



LICENSING AND GAMBLING ACTS SUB COMMITTEE

10.00 AM - MONDAY, 7 FEBRUARY 2022

VIA MICROSOFT TEAMS

1. Welcome and Roll Call

2. Declarations of Interest

Report of the Head of Legal Services

3. Application to vary a Premises Licence - Kitty O'Shea's (Pages 3 - 26)

4. Urgent Items

Any urgent items at the discretion of the Chairperson pursuant to Section 100B(4)(b) of the Local Government Act 1972.

K.Jones
Chief Executive

Civic Centre
Port Talbot

Tuesday, 1 February 2022

Committee Membership:

Chairperson: Councillor S.Paddison

**Vice
Chairperson: Councillor D.Whitelock**

Members: Councillor M.Peters

Substitute: Councillor J.Miller

**c.c. Superintendent of Police, Neath
Chief Fire Officer, Neath**

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Licensing and Gambling Acts Sub Committee

7th February 2022

Report of the Head of Legal Services – Craig Griffiths

Matter for Decision

Wards Affected: Pontardawe

Application to vary a Premises Licence

Purpose of the Report

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

Premises Name	Kitty O'Sheas
Premises Address	6 James Street, Pontardawe, SA8 4LR
Applicant Name's	Mr Peter William Rees & Mrs Eileen Rees
Applicant Address	6 James Street, Pontardawe, SA8 4LR
DPS Name	Mrs Eileen Rees

Executive Summary

2. This is an application for the variation of a premises licence under the Licensing Act 2003 by Peter and Eileen Rees in respect of Kitty O'Shea's.
3. Representations were received in respect of the application from South Wales Police, Legal Regulatory Services and Environmental Health addressing concerns they had with the new smoking shelter and requesting that additional conditions be attached to the licence.
4. There have been various discussions between the applicant and responsible authorities in an attempt to negotiate an agreed position, but there are still areas where an agreement has not been established.

Background

5. The Licensing Act 2003 requires that any person wishing to vary their premises licence must submit an application to the Licensing Authority.
6. An application to vary a premises licence must be advertised in the prescribed manner and allows "Responsible Authorities" or "Other Persons" to submit representations in respect of the application.
7. Where all parties have reached an agreement and amendments have been made to the original application, the Licensing Authority can dispense with the need for a formal hearing; a meeting of the Sub-Committee is still required to consider the amendments.

Licence Application

8. The application is to remove the condition "that the beer garden and any other outside area shall not be used after 23.30". They also propose to make alterations to the plan, to include a new smoking shelter area in the rear beer garden and a new emergency fire exit.
9. All activities and times on the existing licence will remain the same.

Licensing Objectives

The following information has been provided by the applicant.

General

10. Risk assessment has been carried out reviewed annually.
11. Noise Management Plan inforce reviewed annually.

The prevention of crime and disorder

12. CCTV in and around premises 14 cameras.
13. Door staff supervision at all times.
14. Door staff carry out regular bag searches on entry.

Public safety

15. No glass bottles to leave premises.
16. All drinks served in polycarbonate glasses.
17. Employees aware of the fire safety measures in particular the evacuation procedures.
18. All door staff carry radios enabling a quick response.
19. No drinks promotions.

The prevention of public nuisance

20. Customers leaving premises will be staggered to prevent public nuisance.
21. Bar closed 15 minutes prior to official closing time.
22. No DJ or Live Entertainment.
23. Smoking area will be supervised by a member of door staff at all times.
24. No drinks permitted in the smoking area.
25. Door to smoking area fitted with power arm closure.

The protection of children from harm

- 26. No children or any person under the age of 18 years will be allowed on the premises at any time.
- 27. Licensing Act 2003 apply.

Existing licence

- 28. Supply of alcohol both on/off premises
 - Monday - Thursday: 11.00 - 00.00
 - Friday & Saturday: 11:00 - 04:00
 - Sunday: 11:00 - 03.00

- 29. Non-Standard Timings
 - Christmas Eve: 20.00 - 02.00
 - Boxing Day: 20.00 - 02.00
 - Sunday of bank holidays: 20.00 - 02.00

- 30. Live Music Indoors
 - Monday to Thursday: 20.00 - 00.00
 - Friday & Saturday: 20.00 - 01.00
 - Sunday: 20.00 - 00.00

- 31. Non-Standard Timings
 - Christmas Eve: 20.00 - 02.00
 - Boxing Day: 20.00 - 02.00

32. Recorded Music Indoors

Monday to Thursday: 20.00 - 00.00

Friday & Saturday: 20.00 - 01.00

Sunday: 20.00 - 00.00

33. Non-Standard Timings

Christmas Eve: 20.00 - 02.00

Boxing Day: 20.00 - 02.00

34. Provision of late night refreshment Indoors

Friday to Sunday: 23.00 - 03.00hrs

35. The opening hours of the premises

Monday to Thursday: 11.00 - 00.30

Friday & Saturday: 11:00 - 04:30

Sunday: 11.00 - 03.30

36. Non-Standard Timings

Christmas Eve: 20.00 - 02.30

Boxing Day: 20.00 - 02.30

Sunday of bank holidays: 20.00 - 02.30

Existing conditions

37. Regulated entertainment shall be inaudible in any noise sensitive property

38. From midnight the front door is to be closed except for when persons are entering or leaving the premises.

39. Maximum Permitted Number: 200
40. All glasses used in the premises must be plastic.
41. Ensure free phone link to taxi proprietors is maintained and provide signage within premises advertising this facility and also that patrons should wait inside the premises for the taxi.
42. Signs to be displayed at exits requesting patrons to leave the premises quietly so as not to disturb residents.
43. No open glasses or bottles to be brought into or out of the premises.
44. Ensure regular removal of glasses/bottles from all parts of premises.
45. Ensure proper fire precautions are maintained including alarm tests, staff safety drills and maintenance of fire log book.
46. Minimum of 2 door staff be employed at the premises from 10pm until close of business on Saturday nights. Door staff must be SIA licensed.
47. A log book is to be kept at the premises which is to contain details of door persons on duty, SIA licence number of that person and their time on and off duty. The book must be kept on the premises and produced on request for Police and Licensing Authority Officers.
48. An incident book is to be kept at the premises and available for inspection on demand for Police and Licensing Authority Officers.
49. A system of CCTV cameras, digitally recording to hard disk must be installed to the quality and coverage agreed by the Police Crime Prevention Officer. All recordings must be kept for a minimum of 31 days, and copies of recordings must be produced for Police Officers and licensing officers on request.
50. The Designated Premises Supervisor will permit the Police to undertake any exercise or operation at the premise without prior notification for example the use of a drugs itemiser testing machine or drugs dog to check the premises or customers at the premises as a condition of entry.
51. The premises will use door staff, polycarbonate glasses and will employ any other facility as requested on days specified by the Police to be specially designated (e.g. Cardiff v Swansea football match).

52. The premises must be participating members of the local Pubwatch scheme and the Designated Premises Supervisor or their representative shall attend meetings of this scheme.
53. There will be no irresponsible drinks promotions.
54. Ensure noise limiter is utilised whenever regulated entertainment is provided.
55. Ensure that the levels set for the noise limiter are in accordance with those specified in the acoustic report. Noise should be inaudible in nearest noise sensitive premises (dwelling).
56. Ensure that regular monitoring is carried out to ensure no nuisance occurs.
57. Ensure that all windows and doors are kept closed whilst regulated entertainment is provided.
58. No regulated entertainment to be provided in the beer garden or any other external areas.
59. The beer garden and any other outside area shall not be used after 23.30.
60. A documented procedure must be in place to verify the age of persons who appear to be under eighteen years of age to prevent them gaining access to the premises and or purchasing alcohol. The means of verification should be restricted to :-
Accredited proof of age scheme e.g. Portman Validate
Photocard driving licence or passport
61. There should be no persons under the age of 18 years admitted to the premises.

Relevant Representations

62. Nick Bailey - South Wales Police
63. Peter Malough - Legal Regulatory Services (Licensing)
64. Rachel Matthew - Environmental Health

65. The above representations are reproduced at Appendix 1, 2 and 3 accordingly.

Officer Report

66. The application seeks to remove the condition "that the beer garden and any other outside area shall not be used after 23.30". The application also seeks to amend the plan of the premises, to include a new smoking shelter in the rear beer garden and a new emergency exit.

67. Representations have been received from the Police, Legal Regulatory Services (Licensing) and Environmental Health, who raised concerns in regard to the potential increased noise nuisance and requested additional conditions be attached to the licence.

68. There have been various discussions between the applicant and responsible authorities in an attempt to negotiate an agreed position, but there are still areas where an agreement has not been reached.

69. The applicant has agreed to the majority of the conditions requested which are outlined below, however no agreement has been reached on the maximum number of customers permitted to use the area after 23.30 (para. 71 below).

70. The beer garden shall not be used after 23.30hrs with exception of access to, and use of, the designated smoking shelter.

71. After 23.30 hours a maximum of 4 customers only, shall be permitted within the designated smoking shelter.

72. No drinks to be taken into any outside area after 23.30.

73. A SIA door supervisor must be present and control the door allowing entry and egress to the smoking area from 23.30 until closing time

74. Prominent signs must be provided within the designated smoking shelter requesting patrons to keep quiet to minimise impact on residents.

75. A self-closing mechanism must be in place on the door leading to the designated smoking shelter.

76. The Legal Regulatory Services section have accepted the conditions proposed.
77. The Environmental Health Section have concerns with the number of customers permitted to use the smoking shelter and wish to limit this area to a maximum 2 customers.
78. Environmental Health also requested the beer garden area should close at 23.00 hours however this cannot be considered as the existing premises licence already permits this area to be used until 23.30.
79. The conditions requested by South Wales Police have been agreed however agreement has not been reached on the number of customers permitted in the beer garden after 23.30 hours.

Legal Impacts

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

Risk Management

81. Not Applicable

Consultation

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

Recommendation

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

Reasons for Proposed Decision

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

Implementation of Decision

85. The decision is for immediate implementation

Appendices

- 86. Appendix 1 - South Wales Police representations
- 87. Appendix 2 - Legal Regulatory Services
- 88. Appendix 3 - Environmental Health

List of Background Papers

- 89. Application for the grant of a premises licence
- 90. Neath Port Talbot Licensing Policy

https://www.npt.gov.uk/media/4290/licensing_licensingact_policy2016.pdf

- 91. Secretary of State's Guidance

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

Officer Contact

- 92. Neil Chapple
Licensing Manager
Tel (01639) 763056
Email n.chapple@npt.gov.uk

Pencadlys HeddluHeol y Bont-faen
Penybont
CF31 3SUMewn argyfwng ffoniwch **999**
fel arall, ffoniwch **101**Gwefan: www.heddlu-de-cymru.police.uk**Police Headquarters**Cowbridge Road
Bridgend
CF31 3SUIn an emergency always dial **999**
for non-emergencies dial **101**Website: www.south-wales.police.ukN Nick Bailey,
Police Licensing Officer,
Neath Police Station.☐ External / Allanol: 01639 640207
☎ Mobile / Ffôn Symudol: 07971 623816
nick.bailey2@south-wales.police.ukMr N. Chapple,
Legal Regulatory Services manager,
Neath Port Talbot Council.
Civic Centre,
Port Talbot.26th November 2021.**Police Observations to application for the Grant of a premises licence
under the Licensing Act 2003.**

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

Name: Kitty O'Sheas

Address: 6 James Street, Pontardawe, SA8 4LR

This application has been submitted by the premises licence holders of the premises and is requesting the removal of a condition contained in Annex 3, Public Nuisance: point 6 namely;

- [The beer garden and any other outside area shall not be used after 23.30hrs.](#)

Having considered the application on behalf of South Wales Police, I wish to make representations in relation to this application on behalf of the Chief Officer of Police.

The request of the removal of this condition and the evidence to support it, as outlined in the description of the proposed variation contained in section 3 of the application, highlights the unenviable position the applicant finds themselves in as a result of the Health Act 2006 banning smoking indoors in licensed premises.



Following the banning of smoking indoors, customers who smoke, have to go outside a premises to do so. As outlined, the current situation is that smoker's use the pavement outside the front of the premises, which even the applicant says

'...has caused us a number of problems regarding noise and having to continually open and close the front door',

which has resulted in this application to allow the use of the rear beer garden after 23.30 (with a dedicated smoking shelter), a curfew which was imposed by the Licensing Committee following representations submitted to a previous licence variation to reduce the noise impact on their immediate neighbours in Dynevor Terrace.

The reality of the situation is that changing the location of the smoking area will not remove all noise disruption but will merely move it to another area, potentially affecting a different set of neighbours, and it is clear that this change has been brought about as a result of ongoing & frequent complaints from residents affected by noise from use of the front of the premises.

We must, therefore, be very careful that the rear beer garden has been chosen for the right reasons, rather than merely an area which has historically not attracted the same level of complaints about noise.

In addition to this consideration I feel it right that we should expect additional & appropriate, controls to be in place to mitigate the risk posed by the change, exploring options such as sound proofing, limiting numbers, changes and restrictions in how the area is used/patrolled/managed throughout the night as any smoking area agreed will be used until the premises closes at 4.30am, a time of night that customer and music noise carries far more due to there being little, or no other, background noise to compete against it.

The applicant has stated that the issues with noise leakage was exacerbated by the front door opening and closing to allow customers in and out, but the beer garden also has a door allowing access which will also be opened and closed on a regular basis and to combat this the applicant has proposed some form of door closing system to ensure the door remains open only for the time required for people to enter and exit the rear garden.

The rear beer garden in lower the road level adjacent which, I believe, will make any noise funnel upwards before dispersing outwards at street & first floor levels but I do not believe that there is anything that can be done structurally, within current legislative guidelines, to reduce this effect.

If this area is to be used I believe that the use of, and entry into & out of, the smoking area must be strictly monitored by the door staff mentioned by the applicant and that this must be their sole area of responsibility rather than as part of their general evenings responsibility for a larger area such as the recently enclosed area of the

Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg. Byddwn yn ateb gohebiaeth a dderbynir 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.



premises. One concern I have is that the glass panel in the UPVC door is heavily frosted, restricting the view afforded to a member of door staff standing inside so, in order to observe clearly customer behaviour, they will have also have to open and close the door on a regular basis.

Having seen the area proposed, first hand, I feel that the potential of 6 people using the smoking shelter at the same time, as proposed by the applicant, is not practical due to the size of the shelter as it would be too restrictive in terms of space, potentially encouraging people to stand outside the area, would result in ongoing noise issues and this opinion is based on nearly 40 years' experience of dealing with the night time economy, and those who visit it, and witnessing first-hand how the later into the night or early morning as customers continue drinking and socialising they have less appreciation of their special awareness, co-ordination and of the level of noise they are creating as their level of alcohol consumption rises.

What is clear is that while smokers must be able to smoke somewhere this does not mean that the potential risks of noise disturbance should be ignored. I am sure that a formula for maximum numbers of people to available space exists but in this case what the appropriate number would be for such an area I am not technically qualified to determine, and so would defer to the opinion of someone more qualified in this area, but I feel that 6 is excessive and likely to cause noise problems as outlined above. I would also have concerns about drinks being taken into the smoking area as a potential source of noise or becoming a cause of arguments through spillage etc. or worse weapons and so would request the condition outlined below relating to drinks being taken outside.

I also note that the applicant has suggested that no person under the age of 18 be permitted in the premises at any time, however I am aware that the applicants grandchildren, who are under 18, sometimes visit so is 'no under 18 permitted entry' actually what he means as it would prevent his grandchildren being in the premises?

As a result of the above concerns I would request, if the committee are minded to grant this variation, that the following conditions be imposed.

- The beer garden shall not be used after 23.30hrs with exception of access to, and use of, the designated smoking shelter.
- No drinks to be taken into any outside area after 23.30.
- A SIA door supervisor must be present and control the door allowing entry and egress to the smoking area from 23.30 until closing time.

I believe that the above proposals are proportionate to this premises and its location and support the licensing objectives.



Yours sincerely,

Nick Bailey

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

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



From: Peter Malough <p.malough@npt.gov.uk>

Sent: 23 November 2021 13:29

To: Legal Regulatory Services <lrs@npt.gov.uk>

Subject: Premises Licence Variation - Kittys O'Sheas

Dear Sir

An application has been received to vary the licence for Kitty O'Sheas, 6 James Street, Pontardawe, SA8 4LR.

The variation is to amend the premises licence to remove a condition that the beer garden is to close by 23.30 hours.

Currently with this condition on the licence customers who wish to smoke after 23.30 hours will have to use the front of the premises.

Kitty O'Sheas has a licence that allows them to operate until 04.30 hours on Friday and Saturdays so currently you have a situation where smokers are mixing with people who are either trying to get in the premises or just loitering outside. As you can expect this has caused problems for residents and we have received complaints about anti-social behaviour until the early hours of the morning.

The licence holders have put these increased complaints down to customers being outside the front of the premises which limits what control they have.

I acknowledge having customer smoking at the front of the premises makes it very difficult for them to prevent public nuisance.

The application outlines that they have built a small designated smoking shelter in the beer garden which they have proposed to limit to 6 customers, this will be supervised by door staff throughout the night. They have put forward that no drinks will be permitted in this area and there will be a power arm (self-closing mechanism) on the door leading to designated smoking area.

I believe these control measures within the designated smoking shelter will assist in the promotion of the licensing objectives however I have concerns that 6 customers is too many for this area.

There is a residential street (Dynevor Terrace) directly behind the beer garden and if proper control measures are not enforced and adhered too then these residents will clearly be affected as they live so close to the premises.

With the close proximity of residents in mind I would request that the permitted number of customers allowed in the designated smoking shelter be reduced to 2, as this would significantly reduce the noise and potential impact on residents.

In order to promote the licensing objectives and ensure the control measures put forward within the application can be enforced I propose the below conditions are attached to the licence:-

1. The beer garden must close at 23.30hrs, however customers are permitted to use the designated smoking shelter after this time.
2. No drinks shall be taken out to the designated smoking shelter after 23.30 hours.
3. After 23.30 hours a maximum of 2 customers shall only be permitted within the designated smoking shelter.
4. A door supervisor must control the door leading to the designated smoking shelter.
5. You must provide prominent signs within the designated smoking shelter requesting patrons to keep quiet to minimise impact on residents.
6. A self-closing mechanism must be in place on the door leading to the designated smoking shelter.

With the above conditions in place this should assist in the promotion of the licensing objectives and should elevate the potential impact on residents; however I think it's important to highlight if residents are negatively affected or the premises does not comply with the conditions requested, further action would have to follow.

Regards

Peter Malough

Uwchswyddog Rheoleiddio Cyfreithiol - Senior Legal Regulatory Officer

Gwasanaethau Rheoleiddio Cyfreithiol - Legal Regulatory Services

Cyfarwyddiaeth Gwasanaethau Corfforaethol & Cyllid / Finance & Corporate Services Directorate

Rhif Ffôn / Tel No. 01639 763050

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From: Rachel Matthews <r.matthews@npt.gov.uk>

Sent: 25 November 2021 14:37

To: Legal Regulatory Services <lrs@npt.gov.uk>

Subject: Licence Variation Kitty O'Shea's James Street Pontardawe

Dear Colleagues

In order to prevent Public Nuisance from noise emanating from Kitty O'Shea's; I wish to impose the following conditions on the licence, for the use of the smoking area at the rear of the premises:

1. No more than 2 persons to be permitted in the smoking shelter at one time, after 23:00.
2. The door into the area from the main premises should have permanent door staff controlling this restriction
3. No drinks to be permitted outside

Reasons:

1. Officers witnessed a significant noise disturbance emanating from a group of people in the rear beer garden area during September 18th-19th 2021, between the hours of 12:00-00:00.
2. When Mr Rees was asked about it; he said that he did not know the group was there, and when he went to get them in; there was about 10 people.
3. When the Environmental Health Officer raised this matter with Mr Rees, he advised that new controls had been put in place, limiting the area to 4 persons, confidence in management of the numbers using the area is uncertain, at this time.

Yours sincerely

Rachel Matthews

Environmental Health Officer

Neath Port Talbot County Borough Council

01639 685642

Peter Rees, Eileen Rees, Paula Rees,
Kitty O'Sheas
James Street Pontardawe

This report is to confirm the details of our conversation held on 30th September 2021 at 10.07am, the conversation was extensive, and involved 3 members of your family, and myself, and lasted for over 38 minutes. Peter Rees placed the call on speaker phone so that Eileen Rees and Paula Rees could hear what was being said.

I have summarised the issues that were discussed:

1. The letters of 22nd and 27th September 2021 are frightening and any allegations are unfounded, as the complaints are malicious.
2. The dates and times of the most recent complaints I have written to you about were:
 - a) Saturday 18th/19th September 2021 between 12 and 1am (music and voices)
 - b) Friday 24th September approximately between 11.30 and 12.30pm (door staff shouting, laughing outside the front entrance)
 - c) Sunday 25th September, between 2am and 3.30am. (fighting and shouting outside)
3. Peter Rees advised that Nick Bailey and Peter Malough of Legal Regulatory Services have viewed all CCTV footage for the recent complaints and are satisfied that these are malicious complaints and there was nothing happening on those times and dates.
4. Rachel Matthews advised that the Licesnsing Officers deal with the conditions on the premises license and Environmental Health deal with noise complaints.
5. Peter Rees advised that the complaints are lies and he is confident that there will be no evidence. He welcomes the investigation.
6. Peter Rees advised that those people in the community who are making the complaints must now step up and go to committee, and identify themselves, and that they should not allowed to be anonymous.

7. Peter Rees said that this has all started since Jackie Wildman complained about her windows being smashed. Rachel Matthews advised that she did not know who Jackie Wildman is, Peter Rees advised that she is a resident opposite who lives in the flats above the printing shop. Peter Rees advised that if she had come to him, he would have been able to look at the CCTV and see what had happened.
8. Peter Rees advised that he has sought legal advice yesterday from his solicitor: Peter Lynn in Pontardawe. Peter Lynn advised that the residents who are complaining who make a witness statement should be issued a writ for making unlawful complaints.
9. Rachel Matthews offered to speak with Peter Lynn to outline the Council's noise investigation procedure, and offered to phone him. It was agreed that Peter Rees will speak to Peter Lynn and ask him to give Rachel Matthews a call.
10. Peter Rees said that none of this has happened as Nick Bailey and Peter Malough have viewed all the CCTV.
11. Paula Rees advised that she is unhappy that the investigation is taking place. Rachel Matthews advised that she has a duty to investigate when complaints are made, and has been instructed to investigate by her Management Team. If they are unhappy about the investigation; they should contact the Managers of the Department to raise concerns.
12. Peter Rees referred to the night when Environmental Health Officers and Licensing Officers were present in Dynevor Terrace: (Saturday 22nd September approximately 12.15 pm). He advised that there were about 10 people in the smoking area and that he got them all in.
13. Since this time; the smoking area has been downsized, there are signs up saying no drinks allowed, only 4 people allowed and a doorman is present on the door.
14. Rachel Matthews advised that the acoustic report from Blake Lucas advised the area should not be used after 23.00.
15. Paula Rees advised that they had a further report from Blake Lucas to say provided there was expanding foam inserted into the gaps/ seals; then it would be OK to use.
16. Rachel Matthews advised that expanding foam does not have sound reduction properties, and would have little effect.
17. Peter Rees advised that at 2pm today glaziers are coming to double glaze all windows in the pub with 5mm laminate windows.
18. Rachel Matthews advised that they should ensure it has adequate sound insulation properties to prevent noise problems.

19. Peter Rees said that if there was a problem in Dynevor Terrace; then the residents would be complaining. Rachel Matthews advised that there are rumours in the community that have been reported to her by a third party; that threats and intimidation has been made by members of the Rees family to prevent the residents complaining.
20. All 3 Rees family members objected strongly to this and Paula Rees advised that it was unfair that Rachel Matthews should say that, and that it was harassment by Rachel Matthews to have said it.
21. Rachel Matthews advised that it was not what she was stating about them, but that she was reporting rumours to the family about what was being said about them in the community. Would they rather not know what people are saying about them? Or would they prefer to know that this is being claimed?
22. Peter Rees conceded and advised that they would prefer to know what was being said.
23. Peter Rees stated that they have had the 4am license for over 10 years, and never had a problem, and now all of a sudden this.
24. Rachel Matthews advised that they are the only premises in Pontardawe with a license until this time and that it is a quiet residential area, and so it should be managed so as not to affect the residents some of whom have to get up early for work.
25. Peter Rees advised that he bends over backwards to run the place without causing problems, spending over £500 per week on doormen. Rachel Matthews advised that she felt that was necessary for them to do that, and possibly more as 4am was unusual for that type of area.
26. Rachel Matthews advised that if their claims of it all being malicious are true, then they will have nothing to be concerned about. That Rachel Matthews is an independent Officer who will only take action when evidence is obtained.
27. Peter Rees said that one of the Council Officers had praise them during the Pontardawe Festival for being so well run, and not causing any problems over the festival weekend.
28. Peter Rees advised that the premises is rarely open after 2 or 2.30am, and is only open until 4 am if they have an occasion.
29. At those times, when everyone is leaving the doormen always move the customers along and people never congregate around the area.
30. Peter Rees advised that people in Dynevor Terrace used to complain, someone who was friendly with them had said: "they will never keep that fucking 4am license" but look, 10 years later; we still have it.

Prepared by
Rachel Matthews
Environmental Health Officer

Should you wish to query any of these matters, please do not hesitate to contact me, in writing with immediate effect.

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