The system must provide coverage of the following areas

The entrances and exits to the premises;
The interior public areas of the premises;
The exterior seating area of the premises

The CCTV recordings must be retained for a period of 31 days and made available for viewing by the Police or an authorised officer of the Licensing Authority on request.
2. A refusal book shall be maintained recording the date and time of all attempts by persons under the age of 18 to purchase alcohol. The book shall be made available for viewing by the Police and / or authorised officer of the Licensing Authority on request.
3. An incident recording book shall be maintained at the premises showing details of the date and time of all assaults, injuries, accidents or ejections, as well as details of the members of staff involved, the nature of the incident and the action/outcome. The book must be kept available for inspection by the Police and authorised officers of the Local Authority
4. A written record of staff training will be kept at the premises and will be produced on request of the Police Licensing Officer or an officer of the Licensing Section of the Neath Port Talbot County Borough Council.
5. Access to the external seating area shall be via the restaurant only. The side gate leading onto Dynevor Terrace shall be used as an emergency exit only.
6. Provide prominent signs in the external seating area requesting patrons to keep noise levels to a minimum as to minimise impact on local residents.
7. A noise management plan to be produced and implemented; with particular attention to controlling noise from the external area
8. A Challenge 25 policy will apply and Proof of age will be required from any person who appears to be under the age of 25 years who attempts to purchase or consume alcohol. The means of verification should be restricted to:-
 - P.A.S.S Accredited Proof of Age Schemes e.g, Citizen Card, Validate
 - GB Photocard driving licence or
 - Passport
9. The Outside area (Identified on the plan as "terrace dining") shall close to customers between the hours of 22:00 and 09:00 every day, subject to the following condition.

10. The outside area (identified on the plan as "terrace dining" shall be permitted to be used for smoking between the hours of 22:00 and 09:00 provided the following conditions are satisfied;
 - A maximum of 4 customers shall be in the area at any one time Customers shall not take any drinks or food into the area.
 - A member of staff shall control the entry to the area to ensure that the above conditions are met.
11. A minimum of 2 SIA registered door supervisors shall be on duty from 22:00 hours until closing time on every Friday and Saturday, the Thursday preceding Good Friday, Christmas Eve, Boxing Day & New Year's Eve. At all other times, the premises licence holder will risk assess the need for door supervisors and provide door supervision between such times and in such numbers as is required by the risk assessment.
12. All door supervisors shall display their SJA licence in a reflective armband whilst on duty.
13. A daily register of security personnel shall be maintained. The register shall show the name, address and licence number of each door supervisor, and the dates and times that they operate. The register must be kept available for inspection by the Police and authorised officers of the Local Authority.
14. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show and provide Police or authorised officer recent data or footage with the absolute minimum of delay following a lawful request.
15. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premises are open.
16. Signage shall be displayed in a prominent position within the premises informing of the Challenge 25 policy.